

193RD Meeting

**Erskineville Town Hall
Erskineville**

Wednesday, 10 September 1997

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.38 pm on Wednesday, 10 September 1997.

PRESENT

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

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

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GENERAL MANAGER

Filming of Part of Council's Proceedings

It was moved by the Mayor, seconded by Councillor Harcourt, that the organisation, Cornerstone be allowed to video part of tonight's Council's proceedings.

Carried.

Presentation to Representatives of the Newtown Rugby League Football Club

The Mayor welcomed Mr Col Murphy (Coach) and Mr Tony Reid (Secretary) of the Newtown Rugby League Football Club and congratulated the Club in winning their third consecutive Metro Cup First Grade Premiership. The Mayor then presented letters of congratulations to Mr Col Murphy and Mr Tony Reid on behalf of the Council.

Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council of 27 August 1997, be taken as read and confirmed.

At the request of Councillor Macken, and by consent, the minutes of 27 August 1997, were amended on Page 1021 by the deletion of the whole of the resolution for Item 17 of the Finance Committee and the insertion in lieu thereof of the following new resolution, namely:-

That the report by the Director of Health and Community Services dated 15 August 1997, regarding a request for a donation in the sum of \$1,000, by the Shire of Young towards the cost of establishing the Lambing Flat Tribute Garden, be received and noted.

Minutes, as amended by consent, were then confirmed.

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 Fowler, seconded by Councillor Bush:-

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

Carried.

MINUTE BY THE MAYOR

9 September 1997

DONATIONS - WATERLOO OPEN DAY AND NEW COMMUNITY FACILITIES (2015151)

Waterloo Neighbourhood Advisory Board has written to Council requesting its involvement in its forthcoming Open Day on Tuesday, 30 September 1997 and financial assistance towards the purchase of recreational equipment for use at the new community facilities.

As Council is aware the residents of Waterloo and the Department of Housing have been working together to provide additional recreational facilities for the community. The Department is about to complete a basketball court, roller hockey/tennis court, community garden and new playground facilities across the Estate.

The residents wish to launch these facilities during the school holidays at an Open Day on Tuesday, 30 September 1997. A wide range of activities is planned including coaching clinics and competitions for children, planting and composting in the community garden and recreational activities for older residents.

Council is already providing assistance on the day by organising activities including demonstrating waste minimisation and composting for the community garden, recycling and community arts activities.

The day is expected to attract up to 1,000 residents and will promote a more positive image of the community and generate a greater sense of pride and ownership.

The Waterloo Neighbourhood Advisory Board has asked myself and the Minister for Housing, the Hon Craig Knowles MP to co-launch the day and is seeking Council's assistance with the provision and set up of facilities for the day including: BBQ's, large umbrellas for shade, folding tables, chairs, sound system, helium balloons and portaloos (\$1,200).

Additionally the Waterloo Neighbourhood Advisory Board is seeking financial assistance for the purchase of recreational equipment to be used at the new facilities. This equipment includes a giant chess set, hockey sticks and protective gear and junior and senior tennis rackets (\$2,755). The overall coordination and security of the equipment will be undertaken by a Recreation Subcommittee and the Waterloo Neighbourhood Centre.

This initiative of the Waterloo community and the Department of Housing is a good example of community development which will greatly improve the physical amenity of the area and attempt to resolve, through the provision of safe recreational alternatives, some of the area's social needs.

RECOMMENDATION:

GENERAL MANAGER

- (1) That Council agree to provide assistance to the Waterloo Neighbourhood Advisory Board's Open Day, to be held on Tuesday, 30 September 1997 by providing and setting up the following facilities for the day including: BBQ's, large umbrellas for shade, folding tables, chairs, sound system, helium balloons and portaloos, estimated at a cost of \$1,200 and for which funds are available in the 1997/98 Budget Estimates (EBC 77FO);
- (2) That Council additionally agree to provide a donation of \$2,755 under Section 356 of the Local Government Act (1993) to the Waterloo Neighbourhood Advisory Board towards the cost of recreational equipment for the community of the Redfern/Waterloo estates.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Macken:-

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

Carried.

MINUTE BY THE MAYOR

11 September, 1997

PUBLIC RELATIONS - RENT INCREASES IN THE OLYMPIC CORRIDOR (P58-00548)

There is a legitimate concern within the community regarding the need to protect tenants in the lead up to the Sydney 2000 Olympic Games.

Rent Levels within the South Sydney area increased by 21% for a two bedroom unit, to \$310 per week between December 1995 -and December 1996.

Evidence from overseas experience indicates that events such as the Olympics cause a speculative surge in property which results in higher rents. In Barcelona, according to information published by Redfern Legal Centre, in the five years between the decision in 1986 to host the Games and the start of the Games in 1992, property values escalated by 250%. This resulted in low income earners, especially elderly and young people being forced to move out of the city.

The influx of tourists both before and after the Games, as well as builders and officials also encourages rental property owners to either sell or to take advantage of short term high paying visitors. For example, during the 1996 Atlanta Olympics, a

GENERAL MANAGER

large property company put tenants on shorter agreements which expired just before the Olympics. They then increased the rents dramatically.

As it currently stands the Residential Tenancies Act is not able to cope with speculative market activity which will be brought about with the upcoming Olympics. The Act is unable to provide adequate legislative protection against unfair increases nor can it provide sufficient security of tenure. In order to protect tenants in the lead up to the Olympics the NSW tenancy laws need to change.

RECOMMENDATION:

That Council approve the co-ordination, by the Mayor, of a meeting of Local Government representatives in the Sydney Region to ensure adequate legislative protection for tenants during the Olympic Games period with a view to lobbying the NSW Government on the matter.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

QUESTIONS WITHOUT NOTICE

1.

HEALTH - RILEY STREET AND GOULBURN STREET (CORNER), SURRY HILLS - SYRINGES AND NEEDLES - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (H51-00084)

Question:

Residents have complained to me about the large number of syringes and needles in the street adjacent to the 5 Doors Restaurant on the corner of Riley Street and Goulburn Street, Surry Hills. Could Council Officers please pay special attention to cleaning this area and also attempt to identify the source of the needles?

Answer by the Mayor:

I will ask the Director of Public Works and Services and the Director of Health and Community Services to investigate the matter and submit a report in the Councillors Information Service in relation to the action taken.

2.

PARKING - COMMONWEALTH STREET AND MARY STREET, SURRY HILLS PRECINCTS - SEVEN DAY RESIDENT PARKING - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (P51-00006)

Question:

Residents of West Surry Hills, in the Commonwealth/Mary Streets precincts, have asked if further consideration can be given to seven day resident parking in the area. Alternatively a scheme involving metered parking (Resident Parking Permit Holders Excepted), might be considered.

The area is heavily affected by the impact of visitors to commercial clothing premises and activity relating to Paddy's Market and China Town at weekends, as well as the normal weekday business traffic.

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate the matter and report to the Traffic Committee at the meeting after the next meeting.

3.

TRAFFIC - FLINDERS STREET AND SOUTH DOWLING STREET, OPPOSITE DRIVERS TRIANGLE - INSTALLATION OF SAFE PEDESTRIAN CROSSING - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (T52-00141)

Question:

Could Council through its Traffic Committee, urgently request the Roads and Traffic Authority to install a safe pedestrian crossing at the intersection of Flinders Street and South Dowling Street opposite to Driver's Triangle? Since the Triangle and its associated bus stops and crossings have been swallowed up by the Eastern Distributor constructors, there is no easy access for residents on South Dowling Street and adjacent streets in Surry Hills to reach the bus stop to Randwick, Coogee and the University of New South Wales, or to access West Paddington and venues at the Paddington end of Oxford Street.

I have seen several people trying to cross at the intersection and balancing on the small kerb in the middle of the road. This is potentially a serious accident black spot.

Answer by the Mayor:

I will ask the Director of Public Works and Services to make urgent representations to the Roads and Traffic Authority and the State Transit Authority in relation to this matter.

4.

**PLANNING - LITTLE ALBION STREET, NOS. 10 - 12, SURRY HILLS -
YOUTH CLUB - QUESTION WITHOUT NOTICE BY COUNCILLOR
HARCOURT (U97-00710)**

Question:

I have received a complaint from residents in Little Albion Street, Surry Hills, that the Sydney City Mission has commenced operating a Youth Club in the street without planning permission. There has been long term concerns expressed by residents to Federal, State and Local Government about the large number of charities and non-government organisations operating in West Surry Hills. These organisations seldom consult local residents about their operations, but have a big impact on residential amenity because of the clientele they attract and their unwillingness to take responsibility for street behaviour by people drawn to their venues.

I understand a Development Application has now been lodged. When the report comes to Council, please may we also have an assessment of the social impact of this operation on Little Albion Street and surrounding residences, including comment on the cumulative impact given that the Salvation Army, the Children's Court and the Bobby Goldsmith Foundation are already operating close by?

Answer by the Mayor:

I will ask the Director of Planning and Building to ensure these comments are given to the Council's Social Planner and included in the report to come to Council.

5.

HEALTH - CAROLINE LANE, REDFERN AREA - RELOCATION OF NEEDLE EXCHANGE BINS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (H51-00084)

Question:

Could the Director of Health and Community Services liaise with community representatives, residents and health care providers to facilitate the possible relocation of needle exchange bins which presently are used in the Caroline Lane area?

Answer by the Mayor:

I will ask the Director of Health and Community Services to investigate the matter.

6.

COMMITTEES - SYDNEY COASTAL COUNCILS - QUESTION OF APPOINTMENT OF SOUTH WARD COUNCILLOR - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (M54-00018)

Question:

At the Mayoral Election on 2 September 1997, the North Ward Councillors were elected to represent Council at the Sydney Coastal Councils. With the re-development of the Alexandra Canal and Sheas Creek, it would be to Council's advantage if a Councillor from the South Ward were appointed to the Sydney Coastal Council.

Could we have a brief report on this matter?

Answer by the Mayor:

I will ask the Director of Health and Community Services to submit a report to Committee.

7.

ALCOHOL-FREE ZONE - ESTABLISHMENT IN TAYLOR SQUARE AREA - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2010065)

Question:

I have received a letter dated 1 September 1997, from the Member for Bligh, Clover Moore, requesting the establishment of an Alcohol-Free Zone in the Taylor Square area. This matter was discussed at Council some months ago and I understand that the proposed area was to be advertised.

May I have a brief report in the Councillors Information Service on this Alcohol-Free Zone?

Answer by the Mayor:

I have received the same letter. Council is waiting on information from various authorities. A response has been sent to Clover Moore.

8.

STREETS - CAROLINE LANE, REDFERN - CLOSURE - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2010907)

Question:

A few members of the community, who are pensioners, have informed that they would be willing to withdraw their objections to the Caroline Lane closure if it were possible to defer payment for the cost of the closure, in the same way that they are able to defer their rates.

Is this a possible option and if so, could Council Officers notify local residents of this?

Answer by the Mayor:

I will ask the General Manager to obtain legal advice in relation to this matter.

9.

COMMUNITY FACILITIES - PINE STREET COMMUNITY CENTRE - PROVISION OF CURTAINS - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (C59-00110)

Question:

I understand that there are no curtains in the Pine Street Community Centre. Could Council Officers investigate the possibility of installing curtains so that videos and slides can be shown there?

Answer by the Mayor:

I will ask the Director of Health and Community Services to urgently arrange for curtains to be provided.

10.

PUBLIC RELATIONS - INSTALLATION OF NOTICE BOARDS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (W51-00038)

Question:

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Could I please be advised as to when the notice boards will be in place and when the Development Application list will start to be posted? Having advised residents that this service would be available, I am now regularly fielding questions as to the actual timing.

Answer by the Mayor:

I will ask the Director of Corporate Services to investigate the matter and submit a report in the Councillors Information Service on 12 September 1997.

11.

DEVELOPMENT APPLICATIONS - ADVERTISING - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (D52-00159)

Question:

Could I please be advised as to where the proposal for 'on site' advertising of large Development Applications is at?

Answer by the Mayor:

I will ask the Director of Planning and Building to submit a report to Committee.

12.

STREETS - KING STREET, NEWTOWN - PROVISION OF PRAM RAMPS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2001803)

Question:

Could I please have a report on the provision of pram ramps at the intersection of Brown Street and King Street, Newtown? I have noticed a number of people struggling with prams in this area.

Answer by the Mayor:

I will ask the Director of Public Works and Services to look at King Street in total and submit a report to Committee for the provision of pram ramps at various intersections.

13.

HUTCHINSON STREET, NOS. 36 - 38, SURRY HILLS - PLANT ROOM AND PERGOLA - DEVELOPMENT APPLICATION - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (Q96-00429)

Question:

I refer to the Development Application for Nos. 36 - 38 Hutchinson Street, Surry Hills (Q96-00429) and a complaint from owners regarding the approval under delegation for a plant room and pergola on the top of the existing building which was approved as it is not defined as floor space under the EP & A Model provisions of 1980.

- (a) Do the provisions of the EP & A Model, 1980 give surrounding property owners some indication of the floor area that can be defined as “plant room” or is it unlimited?
- (b) Do the EP & A Model Provisions, 1980 allow for pergola type constructions covering 100 sq. metres without notification to local residents and if not, why is Council allowing such a construction to be built?

Answer by the Mayor:

I will ask the Director of Planning and Building to submit a report to Committee.

14.

ALBION STREET, SURRY HILLS (GERTRUDE ABBOT HOME) - ACCESS TO SITE - DEVELOPMENT APPLICATION - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (Q97-00091)

Question:

I have had representations from residents of Jesmond Street, Surry Hills, regarding the construction of the extensions to the Gertrude Abbot Home on Albion Street (where Council has conditioned all access to the building site be through Jesmond Street), which include pumping of concrete at 7.00 p.m. and mechanised trowelling until 9.30 p.m.

Could Council Officers ensure that the developer is notified of the approved hours of building work and monitor this site to ensure the amenity for surrounding residents?

Answer by the Mayor:

This has already been done.

REPORT OF THE FINANCE COMMITTEE

3 September 1997

PRESENT

Councillor Sean Macken (Chairperson)

Councillors - Sonia Fenton, Greg Waters.

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

Councillors - Fenton, Macken.

Apology

An apology for non-attendance at the meeting was received from Councillor Deftereos who was granted Leave of Absence at Special Council of 26 August 1997, from 2 September to 26 September 1997.

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 6,7,12,13, and 16, 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 6,7,12,13 - Lease or Contractual Matters

Item 16 - Personnel Matter

GENERAL MANAGER

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

That the Report of the Finance Committee of its meeting of 3 September 1997, be received and the recommendations set out below for Items 1 to 8 inclusive, 10 to 21, inclusive, 23 and 24, be adopted. The recommendations set out below for Items 9 and 22 having been dealt with as shown immediately following such Items.

Carried.

There was no quorum present for Items 1 to 6 and Councillors Macken and Fenton **recommended** the following:-

1.

PARKS - METROPOLITAN GREEN SPACE PROGRAM 1997 - GRANT FOR SYDNEY PARK (2010910)

That approval be given to the acceptance of the Metropolitan Greenspace Program Grant of \$100,000 and conditions on a dollar for dollar basis to carry out park development works in Sydney Park which are to be completed in June 1998, and for which funds are available in the 1997/98 Works Programme (Sydney Park \$400,000).

(DPWS Report 25.8.1997)

Carried.

2.

DONATIONS - CITY TO SURF - PROPOSAL TO SPONSOR A COUNCIL TEAM (D53-00421)

That arising from consideration of a report by the Director of Health and Community Services dated 21 August, 1997, it be resolved that:-

- (a) Council sponsor an official South Sydney Council team comprising of Councillors and Staff, in the annual City to Surf Footrace to be held on Sunday 9 August, 1998;
- (b) each member of the official Team have his/her entry fee paid and be supplied with an appropriate Council running uniform;
- (c) an amount of \$3,200 be allocated in the 1998/99 Estimates to meet the fun run expenses.

Carried.

3.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF 15 MOTOR VEHICLE FLEET ITEMS - RESCISSION OF COUNCIL RESOLUTION OF 23 APRIL 1997 (2012574)

That confirmatory approval be given to:-

- (1) rescind clause 8 of Resolution of Council of 23 April, 1997 of Item 24 of the Finance Committee;
- (2) the acceptance of the amended tender submitted by Clinton's Motor Group for the supply and delivery of one Toyota Hi Lux one tonner in the sum of \$19,419 less a trade in allowance of \$22,000 on Council Vehicle No. 4389 Holden Commodore 'S' Pack Utility for a credit of \$2,581 in accordance with Council's Specification PWS 4/97 Category 'E' and the firm's amended tender dated 1 August, 1997;

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

(DPWS Report 18.8.97)

Carried.

4.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF 15 MOTOR VEHICLE FLEET ITEMS - RESCISSION OF RESOLUTION OF COUNCIL OF 28 MAY 1997 (2012574)

That confirmatory approval be given to:-

- (1) Rescind clause 10 of Resolution of Council of 28 May, 1997 of Item 16 of the Finance Committee;
- (2) the acceptance of the amended tender submitted by Clintons Motor Group for the supply and delivery of one Toyota Hi Ace LWB van in the sum of \$22,614, on a no-trade basis, in accordance with Council's specification PWS 5/97 Category 'E' and the firm's amended tender dated 12 August, 1997;
- (3) the disposal of Council Vehicle No. 4131 Toyota Hi Act LWB van at auction;

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

(DPWS Report dated 18 8.97)

Carried.

GENERAL MANAGER

5.

PROPERTIES - JOYNTON AVENUE, NO.140, ZETLAND - BUDGET FOR PHOTOGRAPHS FOR SECURITY ACCESS - ADDITIONAL PROXIMITY CARDS (P56-00024)

That approval be given to a budget of \$6,000 being made available to the Employment Services Department, Safety Section to arrange for photographs to be taken for existing employees who have not yet had their photographs taken and for additional employees who may join Council as well as photographs for contractors for the current financial year.

(DES Report 18.8.97)

Carried.

6.

LEASING - OXFORD STREET, NO. 56, DARLINGHURST - APPLICATION BY STYLETONE CLOTHING CO PTY LIMITED - REDUCTION IN LEASE AREA (L52-00118)

That the recommendation as contained in the report by the Director of Corporate Services dated 18 August 1997, regarding the reduction of rent with respect to No.56, Oxford Street , Darlinghurst be approved and adopted.

Carried.

At this stage of the Committee Meeting, Councillor Waters arrived and there was a quorum present and the Committee then recommended the following:-

7.

LEASING - RAILWAY PARADE, NOS. 107 - 125, STORE A, ERSKINEVILLE - LEASE OF COUNCIL PREMISES TO THE PACT YOUTH THEATRE (D53-00350)

That PACT Youth Theatre be offered a five year lease with a five year option of Council premises, Store A, Nos.107-125 Railway Parade, Erskineville, commencing on the 1 July, 1997, such lease to be in accordance with the recommendation of the Director of Corporate Services in the report dated 14 August 1997.

Carried.

8.

FINANCE - STATUTORY FEES FOR APPLICATION FOR BUILDING APPROVALS (B53-00009)

That Council gives public notice, in accordance with Section 612 of the Local Government Act of its intention to adopt the maximum fees permitted under the Local Government (Approvals) Regulation 1993 as may be amended from time to time applicable to an application for building approval, it being noted that the maximum fee payable from the 1 September 1997 is:

COST OF WORK

Not exceeding \$5,000	\$50 + 0.5% of cost
Exceeding \$5,000 to \$100,000	\$50 + 0.5% of first \$5,000 + 0.35% of excess of \$5,000
Exceeding \$100,000 to \$250,000	\$50 + 0.5% of first \$5,000 + 0.35% of next \$95,000 + 0.2% of excess of \$100,000
Exceeding \$250,000	\$50 + 0.5% of first \$5,000 + 0.35% of next \$95,000 + 0.2% of next \$150,000 + 0.1% of excess of \$250,000
Building application submitted as a combined BA/DA Division 2, Clause 11 Local Government Act, 1993 Regulations	15% reduction in statutory

Carried.

9.

STREETS - STREET TRADING AND DISPLAYS - LEASE OF PART OF THE FOOTWAY AS UNNECESSARY ROAD - RESCISSION OF POLICY (L52-00237)

That the policy adopted by Council on 12 August 1992, allowing for the leasing of unnecessary road under Part 10 Division 2 of the Roads Act 1993 (formerly Section 276A of the Local Government Act 1919) for the purpose of street trading and display, be rescinded.

(DPWS Report 27.8.97)

GENERAL MANAGER

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

That the matter be deferred to the next Finance Committee meeting to be held on 17 September 1997, in order that a briefing be held for all Councillors prior to the Committee meeting.

Motion, as amended by consent, carried.

10.

**DONATIONS - PADDINGTON TOWN HALL - PUBLIC MEETING ON DRUGS
- TONY TRIMINGHAM/DAMIEN TRIMINGHAM FOUNDATION (2003711)**

That approval be given under the provisions of Section 356 of the Local Government Act 1993 to the payment of a subsidy to the Damien Trimmingham Foundation, in the sum of \$1,700 toward the cost of hiring the Paddington Town Hall on Tuesday 23 September 1997 between the hours of 7.30pm. to 11.00pm. and expenditure involved be provided for in 1997/1998 Revenue Estimates.

(DCS Report 26.8.97)

Carried.

11.

**COMPUTERISATION - IMPLEMENTATION OF PROCLAIM SOFTWARE
APPLICATION AND KODAK IMAGING WORKFLOW SCHEME (2011928)**

That approval be given to the acceptance of the tender submission from Sloan, Duff and Associates, in the value of \$125 per hour, for the Project Management of the Proclaim and the Kodak Imaging Systems, in the Information Technology Section of the Corporate Services Department.

(DCS Report 27.8.97)

Carried.

12.

**LEASING - TURNER STREET, NO. 17, REDFERN - VACANT LAND
APPLICATION BY NEW SOUTH WALES POLICE SERVICE TO LEASE
(2016128)**

That approval be given to the N.S.W. Police Service being offered a three year lease, with a two year option of Council owned vacant land (50m²) at No.17 Turner Street, Redfern, to place a demountable building for use by Redfern Police Station from a date to be determined, such lease to be in accordance with the recommendation of the Director of Corporate Services in the report dated 26 August 1997.

Carried.

13.

**LEASING - OXFORD STREET, NOS. 62-64, DARLINGHURST -
APPLICATION BY MR. PETER WELLS, DARLINGHURST HEALTH
PRODUCTS FOR ABATEMENT OF RENT (L52-00113)**

That the recommendation as contained in the report by the Director of Corporate Services dated 28 August 1997, regarding the application for an abatement of rent by Mr. Peter Wells with respect to premises Nos. 62-64, Oxford Street, Darlinghurst, be approved and adopted.

Carried.

14.

RATES - ARREARS AS AT 30 JUNE 1997 (2004815)

- (A) That the report by the Director of Finance dated 19 August 1997, concerning arrears of rates and interest charges as at 30 June 1997, be received and noted.
- (B) That the Director of Finance be requested to prepare a report on the criteria for rate concessions.

Carried.

15.

FINANCE - OUTSTANDING DEBTS - RENTS AND SUNDRIES AT 30 JUNE 1997 (2005599)

- (A) That the report by the Director of Finance dated 28 August 1997, detailing outstanding sundry and rent debts at 30 June 1997, be received and noted.
- (B) That the Director of Finance prepare a report on the current status of outstanding debtors.

Carried.

16.

ADMINISTRATION - REVIEW OF THE SUPPORT SERVICES BRANCH - PUBLIC WORKS AND SERVICES DEPARTMENT (5251907)

That approval be given to:-

- (1) the new structure of the Support Services Branch as detailed in this report and that employees be re-deployed to the relevant positions as shown in the attached charts marked "A" to "H";
- (2) the creation of a new permanent position of Land Information Systems Officer and the re-deployment of Miss F Althofer, Cadet Drafter, to this position upon satisfactory completion of her Cadetship (December 1997);
- (3) review of the position of Recycling Depot Supervisor following completion of the Management Plan for Burrows Road Recycling Depot.

(DPWS Report 27.8.97)

Carried.

17.

LICENSING - FOOTWAY RESTAURANT LICENCES - AMENDMENT TO POLICY (K56-00352)

That approval be given to the amendment of the Footway Restaurant Licence Policy adopted by Council on 11 December 1996 by:-

- (a) the Footway Security Deposit lodged with Council in case of damage to the footway or recovery of outstanding rent at the termination of the licence being not transferable;
- (b) A-Frame Advertising boards being prohibited in the footway licence area;

GENERAL MANAGER

- (c) the adoption of the revised Standard Footway Licence Conditions shown as Appendix "B". accompanying the report

(DPWS Report 26.8.1997)

Carried.

18.

LEASING - WATERLOO TOWN HALL, ROOMS AT REAR - APPLICATION BY INNER SYDNEY REGIONAL COUNCIL FOR SOCIAL DEVELOPMENT CO-OP LTD. (D53-00376)

That the Inner Sydney Regional Council for Social Development Co-Op Ltd. be offered a 12 month lease of Council premises, rooms at rear of Waterloo Town Hall, commencing on the 1 July, 1997, such lease to be in accordance with the recommendation of the Director of Corporate Services in the report dated 26 August 1997.

Carried.

19.

LICENSING - BOURKE STREET, NO.2, WOOLLOOMOOLOO - PROPOSED FOOTWAY LICENCE (L06-00629)

That the approved operating hours of the footway licence adjacent the Woolloomooloo Bay Hotel at No. 2 Bourke Street, Woolloomooloo be amended to 9.00 a.m. to 11.00 p.m. 7 days per week as shown on Plan No. S4-130/354D, accompanying the Director's report.

(DPWS Report 22 8.97)

Carried.

20.

PERSONNEL - TEMPORARY EMPLOYMENT - MR. G. COLLIS (2002867)

That pursuant to a joint report by the Director of Public Works and Services and the Director of Employment Services, dated 1 September 1997, Mr G Collis be offered temporary employment in the Parks Services Branch until the 23 January 1998.

Carried.

21.

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

That approval be given to:-

(A) the acceptance of:

- (1) the tender submitted by City Ford Mascot, for the supply and delivery of two Ford Falcon GLI sedans in the sum of \$24,615 per vehicle, in the total sum of \$49,230 less a total trade in allowance of \$37,100 on Council vehicle Nos. 6223 and 6278 Toyota Camry CSI station wagons, in the total nett sum of \$12,130. in accordance with Council's Specification PWS 9/97 Category 'A' and the firm's tender dated 14 August, 1997;
- (2) the tender submitted by Dominelli Ford Sutherland Pty Ltd, for the supply and delivery of two Ford Falcon GLI station wagons in the sum of \$21,455 per vehicle (sales tax exempt) and two Ford Falcon GLI station wagons in the sum of \$26,174 per vehicle (sales tax payable), in the total sum of \$95,258, less a total trade in allowance of \$64,800 on Council vehicle Nos. 6084, 6276, 6277 and 6207 Mitsubishi Magna station wagons in the total nett sum of \$30,458 in accordance with Council's Specification PWS 9/97 Category 'B' and the firm's tender dated 13 August, 1997;
- (3) the tender submitted by Greg Ball Automotive for the supply and delivery of one Holden Commodore Executive station wagon in the sum of \$26,668.39, less a trade in allowance of \$15,500 on Council vehicle No. 6085 Mitsubishi Magna Executive station wagon, in the total nett sum of \$11,168.39 in accordance with Council's Specification PWS 9/97 Category 'B' and the firm's tender dated 11 August, 1997;
- (4) the tender submitted by Sinclair Ford Pty Ltd. St. Marys, for the supply and delivery of one Ford Falcon Ghia sedan in the sum of \$35,941 less a trade in allowance of \$29,800 on Council vehicle No. 6026 Holden Calais sedan, in the total nett sum of \$6,141 in accordance with Council's Specification PWS 9/97 Category 'C' and the firm's tender dated 14 August, 1997;
- (5) the tender submitted by Lander Toyota for the supply and delivery of one Toyota Hi Lux one tonner in the sum of \$18,814 in accordance with Council's Specification PWS 9/97 Category 'D' and the firm's tender;

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

(B) The disposal of Council vehicle No. 4147 Toyota Hi Lux one tonner at auction.

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(DPWS Report 19.8.97)

Carried.

22.

DONATIONS - PADDINGTON TOWN HALL - RADIOTHON, 2RES RADIO EASTERN - REQUEST FOR FREE USE (P56-00416)

That the application by Radio Eastern, 2RES, Paddington Town Hall on Thursday 15 October, 1997 between the hours of 7.00 p.m. to midnight be refused and that the organisation be offered alternative venues, if available free of charge.

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

That approval be given under the provision of Section 356 of the Local Government Act, 1993 to the payment of a subsidy to Radio Eastern, 2 RES , in the sum of \$2,550 towards the cost of hiring the Paddington Town Hall on Thursday 16 October 1997, between the hours of 7.00 p.m. to midnight and expenditure involved be provided for in the 1997/98 Revenue Estimates.

(DCS Report 29.8.97)

Motion, as amended by consent, carried.

23.

COMMUNITY FACILITIES - KINGS CROSS LIBRARY COMPLEX - MULTIPURPOSE SPACE - FEES AND CHARGES (2015576)

That arising from a report by the Director of Health and Community Services dated 28 August, 1997, approval be given to the adoption of the following fees for hire of multi-purpose spaces No.1 and No.3 within the Kings Cross Library Complex, namely:-

(1) Standard Rate	\$10 per hour
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(2) Discount Rate	\$5 per hour for self help groups such as Narcotics and Alcoholics Anonymous
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Carried.

24.

PROPERTIES - NEW COUNCIL PREMISES IN KINGS CROSS - SECURITY (2017565)

That approval be given to rescind the approval to appoint Chubb Security Systems to provide security at the Kings Cross Centre and that quotations be called for one week only from the market, to provide a design, installation and monitoring of a security system to the Kings Cross Centre.

(DCS Report 29/8/97)

Carried.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

3 September 1997

PRESENT

The Mayor, Councillor Vic Smith (Chairperson)

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

At the commencement of business at 6.40 pm, those present were -

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

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

That the Report of the Planning and Development Committee of its meeting of 3 September 1997, be received and the recommendations set out below for

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Items 1 to 7, inclusive, 9 to 15, inclusive, 16, 17, 21, 22, 24 to 31, inclusive, 33, 34, 36 and 38 to 40, inclusive, be adopted. The recommendations for Items 8, 15, 18 to 20, inclusive, 23, 32, 35, 37 and 41 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

LITTLE DOWLING STREET, NO. 5, PADDINGTON - ALTERATIONS AND ADDITIONS TO TERRACE HOUSE - AMENDED PLANS - DEVELOPMENT APPLICATION (U97-00085)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr D Haersch, with the authority of Mr B Thomson, for permission to construct a studio within an existing terrace house, subject to the following conditions, namely:
- (1) That the development shall be generally in accordance with plan DA01 dated June 1997;
 - (2) That the addition shall be coloured and finished so as to match the existing building;
 - (3) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
 - (4) That 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;
 - (5) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";

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- (6) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (7) That all proposed work shall be wholly within the boundaries of the subject site.

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

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

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

Carried.

2.

ROSE STREET, NO. 87, CHIPPENDALE - ERECT ATTIC ROOM WITH A FRONT AND REAR DORMER - DEVELOPMENT APPLICATION (U97-00478)

- (A) That the Council as the responsible authority refuses its consent to the development application submitted by Attic and Roof Conversions, with the authority of Mr L McGlashan and Others, for permission to erect a front and rear dormers to use the roof space as an attic room, for the following reasons, namely:-
 - (1) That the proposal does not comply with Council's Local Environmental Plan No 66 in respect to Clauses (11)(i) - FSR, Clause 14 - height and Clause 17(2) - conservation areas, and that the SEPP No 1 cannot be supported by Council;
 - (2) That the proposal does not comply with Council's Development Control Plan 1997 in respect to attics;
 - (3) That the proposal has not adequately considered the location, scale and bulk of the proposal as it relates on the existing area and adjoining development. The proposal will create a dominant structure which will reduce the architectural quality, character and significance of the existing building and area;

- (4) That the proposal will adversely affect the future amenity of the area;
 - (5) 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.

Carried.

3.

STEWART STREET, NO. 54, PADDINGTON - ALTERATIONS AND GROUND FLOOR ADDITION AT THE REAR - BUILDING APPLICATION (Q97-00528)

- (A) That the Council as the responsible authority, supports an objection under Section 82 of the Local Government Act 1993, to the application of Clause 54 of the Local Government Act (Approvals) Regulation in respect of the subject premises.
- (B) That subject to the concurrence of the Director General of the Department of Local Government to dispense with the application of Clause 54 of the Local Government (Approvals) Regulations 1993 resulting from the objection in (A) above, Council, as the responsible authority delegates to the Director of Planning and Building power to approve the application submitted by Mr Wlodek Kozlowski for permission to make alterations involving rear family room, rear balcony above courtyard and dormer windows at the abovementioned premises, all in accordance with the submitted plans numbered WD01, 02 and 03 received on 16 June 1997, subject to the following conditions, namely:-
- (1) That the proposed rear balcony including lattice screen above the family room shall be deleted and replaced by a non-trafficable roof. Amended plans shall be submitted to the satisfaction of the Director of Planning and Building;
 - (2) That the proposed door through the chimney leading to the first floor balcony from the bedroom shall be deleted to leave the chimney stack intact to the satisfaction of the Director of Planning and Building;
 - (3) That amended plans shall be submitted to retain the architectural heritage form of the rear toilet block from that of the proposed garage entrance door to the satisfaction of the Director of Planning and Building;
 - (4) That amended plans shall be submitted for the awning above the

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balcony so that it is similar to the roof of the front of the verandah to the satisfaction of the Director of Planning and Building;

- (5) That the applicant be advised that an objection may be lodged with Council pursuant to Section 82 of the Local Government Act, 1993 to vary the requirements of Clause 54 of the Local Government (Approvals) Regulation 1993. The authority to vary the requirements of the Clause rests with the Director General of the Department of Local Government OR that the applicant shall submit amended plans to comply with the requirement of Clause 54 of the Local Government (Approvals) Regulation 1993;
- (6) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
- (7) That compliance shall be given to all of the conditions shown on the approved plan;
- (8) 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;

- (9) 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;
- (10) That the approval shall only relate to the work shown coloured on the approved plans;
- (11) That the use of the premises shall remain as dwelling in single occupation only;
- (12) That the new windows shall be vertically proportioned to match

the existing windows;

- (13) That the proposed new brickwork shall match the existing;
- (14) That the proposed side boundary wall shown on the approved plans shall not be built as a party wall but the proposed extension shall be wholly located within the boundaries of the allotment unless consent of adjoining owner is submitted to Council;
- (15) 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;
- (16) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (17) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (18) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (19) 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;
- (20) That all excavations and backfilling shall be executed safely and in accordance with appropriate professional standards;
- (21) That all excavations shall be properly guarded and protected to prevent them from being dangerous to life or property;
- (22) That the demolition work shall comply with Australian Standard

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2601-1991;

- (23) 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;
- (24) That a certificate shall be submitted at the completion of the proposed work from a registered structural engineer confirming that all structural work complies with the approved certified structural plans;
- (25) 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;
- (26) That no structural work shall be commenced until approval is granted by Council;
- (27) 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;
- (28) That the openings in the external walls closer than 900mm from a side boundary shall be protected by non-openable fire windows or other construction with an FRL of not less than -/60/- or self-closing solid core doors not less than 35mm thick, in accordance with Specification C1.9-4(b) of the BCA;
- (29) That the rooflights or the like (in a class 1 and 10 building) shall comply with Specification C1.9-9 of the BCA;
- (30) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (31) That suitable smoke alarm systems shall be provided in accordance with the requirements of E1.7 of the BCA;
- (32) That the floor surfaces of water closets, shower compartments and the like shall be of materials impervious to moisture and the walls shall be finished with an approved impervious finish in accordance with the requirements of F1.7 of the BCA;
- (33) That clothes washing and drying facilities shall be provided in

accordance with the requirements of F2.1 of the BCA;

- (34) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;
- (35) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part F3 of the BCA;
- (36) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (37) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (38) That floor wastes shall be provided to the floors for each bathroom and laundry in accordance with the requirements of Part F1.11 of the BCA;
- (39) 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;
- (40) That a flashing shall be provided to prevent water entering between the proposed and existing external boundary walls of the adjoining properties;
- (41) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (42) 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;
- (43) 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;
- (44) 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;
- (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 during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (48) 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;
 - (49) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

4.

NICKSON STREET, NO. 64, SURRY HILLS - INSTALLATION OF A ROLLER DOOR TO PREMISES - AMENDED BUILDING APPLICATION (Q97-00126)

- (A) That the Council as the responsible authority grants its consent to the amended application submitted by P Grundmann for permission to erect a 2550mm high brickwall along the rear boundary of the site to accommodate a 3080mm wide roller door in accordance with the submitted plan dated 16 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 applicant shall inform Council once the stages indicated on the approved plans have been reached so inspections can be carried out by Council officers;
 - (4) That the approval shall only relate to the work shown coloured on

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the approved plans;

- (5) That the hours and days during which building work may be carried out shall be restricted to between 7.30 am and 5.00 pm Mondays to Fridays and 7.30 am and 3.00 pm Saturdays with no work being carried out on Sundays or public holidays;
- (6) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (7) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (8) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (9) That structural certification justifying the capacity of the proposed footing to carry the proposed new loads shall be submitted from a practising structural engineer prior to the commencement of work;
- (10) 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;
- (11) 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;
- (12) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (13) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (14) That 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;
- (15) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give

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

- (16) 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;
 - (17) That all excavations and backfilling shall be executed safely and in accordance with appropriate professional standards;
 - (18) That an application shall be made to Council's Tree Preservation Section (Public Works and Services Department) for permission to remove the Cupressus Sempervinens tree and one citrus (lemon) tree;
 - (19) That the area shall be landscaped and the other existing two trees shall be retained.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

5.

CHARLES STREET, NO. 21, ERSKINEVILLE - ALTERATIONS AND ADDITIONS TO REAR OF DWELLING, INVOLVING NEW BRICK FENCE - BUILDING APPLICATION (Q97-00547)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr M J Wilson to carry out alterations and additions to the rear of the dwelling involving a new brick fence at the abovementioned premises, all in accordance with the submitted plans numbered sheets 1 to 5, subject to the following conditions, namely:-
 - (1) That compliance shall be given to the provisions of the Local

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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, 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;

- (4) 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;
- (5) That the approval shall only relate to the work shown coloured on the approved plans;
- (6) That the use of the premises shall remain as dwelling in single occupation only;
- (7) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
- (8) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the location of the building in relation to the boundary lines of the allotment;
- (9) 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;

- (10) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (11) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (12) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (13) That structural 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;
- (14) That a certificate shall be submitted at the completion of the proposed work from a registered structural engineer confirming that all structural work complies with the approved certified structural plans;
- (15) That all timber framing shall be in accordance with AS 1684-1992 S.A.A. National Timber Framing Code or certified by a structural engineer in accordance with AS 1720.1 timber structures code;
- (16) That no structural work shall be commenced until approval is granted by Council;
- (17) 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;
- (18) That any sarking-type material used in the roof of the building shall have a flammability index of not more than 5, in accordance with Specification C1.9-8 of the BCA;
- (19) That the rooflights or the like (in a class 1 and 10 building) shall comply with Specification C1.9-9 of the BCA; That suitable smoke alarm systems shall be provided in accordance with the requirements of E1.7 of the BCA;
- (20) That the floor surfaces of water closets, shower compartments and the like shall be of materials impervious to moisture and the walls shall be finished with an approved impervious finish in accordance with the requirements of F1.7 of the BCA;

- (21) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
- (22) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;
- (23) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part F3 of the BCA;
- (24) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (25) That the external walls 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;
- (26) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (27) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (28) 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;
- (29) 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;
- (30) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (31) That the air handling system to the bathroom shall exhaust at least 25 litres per second;
- (32) 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;
- (33) 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;

- (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 details drainage shall be submitted to Council for consideration and approval prior to the commencement of building work.;
 - (36) That this approval shall relate to permanent work only and does not include temporary work;
 - (37) That suitable smoke alarm systems shall be provided in accordance with the requirements of E1.7 of the BCA.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

6.

CROWN STREET, NO. 459, SURRY HILLS - ALTERATIONS AND ADDITIONS TO DWELLING AND CONVERT TO MEDICAL PRACTICE - DEVELOPMENT APPLICATION (U97-00515)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Sueward Nominees, with the authority of Mrs K & Mrs M Wong, for permission to make alterations and additions to the existing terrace house and convert part of the ground floor for use as a professional consulting room,, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with drawing 1-3 dated June 1997;
 - (2) That the rear addition at first floor level accommodating the proposed stairway deleted from the proposal and that the floor plans be reconfigured to accommodate the stairway to the satisfaction of the Director of Planning and Building;
 - (3) That the hours of operation shall be restricted to between 8.30 a.m. to 6.30 p.m. Monday to Friday and 9.00 a.m. to 11.00 a.m. Saturday ;
 - (4) That the front facade of the building shall be renovated and reinstated as closely as possible to its original Victorian details;

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- (5) That an appropriate colour scheme for the building shall be submitted to Council with the Building Application;

and the following adopted standard conditions:-

- (6) LDA351 - Building Application required;
- (7) LDA376 - Hours of building work;
- (8) LDA384 - New alignment levels;
- (9) LDA389 - Stormwater disposal requirements;
- (10) LDA391 - Builder's Hoarding Permits;
- (11) LDA392 - No obstruction to public way;
- (12) LDA393 - Delivery of refuse skips;
- (13) LDA394 - Cost of alteration to signposting;
- (14) LDA396 - Works within boundaries;
- (15) HSC500 - Premises to be ventilated;
- (16) HSC018 - Sanitary facilities;
- (17) HSC720 - Contaminated waste;
- (18) HSC800 - Use of appliances emitting intrusive noise.

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

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

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

- (1) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (2) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (3) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;

- (4) That the ceiling beneath the first floor of the premises shall be of material having resistance to the incipient spread of fire of one hour;
 - (5) That the surgery, waiting and procedure rooms shall be separated from the remainder of the ground floor area by self closing solid core doors.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

7.

BAYSWATER ROAD, NO. 92, RUSHCUTTERS BAY - REFURBISH MIXED BUSINESS - BUILDING APPLICATION (Q97-00636)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr Manas Papadakis, for permission to make internal alterations to add kitchen, exhaust hood and ducting from ground floor extending above the first floor roof at the abovementioned premises, all in accordance with the submitted one unnumbered plan received on 14 July 1997 and plan numbered 98-007/A received on 8 August 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 compliance shall be given to the conditions of the Director of Health and Community Services contained in the accompanying report dated 18 July 1997 and 14 August 1997;
 - (4) 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;
 - (5) That this approval is granted in conjunction with the existing use of the premises, any proposed change of use of the premises will require the submission of a Development Application which shall be approved prior to the use being taken up;
 - (6) That the approval shall only relate to the work shown coloured on the approved plans;
 - (7) 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;
 - (8) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
 - (9) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
 - (10) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;

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- (11) That the demolition work shall comply with Australian Standard 2601-1991;
 - (12) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
 - (13) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (14) 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;
 - (15) 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;
 - (16) That suitable smoke alarm systems shall be provided to the residential portion in accordance with the requirements of E1.7 of the BCA;
 - (17) That the rear entrance doorway leading from the stairway corridor into the ground floor shop shall be protected by self closing or automatic closing tight fitting solid core door not less than 35mm in thickness in accordance with the requirements of C3.11 of the BCA;
 - (18) That a fire blanket complying with the requirements of AS3504 shall be provided in the kitchen adjacent to the cooking appliances;
 - (19) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

8.

BOURKE STREET, NO. 136, WOOLLOOMOOLOO - USE PREMISES AS A BROTHEL - DEVELOPMENT APPLICATION (U96-00575)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Mr M Harley, with the authority of Mrs K Harley, for permission to use the premises as a brothel for the following reasons, namely:-
- (1) That the use is not consistent with the objectives of the 2(f) zone under LEP 101 and would adversely affect the amenity of the neighbourhood;
 - (2) That the proposal does not comply with Council's policies in relation to car parking as contained in the Brothels Policy and DCP No.11;
 - (3) That the brothel use occupies more than 50% of the gross floor area and therefore as a non-residential use fails to comply with Clause 15 of LEP 101;
 - (4) That the granting of consent in this instance 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.
- (C) That the applicant be advised that the use of the premises for the purpose of a brothel must cease within 30 days of the date of notification or the matter will be referred to Council's solicitors to commence legal action.

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

That consideration of the application submitted by Mr. Harley to use the premises as a brothel at No.136, Bourke Street, Woolloomooloo, be deferred for further consideration.

Motion, as amended by consent, carried.

9.

ERSKINEVILLE ROAD, NO. 47, ERSKINEVILLE - TO BE USED AS STORAGE OF CARTONS FOR SMALL GOODS - DEVELOPMENT APPLICATION (U97-00549)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by R and S Danube Smallgoods for the permission to use the premises for storage of packaging associated with the use of 49 to 53 Erskineville Road for Smallgoods processing for the following reasons, namely:-
- (1) That the proposal is not a permissible use within the Residential 2(b) Zoning under Local Environmental Plan No. 107;
 - (2) That the premises do not provide adequate parking or loading;
 - (3) That the use is and would be likely to continue to adversely affect the amenity of the area particularly with regard to traffic generation and parking.
- (B) That the applicant be advised that the use shall cease within 30 days of receipt of this determination, and that Council's Solicitors be instructed to commence court proceedings if the use does not so cease.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

10.

ERSKINEVILLE ROAD, NO. 49, ERSKINEVILLE - PREMISES TO BE USED FOR COOLROOM AND SMOKEHOUSE - DEVELOPMENT APPLICATION (U97-00595)

- (A) That the Council as the responsible authority refuses to grant its consent to the development application submitted by R & S Danube Smallgoods, with the authority of M Kuehn, for permission to use the premises for coolrooms, smokehouse and related small goods processing and storage, for the following reasons, namely:-
- (1) That the proposal is not a permissible use within the Residential 2(B) zoning under Local Environmental Plan No 107;
 - (2) That the premises do not provide adequate parking or loading;
 - (3) That the use is and would be likely to continue to adversely affect the amenity of the area particularly with regard to traffic generation, noise, smoke emissions and smell.

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- (B) That the applicant be advised that the use shall cease within 30 days of receipt of this determination and that Council's solicitors be instructed to commence court proceedings if the use does not cease.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

11.

DARLINGHURST ROAD, NOS. 39 - 43, POTTS POINT - ENTRYWAY TO BUILDING AT GROUND FLOOR LEVEL AND FLASHING ILLUMINATED ABOVE AWNING ADVERTISING SIGN - DEVELOPMENT APPLICATION (U97-00461)

- (A) That the Council as the responsible authority refuses its consent to that part of the application submitted by Owens & Legge Design, on behalf of Vendomatic Pty Ltd being to erect a flashing illuminated advertising sign, for the following reasons, namely:-
 - (1) That the proposed signage fails to comply with the requirements of clause 26 (3) of South Sydney Local Environmental Plan 101 relating to the maximum permissible area of signage and no objection under the provisions of State Environmental Planning Policy No. 1 has been submitted in support of the application;
 - (2) That the proposed signage fails to comply with the requirements of clause 10.3.3 of South Sydney Development Control Plan No. 7 – Guidelines for Outdoor Advertising, requiring that the area of awning or first and second floor signs not exceed 1.5 square metres;
 - (3) That the proposal fails to comply with objective of clause 10.4 of South Sydney Development Control Plan No. 7 of maintaining the village character of the precinct within which the signage is proposed;
 - (4) That the proposed signage fails to meet the performance criteria contained within Part F of the South Sydney Development Control Plan 1997 relating to signage within shopping street precincts requiring that signs do not protrude above suspended awnings;
 - (5) That the proposed signage fails to comply with the control contained in Part F of the South Sydney Council Development Control Plan 1997 relating to signage within shopping street precincts stating that illuminated signs above awning level are not permitted;

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- (6) That the proposal would not be in the public interest.
- (B) That the Council as the responsible authority approves that part of the application submitted by Owens & Legge Design, on behalf of Vendomatic Pty Ltd being to erect a new entryway at ground floor level to the existing basement level night club, subject to the following conditions of consent, namely:-
- (1) That the development shall be generally in accordance with plans 196663, DA 01, dated 5 June, 1997, submitted to Council on 27 June, 1997;
 - (2) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
 - (3) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 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.

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

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

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

Carried.

12.

DARLINGHURST ROAD, NO. 104, DARLINGHURST - CHANGE OF USE FROM RESTAURANT TO KARAOKE RESTAURANT - DEVELOPMENT APPLICATION (U97-00585)

That consideration of the application submitted by Young Jong Kwon, with the authority of Vimotz Holdings Pty Ltd, for permission to use the premises as a Karaoke restaurant, be deferred for comments from the Kings Cross Police and the Kings Cross Manager.

Carried.

13.

OXFORD STREET, NO. 189, DARLINGHURST - COURT HOUSE HOTEL - CHANGE OF HOURS TO EXISTING HOTEL - DEVELOPMENT APPLICATION (U97-00332)

That consideration of the application submitted by Paul Norberry, with the authority of Crosslake Pty Ltd to extend the hours of operation of the Courthouse to 24 hours a day 7 days a week, be deferred for comments from the Department of Gaming and Racing with regard to a review of the Liquor Bill relating to late night trading.

Carried.

14.

OXFORD STREET, NO. 134, DARLINGHURST - VARY EXISTING TRADING HOURS - DEVELOPMENT APPLICATION (U97-00482)

That consideration of the application submitted by Oxford Hotel Partnership, with the authority of Mr B Toomey, Mr R Pantlin & others, for permission to extend the hours of operation of the Oxford Hotel to 24 hours a day, 7 days a week, be deferred for comments from the Department of Gaming and Racing with regard to a review of the Liquor Bill relating to late night trading.

Carried.

15.

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

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the final report of the South Sydney Open Space Study be deferred to the next Planning and Development Committee meeting to be held on 17 September 1997.

Carried.

16.

**VICTORIA STREET, NO. 98, POTTS POINT - HISTORY OF PAST
PROPOSALS - QUESTION WITHOUT NOTICE (2013298)**

That the report by the Director of Planning and Building dated 28 August 1997, be received and noted.

Carried.

17.

**WARD AVENUE, NO. 12, ELIZABETH BAY - ALTERATIONS AND
ADDITIONS TO CONVERT BOARDING HOUSE TO RESIDENTIAL FLAT
BUILDING - DEVELOPMENT APPLICATION (U97-00291)**

(A) That the Council as the responsible authority refuses its consent to the application submitted by Smilie P/L and Growth Property Developments P/L with the authority of Milan Ostadal for permission to convert the existing boarding house and shops into a residential flat building for the following reasons, namely:-

- (1) That the proposal would reduce the amount of low cost rental accommodation at a time when supply is not meeting demand;
- (2) That adequate comparable accommodation is not available at this time in the locality. The low vacancy rate experienced in inner Sydney in recent years and currently, suggests that any comparable accommodation that does come on the market would be very difficult for low income residents of the premises to secure;
- (3) That the development would result in displacement of the existing residents and the measures proposed to help residents secure alternative accommodation would be largely ineffective;

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- (4) That existing and potential future residents of The Oxley would be likely to suffer adverse social and economic effects as a result of the development and the consequent diminution in the local supply of low cost rental accommodation;
 - (5) That it is considered that the operation of the building as a boarding house could be financially viable.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

18.

LIVERPOOL STREET, NOS. 226 - 230, DARLINGHURST - NEW OFFICE BUILDING AND ALTERATIONS AND ADDITIONS TO EXISTING COMMERCIAL PREMISES - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT - CONTRIBUTION INCLUDED IN CONSENT (U96-00895)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr P Thalys with the authority of Mrs E Mullinar, Mr R Phillips and others for permission to carry out alterations and additions to the existing commercial building and erection of a four level office building including ground level car park, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with Drawing No. 1 dated September 1996;
 - (2) That the consent shall lapse after a period of two years from the date of this consent;
 - (3) That the upper floor of the new office development be deleted. Details to be submitted with the Building Application to the satisfaction of the Director of Planning and Building;
 - (4) That privacy screens be erected to a height of 1.5m along the eastern sides of the new decks. Details to be submitted with the Building Application to the satisfaction of the Director of Planning and Building;
 - (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

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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	\$320.33	2 EJ-BGY 0
Child Care	\$22.12	2 EK-BGY 0
Community Facilities	\$44.24	2 EL-BGY 0
Transport and Access	\$166.69	2 EM-BGY 0
Environmental Improvements	\$6.32	2 EN-BGY 0
TOTAL:	\$559.70	

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

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

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

- (6) That a maximum of 6 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;
- (7) That all vehicle movements shall be from Liverpool Street;
- (8) That no parties or functions and the like be held on the new balconies of the proposed building;
- (9) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

and the following adopted standard conditions:

- (10) LDA20 - Parking layout plan;

- (11) LDA45 - Parking and driveways to be kept clear;
- (12) LDA101 - Provide landscaping plan;
- (13) LDA151 - Schedule of finishes;
- (14) LDA153 - Reflectivity of external glazing;
- (15) LDA201 - Make separate application for sign;
- (16) LDA351 - Building Application required;
- (17) HSC500 - Premises to be ventilated;
- (18) HSC018 - Sanitary facilities;
- (19) HSC801 - Noise from premises;
- (20) LDA376 - Hours of building work;
- (21) LDA384 - New alignment levels;
- (22) LDA387 - Footway crossings;
- (23) LDA388 - Stormwater disposal details;
- (24) LDA396 - Works within boundaries.

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

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

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
 - (2) That the proposed stairway shall be fire isolated redesigned to comply fully with the requirements of Part D of the BCA;
 - (3) That the smoke hazard management shall comply fully with the requirement of Part E2.2 of the BCA;

- (4) That the eastern boundary wall of the proposed addition shall have a minimum fire resistance level of 90/90/90;

and the following standard adopted conditions:

- (5) BC420 - Construction of stairways and ramps;
 - (6) BC424 - Platforms, walkways, stairs and ladders;
 - (7) BC501 - Fire extinguisher;
 - (8) BC507 - Hose reels;
 - (9) BC508 - Hydrants;
 - (10) BC524 - Emergency lighting;
 - (11) BC525 - Exit signs;
 - (12) BC26 - Comply with BCA.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
 - (D) That Council will give consideration to an application to locate additional space elsewhere eg. as a third storey with appropriate setbacks on the existing building or on the deck.

Carried.

19.

SURREY STREET, NO. 56, DARLINGHURST - ALTERATIONS AND ADDITIONS TO DWELLING - DEVELOPMENT APPLICATION (U97-00424)

At the Council meeting, Councillor Waters declared an interest and did not take part in discussions or voting on the Item.

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr S Raissis for permission to carry out alterations to the existing terrace house, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with plans dated 12 May 1997 and submitted on 26 May 1997;
 - (2) That the front windows to Surrey Street shall be timber framed and vertically proportioned and that the large ground floor window on the submitted plans be deleted;

- (3) That a colour scheme for the building and roofing incorporating heritage colours, shall be submitted to Council within 3 months of the date of this consent and the street elevation and roof shall be painted in accordance with the approved colour scheme;
- (4) 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;
- (5) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (6) 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;
- (7) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (8) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975.

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

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

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

Carried.

20.

ELIZABETH STREET, NO. 771, ZETLAND - ERECT THREE TERRACE DWELLINGS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00290)

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(A) That the Council as the responsible authority grants its consent to the application submitted by Mr V Jimenez for permission to demolish the existing building and erect 3 terrace house style dwellings and to subdivide the site into 3 lots, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans numbered 1 to 6 inclusive dated 2 April 1997 and Section X-X received 5 August 1997;
- (2) That 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	\$5,148	2 EJ-BGY 0
Child Care	\$265	2 EK-BGY 0
Community Facilities	\$244	2 EL-BGY 0
Transport and Access	\$910	2 EM-BGY 0
Environmental Improvements	\$165	2 EN-BGY 0
	\$6,732	

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

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

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

- (3) That the top floor of the three dwellings shall be modified so that the total combined gross floor area does not exceed 63m², thereby reducing the overall floor space ratio to 1:1, to the satisfaction of the Director of Planning and Building;

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- (4) That the height of the eaves shall be lowered by approximately 1000mm in so that the top floor rooms are contained wholly within the pitched roof planes, to the satisfaction of the Director of Planning;
- (5) That the roof pitch shall be approximately 30 degrees and the front and rear dormer windows setback, proportioned and designed in accordance with Part F of DCP 1997;
- (6) That the external finish of exposed walls shall be smooth uniform colour face brick or rendered/bagged and painted to the satisfaction of the Director of Planning and Building;
- (7) That the ground floor front windows shall be vertically proportioned (ie. their width reduced and height increased) or replaced with pairs of narrower windows, to the satisfaction of the Director of Planning and Building;
- (8) That the side facing windows in bedroom two and the first floor bathroom of the two western most dwellings shall be altered to provide privacy by raising sill heights, relocation, deletion or use of obscure glazing to the satisfaction of the Director of Planning and Building;
- (9) That the setback of the proposed dwellings from Elizabeth Street shall match the existing terrace houses to the east, to the satisfaction of the Director of Planning and Building;
- (10) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
 - (a) external finishes to walls;
 - (b) roofing finishes;
 - (c) balcony balustrade treatment;
 - (d) proposed fences;
 - (e) size and proportion of windows and doors;
- (11) That the applicant shall liaise with the Water Board to obtain its requirements for connection to the Board's sewerage system and these shall be submitted with the Building Application;
- (12) 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;

- (13) 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;
- (14) 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;
- (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 all proposed work shall be wholly within the boundaries of the subject site;
- (18) That the applicant be advised that an objection may be lodged with Council pursuant to Section 82 of the Local Government Act, 1993 to vary, subject to the concurrence of the Director General; the requirements of Clause 53 and 54 of the Local Government (Approvals) Regulation 1993;
- (19) 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;
- (20) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (21) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;

- (22) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (23) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste/Minimisation Fact Sheets";
- (24) 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;
- (25) 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;
- (26) 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;
- (27) 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.

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) The applicant be advised that he may be liable to prosecution under the Local Government Act 1993 for a breach of an approval condition or under the Clean Waters Act, 1970, if its employees, agents or sub-contractors allow sediment, including soil, excavated material, building materials or other materials to be pumped, drained, or allowed to flow to the street, stormwater pipes or waterways.
- (C) The applicant shall ensure that its employees, agents or sub-contractors understand and maintain sediment control measures.

It was moved as an amendment by Councillor Bush, that the original submitted plans by the applicant be approved by Council.

The amendment lapsed for want of a seconder.

Motion carried.

21.

WILLIAM STREET, NOS. 174 - 194, WOOLLOOMOOLOO - CHANGE USE FROM CAR SALES AND SERVICES TO CAR RENTALS - DEVELOPMENT APPLICATION (U97-00169)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Bayswater Car Rental Pty Ltd for permission to use the premises for the purpose of car rentals and services with associated signage, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with two unnumbered elevation plans and three plans numbered 91/01 as held on Council file U97-00169;
 - (2) That all loading and unloading operations shall be carried out wholly within the confines of the site, at all times;
 - (3) That the current access driveway to William Street shall be closed and kerbing and footpath shall be re-instated to the satisfaction of the Director of Planning and Building;
 - (4) That driveways in Dowling and Forbes Street shall be modified with pram ramps or be rebuilt to allow passage by pedestrians in keeping with Council policy on making all footpaths continuous and passageable for people with disabilities, to the satisfaction of the Director of Planning and Building;
 - (5) That no haulers shall load and unload vehicles from Dowling Street;

- (6) That all times all loading docks, car parking spaces and access driveways thereto shall be kept clear of goods and shall not be used for storage purposes including garbage storage;
- (7) That at no time shall any signs, sound amplification equipment and the like or goods for sale or display be placed on the areas designated as public areas or on the footway adjacent to the premises;
- (8) That the proposed sign(s) shall:-
 - (a) not flash, move, be animated, scintillate or be decorated with rotating or flashing lights at any time without the consent of Council;
 - (b) not have any apparatus attached to it which will provide sound of any description, whether associated with the sign(s) or other object or activity;
 - (c) be neatly affixed to the building and any damage caused to the exterior of the building by the erection of the sign(s) shall be promptly repaired with materials to match the existing, to the satisfaction of the Director of Planning and Building;
- (9) That the hours of operation shall be restricted to between Mondays to Sundays 7.00a.m. to 7.00p.m ;
- (10) That at all times vehicles awaiting repair or undergoing repair shall stand entirely within the premises;
- (11) That at no time shall on-street parking be used for cars associated with the use;
- (12) That at no time shall cars not part of rental fleet be subject to any work;
- (13) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.

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

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

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

Carried.

22.

WOODS LANE, NO. 9, DARLINGHURST - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING - DEVELOPMENT APPLICATION (U97-00156)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Otto Cserhalmi & partners, with the authority of Mr M Trikillis for permission to carry out alterations and additions to the premises, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with four plans numbered 96048-DA 01 - 04 as held on Council file U97-00156;
 - (2) That coloured elevations and a schedule of finishes and materials shall be submitted with 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) fences;
 - (e) windows and doors;
 - (3) That the new windows and doors in the front elevation shall be constructed in timber joinery;
 - (4) 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;
 - (5) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;

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- (6) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
- (7) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (8) That all proposed work shall be wholly within the boundaries of the subject site;
- (9) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code.

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

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

Carried.

23.

PLANNING - URBAN DESIGN AND HERITAGE FOR LOCAL COUNCILLORS SYMPOSIUM AND STUDIO/WORKSHOP - (MAY-4902) (2016186)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That any interested Councillors attend the Urban Design & Heritage for Local Councillors Symposium and Studio/Workshop to be held in Little Bay from 26-27 September 1997, and that the registration fee be borne by Council, for which funds are available in the 1997/1998 Revenue Estimates (EBE77R0).

Carried.

24.

MOORE PARK ROAD, NO. 388, PADDINGTON - ADDITION OF REAR SINGLE GARAGE WITH STUDIO BELOW - BUILDING APPLICATION (Q97-00568)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Allan Dukes Architects, for permission to carry out new building work including garage with studio and WC below, at the rear of the abovementioned premises, all in accordance with submitted plan No 97/20/01 dated 27 June 1997 and unnumbered sketch dated 25 July 1997, subject to the following conditions, namely:
- (1) That 2 stainless steel brackets and wire shall be attached above the garage opening as indicated on the submitted sketch 'landscape treatment to street facade';
 - (2) That 'Wisteria' creepers or similar shall be planted at either end of the trellis as indicated on the submitted sketch;
 - (3) That a replacement "watergum" at least 2m high shall be planted on the footpath at the rear of No 388 Moore Park Road, (with all cost to be borne by the applicant);
 - (4) That the new windows and doors shall be constructed in timber joinery;
 - (5) 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;
 - (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;
 - (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 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;

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- (10) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

and the following adopted standard conditions:-

- (11) BC2 - Compliance with Local Government Act 1993;
- (12) BC3 - Compliance with conditions on plan;
- (13) BC8 - Details of contractor;
- (14) BC11 - Inform Council for inspections;
- (15) BC111 - Hours of work;
- (16) BC113 - Work to comply with noise standards;
- (17) BC119 - Requirements when excavating below footings;
- (18) BC124 - Footway pavements to be restored;
- (19) BC167 - Structural details and certification to be submitted;
- (20) BC170 - Structural certificate upon completion;
- (21) BC339 - Construction of common walls and party walls;
- (22) BC340 - Non-flammable sarking materials;
- (23) BC341 - Roof lights in dwellings;
- (24) BC528 - Fire detectors and alarm system;
- (25) BC601 - Water closets and shower compartments;
- (26) BC603 - Damp and weatherproofing;
- (27) BC611 - Ventilation of bathrooms/laundries;
- (28) HSC500 - Premises to be ventilated;
- (29) HSC543 - Sanitary ventilation;
- (30) HSC501 - Plans and specification of ventilation;
- (31) 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.

25.

MOORE PARK ROAD, NO.386, PADDINGTON - ADDITION OF REAR SINGLE GARAGE WITH STUDIO BELOW - BUILDING APPLICATION (Q97-00579)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr A W Dukes, for permission to carry out new building work including garage with studio and WC below, at the rear of the abovementioned premises, all in accordance with submitted plan No 97/20/01 dated 27 June 1997 and unnumbered sketch dated 25 July 1997, subject to the following conditions, namely:
- (1) That 2 stainless steel brackets and wire shall be attached above the garage opening as indicated on the submitted sketch 'landscape treatment to street facade';
 - (2) That "Wisteria" creepers or similar shall be planted at either end of the trellis as indicated on the submitted sketch;
 - (3) That the new windows and doors shall be constructed in timber joinery;
 - (4) 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;
 - (5) 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;
 - (6) 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;
 - (7) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;

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- (8) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (9) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

and the following adopted standard conditions:-

- (10) BC2 - Compliance with Local Government Act 1993;
- (11) BC3 - Compliance with conditions on plan;
- (12) BC8 - Details of contractor;
- (13) BC11 - Inform Council for inspections;
- (14) BC111 - Hours of work;
- (15) BC113 - Work to comply with noise standards;
- (16) BC119 - Requirements when excavating below footings;
- (17) BC124 - Footway pavements to be restored;
- (18) BC167 - Structural details and certification to be submitted;
- (19) BC170 - Structural certificate upon completion;
- (20) BC339 - Construction of common walls and party walls;
- (21) BC340 - Non-flammable sarking materials;
- (22) BC341 - Roof lights in dwellings;
- (23) BC528 - Fire detectors and alarm system;
- (24) BC601 - Water closets and shower compartments;
- (25) BC603 - Damp and weatherproofing;
- (26) BC611 - Ventilation of bathrooms/laundries;
- (27) HSC500 - Premises to be ventilated;
- (28) HSC543 - Sanitary ventilation;

- (29) HSC501 - Plans and specification of ventilation;
 - (30) 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.

26.

MOORE PARK, NO.390, PADDINGTON - ADDITION OF REAR SINGLE GARAGE WITH STUDIO BELOW - BUILDING APPLICATION (Q97-00569)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mrs S A Allardice, for permission to carry out new building work including garage with studio and WC below, at the abovementioned premises, all in accordance with submitted plan No 97/20/01 dated 27 June 1997 and unnumbered sketch dated 25 July 1997, subject to the following conditions, namely:-
- (1) That 2 stainless steel brackets and wire shall be attached above the garage opening as indicated on the submitted sketch 'landscape treatment to street facade';
 - (2) That 'Wisteria" creepers or similar shall be planted at either end of the trellis as indicated on the submitted sketch;
 - (3) That the new windows and doors shall be constructed in timber joinery;
 - (4) 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;
 - (5) 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;
 - (6) 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;

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- (7) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (8) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (9) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

and the following adopted standard conditions:-

- (10) BC2 - Compliance with Local Government Act 1993;
- (11) BC3 - Compliance with conditions on plan;
- (12) BC8 - Details of contractor;
- (13) BC11 - Inform Council for inspections;
- (14) BC111 - Hours of work;
- (15) BC113 - Work to comply with noise standards;
- (16) BC119 - Requirements when excavating below footings;
- (17) BC124 - Footway pavements to be restored;
- (18) BC167 - Structural details and certification to be submitted;
- (19) BC170 - Structural certificate upon completion;
- (20) BC339 - Construction of common walls and party walls;
- (21) BC340 - Non-flammable sarking materials;
- (22) BC341 - Roof lights in dwellings;
- (23) BC528 - Fire detectors and alarm system;
- (24) BC601 - Water closets and shower compartments;
- (25) BC603 - Damp and weatherproofing;
- (26) BC611 - Ventilation of bathrooms/laundries;

- (27) HSC500 - Premises to be ventilated;
 - (28) HSC543 - Sanitary ventilation;
 - (29) HSC501 - Plans and specification of ventilation;
 - (30) 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.

27.

MOORE PARK, NO.384, PADDINGTON - ADDITION OF REAR SINGLE GARAGE WITH STUDIO BELOW - BUILDING APPLICATION (Q97-00567)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr A N Quinn, for permission to carry out new building work including garage with studio and WC below, at the rear of the abovementioned premises, all in accordance with submitted plan No 97/20/01 dated 27 June 1997 and unnumbered sketch dated 25 July 1997, subject to the following conditions, namely:-
- (1) That 2 stainless steel brackets and wire shall be attached above the garage opening as indicated on the submitted sketch 'landscape treatment to street facade';
 - (2) That 'Wisteria" creepers or similar shall be planted at either end of the trellis as indicated on the submitted sketch;
 - (3) That the new windows and doors shall be constructed in timber joinery;
 - (4) 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;
 - (5) 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;
 - (6) 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

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reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;

- (7) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (8) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (9) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

and the following adopted standard conditions:-

- (10) BC2 - Compliance with Local Government Act 1993;
- (11) BC3 - Compliance with conditions on plan;
- (12) BC8 - Details of contractor;
- (13) BC11 - Inform Council for inspections;
- (14) BC111 - Hours of work;
- (15) BC113 - Work to comply with noise standards;
- (16) BC119 - Requirements when excavating below footings;
- (17) BC124 - Footway pavements to be restored;
- (18) BC167 - Structural details and certification to be submitted;
- (19) BC170 - Structural certificate upon completion;
- (20) BC339 - Construction of common walls and party walls;
- (21) BC340 - Non-flammable sarking materials;
- (22) BC341 - Roof lights in dwellings;
- (23) BC528 - Fire detectors and alarm system;
- (24) BC601 - Water closets and shower compartments;

- (25) BC603 - Damp and weatherproofing;
 - (26) BC611 - Ventilation of bathrooms/laundries;
 - (27) HSC500 - Premises to be ventilated;
 - (28) HSC543 - Sanitary ventilation;
 - (29) HSC501 - Plans and specification of ventilation;
 - (30) 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.

28.

GREENKNOWE AVENUE, NOS. 15-17, ELIZABETH BAY - DEMOLITION OF EXISTING BUILDING - ERECT A FOUR LEVEL RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00548)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Bruce Swalwell, with the authority of The Aquatic Club Ltd, for permission to erect a four level residential flat building containing seven units and strata subdivision, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans 97619-DA00 to 97619-DA16 dated 30 June 1997 and the subdivision plan dated 26 August 1997;
 - (2) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);
 - (3) That the ground level of Unit 7 shall be setback to match the upper level setbacks on the western boundary of the site. This area shall be landscaped so as to soften the impact of the building. Details are to be submitted with the building application;
 - (4) That a maximum of 14 (7 stacked) and 1 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

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5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;

- (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:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$12,674	2 EJ-BGY 0
Child Care	\$666	2 EK-BGY 0
Community Facilities	\$659	2 EL-BGY 0
Transport and Access	\$2,468	2 EM-BGY 0
Environmental Improvements	\$398	2 EN-BGY 0
TOTAL:	\$16,865	

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

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

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

- (6) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
- (a) external finishes to walls;
 - (b) roofing finishes;
 - (c) balcony balustrade treatment;
 - (d) size and proportion of windows and doors;

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- (7) 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;
- (8) That a certificate under Section 73 of the Water Board (Corporatisations) Act 1994 in respect of the proposed development shall be submitted to Council prior to the release of the final linen plan;
- (9) That the applicant shall plant advanced trees (*Fraxinas pennsylvanica* - Green Ash) at 6m intervals along that section of the footpath Greenknowe Avenue adjacent to the property;
- (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 space shall be clearly marked as such;
- (11) That only one common television aerial shall be installed;
- (12) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (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;
- (13) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
- (14) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;
- (15) That stacked parking shall be deleted unless each obstructed space is let or owned concurrently with the corresponding unobstructed space;
- (16) That the ramp shall have a maximum grade of 1 in 6, with suitable transitions at either end;
- (17) That natural light and ventilation shall be provided in accordance with the requirements of Part F.4 of the BCA and Council's Ventilation Code;

- (18) That the proposed roof lights shall be redesigned to comply fully with the requirements of Clause 3.6 of Specification C.1.1 of the BCA;
- (19) 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;
- (20) That a management plan for the abatement of noise and the suppression of dust during excavation and building work shall be submitted to the Director of Planning and Building and approval obtained prior to commencement of any work on site;
- (21) That an approved system of mechanical exhaust and supply ventilation shall be installed to the car parking areas and loading bay;
- (22) That the air handling systems to the building shall be capable of exhausting the hot products of combustion to the outside air and automatically commencing operation in the event of a fire:-
 - (a) to facilitate fire brigade access; and
 - (b) to prevent smoke pollution of exits and other parts of the building;
- (23) 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;
- (24) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (25) That details of the manner in which it is intended to remove spoil and rubbish from the site during the course of demolition, excavation or refurbishment operations as well as measures to be adopted for the eradication of any vermin from the site shall be submitted to the Health and Community Services Department and approval obtained prior to the commencement of the work;
- (26) 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;

- (27) 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;
- (28) That the garbage room shall be constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (29) That plans and specifications showing details of:-
 - (a) all required mechanical ventilation systems;
 - (b) the garbage room;
 - (c) the recycling storage area;
- (30) 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.
- (31) That all relevant sections of the BCA shall be complied with;
- (32) 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;
- (33) 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;
- (34) 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;

- (35) 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;
- (36) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (37) 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;
- (38) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (39) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer.

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

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

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

Carried.

29.

KING STREET, NO. 256, NEWTOWN - ERECTION OF MIXED RESIDENTIAL/COMMERCIAL BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00197)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr S L Iyer, for permission to erect a one and three storey mixed use building with retail space and parking on the ground floor and 2 levels of residential accommodating 3x2 bedroom units, subject to the following conditions, namely:-
- (1) That this consent shall lapse after a period of two years from the date the consent becomes effective. The applicant is advised that an application can be made to Council before the period expires for an extension of one year;
 - (2) That the development shall be generally in accordance with plans reference A01A dated July 1997;
 - (3) That two resident and one commercial off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
 - (4) 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	\$4,076	2 EJ-BGY 0
Child Care	\$ 219	2 EK-BGY 0
Community Facilities	\$ 236	2 EL-BGY 0
Transport and Access	\$ 883	2 EM-BGY 0
Environmental Improvements	\$ 125	2 EN-BGY 0
TOTAL:	\$5,539	

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.

- (5) That a minimum of one bicycle storage facility (Class 1, AS 2890.3.) shall be provided to the satisfaction of the Director of Planning and Building;
- (6) That a separate application shall be submitted at the appropriate time for the specific use of the ground floor retail area;
- (7) 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;
- (8) That the window openings in the western wall shall comply with the requirements of Clause C.3.11(g) and (h) of the BCA;

and the following adopted standard conditions:

- (9) LDA12 - Applicant to liaise with Sydney Water;
- (10) LDA21 - No resident parking for residential flat developments;
- (11) LDA47 - Loading, parking and access to be kept clear;
- (12) LDA48 - Safe walking surface on crossing;
- (13) LDA66 - Minimum 2.2m headroom;
- (14) LDA101 - Provide landscaping plan;
- (15) LDA152 - Schedule of finishes;
- (16) LDA153 - Reflectivity of external glazing;
- (17) LDA157 - Provide details of heritage colour scheme;
- (18) LDA159 - Provide details of exhaust vents;
- (19) LDA160 - Provide service ducts within building;
- (20) LDA161 - Provide common television aerial;

- (21) LDA164 - Details of shopfront roller shutter;
- (22) LDA172 - Projections beyond street alignment;
- (23) LDA261 - Washing down of trucks;
- (24) LDA351 - Building Application required;
- (25) LDA367 - Timing device on alarms;
- (26) LDA368 - Display of street numbers;
- (27) LDA376 - Hours of building work;
- (28) LDA377 - Construction noise regulation;
- (29) LDA384 - New alignment levels;
- (30) LDA387 - Footway crossings;
- (31) LDA389 - Stormwater disposal requirements;
- (32) LDA391 - Builder's Hoarding Permits;
- (33) LDA392 - No obstruction to public way;
- (34) LDA393 - Delivery of refuse skips;
- (35) LDA394 - Cost of alteration to signposting;
- (36) HSC018 - Sanitary facilities;
- (37) HSC103 - Environmental site assessment being carried out;
- (38) HSC500 - Premises to be ventilated;
- (39) HSC700 - Compliance with code for Garbage Handling System;
- (40) HSC801 - Noise from premises.

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

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

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

Carried.

30.

**KING STREET, NOS. 218-222, NEWTOWN (BURLAND COMMUNITY HALL)
SECTION 102 APPLICATION (U96-00173)**

That arising from consideration of the application pursuant to Section 102 of the Environmental Planning and Assessment Act, 1979, and the letter dated 12 August 1997 from Hassell Pty Ltd, the Council grants its approval to modify the development consent dated 19 March, 1997 (U96-00173) to redevelop the premises at Nos. 218-222 King Street, Newtown as a two storey, retail/office development, only insofar as it will provide for the deletion of condition (4) and insertion in lieu thereof the following new condition, namely:-

- (4) That the floor space ratio shall not exceed 1.54:1;

The reason for Council's consent being granted subject to the above condition is granting unconditional consent will be likely to adversely the amenity of the area and would not be in the public interest.

Carried.

31.

**RILEY STREET, NO.58, DARLINGHURST - ERECT A THIRD STOREY ON
EXISTING WAREHOUSE - DEVELOPMENT APPLICATION (U97-00261)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mrs N Cogan, for permission to erect a third storey to premises, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans 7407/1 and dated 12 March 1996;
- (2) That the premises shall be used as one tenancy only unless a further Development Application is submitted to Council;
- (3) That the detailing, materials and finish of the proposed new addition shall match the existing building;
- (4) That the proposed new ground floor Riley Street elevations shall be submitted at a scale of 1:20 with the building application to the satisfaction of Council's Area Planning Manager;
- (5) That a maximum of two off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space

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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 all loading and unloading operations shall be carried out via the rear entrance in Crown Lane, at all times;
- (7) That at all times the car parking spaces and driveway(s) thereto shall be kept clear of goods and shall not be used for storage purposes including garbage storage;
- (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 during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (12) That all proposed work shall be wholly within the boundaries of the subject site.

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

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

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993, the following is required:-
- (1) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
 - (2) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
 - (3) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
 - (4) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
 - (5) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
 - (6) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1.
 - (7) That the eastern stairway shall be fire isolated and re-designed to comply with the requirements of Parts C and D of the BCA.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

32.

OXFORD STREET, NOS. 75-77, DARLINGHURST - ALTERATIONS TO EXISTING HOTEL - DEVELOPMENT APPLICATION (U97-00418)

That consideration of the application submitted by Mr P. Skoulis for alterations to the existing hotel building, be deferred for discussions between the applicant and the Director of Planning and Building.

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

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Mr P. Skoulis (owner) for alterations to the existing Hotel building at 75-77 Oxford Street, Darlinghurst, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 531DA02 and dated 30 April 1997;
 - (2) That the proposed air conditioning condenser unit located on the Riley Street elevation is not approved by way of this consent. Amended plans which delete this component are to be submitted with the building application. Further all existing units are to be removed from the awning and any proposal to relocate the units shall be done in consultation with Council.
 - (3) That the size of the existing first floor window openings as well as the window frame materials are not to be altered by way of this consent;
 - (4) That the size of the existing ground floor doorway openings are not to be altered by way of this consent;
 - (5) That coloured elevations and a schedule of finishes shall be submitted with the Building Application, for the approval of the Director of Planning and Building, in respect of the windows and doors;
 - (6) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
 - (7) That 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,

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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 during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (9) 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;
- (10) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.

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

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

- (B) That Council undertake to remove and/or sympathetically relocate the existing air conditioning condenser units located on the awning of the premises at 82-106 Oxford Street, Darlinghurst.

It was moved as an amendment by Councillor Bush, that the applicant be able to demonstrate the ability to commercially change the appearance of the units so that it does not affect the heritage quality of the building.

Amendment lapsed for want of a seconder.

Motion, as moved by Councillor Harcourt, carried.

33.

EUSTON ROAD, NOS. 51-63, ALEXANDRIA - ERECT THREE STOREY RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION(U97-00271)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by David Blyth Pty Ltd, , with the authority of Lestev Pty Ltd, for permission to redevelop the site for a 3 storey residential flat building, for the following reasons:-
- (1) That the proposed development is an overdevelopment of the site in terms of its height, bulk and scale;
 - (2) That the proposal does not comply with the draft floor space ratio control for the site;
 - (3) That the proposal will have detrimental impacts on surrounding properties including loss of privacy;
 - (4) That the proposal has an inappropriate unit mix for the location and existing infrastructure;
 - (5) That granting consent 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.

34.

BOTANY ROAD, NOS. 506-510, BEACONSFIELD - MIXED DEVELOPMENT CONTAINING GROUND FLOOR SHOPS AND 20 UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00463)

- (A) That the Council resolves it satisfied that the objection against the development standard relating to floor space in Clause 10 of LEP No. 114 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-
- That the additional floor space ratio above the maximum 1.5:1 is numerically small and does not result in any significant detrimental impact on the surrounding area.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Mr J Roos of Belle Design Group Pty Ltd, with the authority of Fetin Pty Ltd, for permission to erect a 20 unit residential flat building with 5 shops and basement parking, subject to the following conditions, namely:-

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- (1) That the development shall be generally in accordance with plans numbered drawings A00-A06;
- (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	\$25,847	2 EJ-BGY 0
Child Care	\$1,367	2 EK-BGY 0
Community Facilities	\$1,387	2 EL-BGY 0
Transport and Access	\$5,196	2 EM-BGY 0
Environmental Improvements	\$808	2 EN-BGY 0

TOTAL: \$34,605

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

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

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

- (3) That the rear landscape strip (1.6m wide) shall be planted with mature trees, ensuring adequate soil depth and drainage, shall be detailed in the Building Application and to the satisfaction of the Director of Planning and Building;
- (4) 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;

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- (5) That the car parking layout shall be designed to be in accordance with Council's Development Control Plan No. 11 and relevant Australian Standards;
- (6) That an open splay to the north eastern corner shall be incorporated to improve sight lines of egressing vehicles;
- (7) That a one way traffic system shall operate in the car park (north bound);
- (8) That the land shall be consolidated into one lot;
- (9) That a ramp complying with Australian Standards for disabled access shall be provided to Beaconsfield Lane and disabled access to the lower residential level and the retail level ensured;
- (10) That the "level 2" and "level 3" northern-eastern most rear balconies shall be deleted or fully screened to a height of at least 1.8m above finished floor level;
- (11) That car park shall be ventilated in accordance with AS.1668.2-1991, Section 4;
- (12) That the storage and handling of garbage shall comply with the requirements of Council's Waste Management Policy;
- (13) That plans and specifications showing details of:
 - (a) all proposed mechanical ventilation systems;
 - (b) car park ventilation;
 - (c) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas of the commercial food premises;

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

- (14) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;

and the following adopted standard conditions:

- (15) LDA36 - Loading only within confines of the site;
- (16) LDA44 - Driving in forward direction only;

- (17) LDA45 - Parking and driveways to be kept clear;
- (18) LDA48 - Safe walking surface on crossing;
- (19) LDA49 - Signage for vehicular egress;
- (20) LDA63 - Surface marking for traffic circulation;
- (21) LDA101 - Provide landscaping plan;
- (22) LDA151 - Schedule of finishes;
- (23) LDA153 - Reflectivity of external glazing;
- (24) LDA158 - Treatment of exposed walls;
- (25) LDA162 - Provide common aerial for each building;
- (26) LDA165 - Provide garbage room on-site;
- (27) LDA251 - Only clean water to discharge;
- (28) LDA261 - Washing down of trucks;
- (29) LDA351 - Building Application required;
- (30) LDA367 - Timing device on alarms;
- (31) LDA368 - Display of street numbers;
- (32) LDA376 - Hours of building work;
- (33) LDA377 - Construction noise regulation;
- (34) LDA384 - New alignment levels;
- (35) LDA387 - Footway crossings;
- (36) LDA389 - Stormwater disposal requirements;
- (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) 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, including adverse effects relating to the emission of noise and vibration, privacy loss, traffic safety, and would not be in the public interest.

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) regulation 1993 the following is required:
 - (1) That all required exits shall comply fully with the requirements of Part D.1.9(d) of the BCA;
 - (2) That all relevant section of the Building Code of Australia shall be fully complied with.
- (D) That the person who made representations in respect of the proposal be advised of Council's decision.

Carried.

35.

GRIFFIN STREET, NO.24, SURRY HILLS - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING - DEVELOPMENT APPLICATION (U97-00507)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mrs Joanna Wilcox, on behalf of Mrs J and Mr M Wilcox, to make alterations and additions to the existing dwelling, subject to the following conditions, namely:-
 - (1) That the design of the facade to Griffin Street shall be amended so that the windows and other wall openings are vertically proportioned and the front entrance canopy deleted.

-details to be submitted with the Building Application and to be to the satisfaction of the Director of Planning and Building;

- (2) That the development shall be generally in accordance with plans marked drawings No 01 to 07, undated, and submitted to Council on June 1997, as amended by plans marked drawings No 3, 4, 5 and 6, undated, and submitted to Council on July 22, 1997, except as modified by condition (1) above;

and the following adopted standard conditions:-

- (3) LDA152 - Schedule of finishes;
- (4) LDA153 - Reflectivity of external glazing;
- (5) LDA384 - New alignment levels;
- (6) LDA389 - Stormwater disposal requirements;
- (7) LDA392 - No obstruction to public way;
- (8) LDA396 - Works within boundaries;
- (9) LDA351 - Building Application required;
- (10) LDA376 - Hours of building work;
- (11) HSC500 - Premises to be ventilated;
- (12) 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, including adverse effects relating to the emission of noise and vibration, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest.

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

Carried.

36.

PLANNING - SYDNEY AIRPORT LONG TERM OPERATING PLAN - FOX STUDIO'S PROPOSAL (5257042)

That Council resolves to:-

- (1) not support the priority recommendation proposal by Fox Studios concerning the Draft Long Term Operating Plan for Sydney Airport, for the reasons set out in this report;
- (2) write to the Minister for Transport and Regional Development, Hon John Sharp, requesting that the alternate proposal, as suggested in the Fox Studios' submission, for the introduction of a system of alternation of noise between different routes under Mode 9, is worthy of serious consideration and community consultation, as it would offer greater predictability and respite from aircraft noise to affected areas.

(DPB & DHCS Report 1.9.97)

Carried.

37.

PLANNING - DRAFT SECTION 94 CONTRIBUTION PLAN (STAGE1) - OPEN SPACE, TOWNSCAPE, STREET TREES, ACCESS AND TRANSPORT AND MANAGEMENT - ADOPTION REPORT (2014340)

That Council resolves to:-

- (a) make minor amendments of clarification to the exhibited version of the Section 94 Contributions Plan in response to submissions arising from the formal exhibition period as discussed in the report;
- (b) adopt the Draft Section 94 Contributions Plan (Stage 1) for Open Space, Townscape, Street Trees, Access and Transport and Management in accordance with the Environmental Planning and Assessment Act and associated Regulations;
- (c) repeal the adopted Section 94 Contributions Plan, 1993, as it pertains to all currently undetermined Development Applications, effective from the date Section 94 Contributions Plan 1997, comes into force;

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- (d) concurrently advertise the formal adoption of Section 94 Contributions Plan 1997 and formal repeal of Section 94 Contributions Plan 1993 to take effect from 1st October, 1997.

(DPB Report 1.9.97)

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

That the matter be deferred to the next Planning and Development Committee to be held on 17 September 1997.

Carried.

38.

ANGEL STREET, NO.72, NEWTOWN - ALTERATIONS AND ADDITIONS TO DWELLINGS - DEVELOPMENT APPLICATION (U97-00380)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Urban Bilt, with the authority of Ms D Mcantee, for permission to convert the existing dwellings into two dwellings and to construct a two storey addition to each dwelling, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans drawing no. DA/L572Ang dated August 1997, Issue 3;
 - (2) That the bottom panel in windows on the first floor shall be fixed and obscurely glazed;
 - (3) That the garage roof shall be an uncovered pergola structure;
 - (4) That the Palm Tree affected by the works shall be transplanted to the landscaped area in the rear yard of the development;
 - (5) That landscaping with advanced trees and shrubs shall be undertaken in the rear yards of the properties;
 - (6) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
 - (7) That street numbers shall be placed on the roller doors on the rear lane;

and the following standard adopted conditions:

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- (8) LDA107 - Make application to remove trees;
- (9) LDA152 - Schedule of finishes;
- (10) LDA153 - Reflectivity of external glazing;
- (11) LDA351 - Building Application required;
- (12) LDA367 - Timing device on alarms;
- (13) LDA376 - Hours of building work;
- (14) LDA377 - Construction noise regulation;
- (15) LDA389 - Stormwater disposal requirements;
- (16) LDA387 - Footway crossings;
- (17) LDA392 - No obstruction to public way;
- (18) LDA396 - Works within boundaries;
- (19) LDA393 - Delivery of refuse skips;
- (20) BC26 - Comply with BCA;
- (21) HSC500 - Premises to be ventilated;
- (22) 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, 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.

39.

**STANLEY STREET, NOS. 99-107, DARLINGHURST - REDEVELOPMENT
EXISTING OFFICE BUILDING INTO RESIDENTIAL UNITS -
DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT
(U97-00353)**

- (A) That the Council after consideration of a SEPP1 objection against the need to comply with floor space ratio and height standards in LEP 101, considers that the compliance would be unreasonable and unnecessary for the reason that the building already exceeds these standards and no further increase is proposed on the basis that the loggia balconies are not externally glazed.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Graham Humphry, Architect,, with the authority of Dorigad Two Pty Ltd,, for permission to refurbish an existing building for conversion to a residential flat building containing 17 flats and a shop, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans DA -01B to 14B printed on 25 June 1997;
- (2) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

Civic Improvement, Open Space and Recreation	\$15,883	2 EJ-BGY 0
Child Care	\$ 760	2 EK-BGY 0
Community Facilities	\$ 442	2 EL-BGY 0
Transport and Access	\$ 1,640	2 EM-BGY 0
Environmental Improvements	\$ 552	2 EN-BGY 0

TOTAL: \$19,277

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

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

Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full

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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 an easement for light to the boundary windows on the western side of the building shall be obtained before building plans are released, or alternatively all boundary windows shall be deleted;
- (4) That the glazing between the loggias and the lounge rooms shall be fixed with the exception of a doorway to the satisfaction of the Director of Planning and Building;
- (5) That the projecting Juliet balconies shall be deleted and replaced with railings or equivalent flush with the facade and the outer openings to the loggias shall not be glazed or enclosed in any way above a height of 1.2m from the floor;
- (6) That the upper communal open space shall be increased in size to a total of not less than 140 sqm, with a solid parapet of height one metre, at the boundary of the building, with a continuous planter box inside this, having a minimum width of 900mm to reduce overlooking from the roof;
- (7) That the Palmer Street parking spaces shall be for the exclusive use of the shop;
- (8) That not fewer than 12 car spaces shall be for the use of residents and so allocated that no flat shall have more than one space, except that spaces 15 and 16 may be allocated together;
- (9) That two spaces of dimensions not less than 5.5m x 2.6m shall be allocated for the use of visitors and shall be marked accordingly to the satisfaction of the Director of Planning and Building;
- (10) That space 10 shall be reorientated to improve its accessibility to the satisfaction of the Public Works & Services;
- (11) That not fewer than six lockable cycle racks shall be provided within the building, located to the satisfaction of the Director of Planning and Building;
- (12) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to the approval of the Building Application, for the approval of the Director of Planning and Building, in respect of the following:-

- (a) external walls;
 - (b) balustrade treatment;
 - (c) windows and doors;
- (13) That a separate application shall be submitted at the appropriate time for the specific use of the shop ;
- (14) That the premises including the car park area and all internal rooms not provided with adequate natural ventilation shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (13) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (14) That plans and specifications showing details of:-
- (a) all required mechanical ventilation systems;
 - (b) the garbage room;
 - (c) the recycling storage area;
 - (d) shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (17) That noise and vibration from the use of any plant equipment and/ or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (18) That the glazing of any windows on the western boundary shall be fixed;

and the following adopted standard conditions:

- (19) LDA66 - Minimum 2.2m headroom;
- (20) LDA76 - Signal systems or mirrors;
- (21) LDA29 - Provide sign indicating parking;
- (22) LDA153 - Reflectivity of external glazing;
- (23) LDA161 - Provide common television aerial;
- (24) LDA367 - Timing device on alarms;

- (25) LDA368 - Display of street numbers;
- (26) LDA376 - Hours of building work;
- (27) LDA165 - Provide garbage room on-site;
- (28) LDA12 - Applicant to liaise with Sydney Water;
- (29) LDA48 - Safe walking surface on crossing.

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.

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
 - (2) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
 - (3) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
 - (4) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
 - (5) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
 - (6) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;

- (7) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (8) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (9) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (10) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (11) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (12) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (13) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
- (14) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
- (15) That all relevant sections of the BCA shall be complied with;
- (16) That the openings in the external western wall of the proposed development shall comply fully with the requirements of Clauses C2.6 and C.3.2 of the BCA;
- (17) That walls bounding a public corridor shall comply fully with the requirements of table 3 of Specification C.3.11 of the BCA with specific attention directed to level 3.

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

Carried.

40.

MOORE PARK MANAGEMENT STRATEGY - HORDERN PAVILION ROYAL HALL OF INDUSTRIES AND EQUESTRIAN CENTRE (2014833)

That the Council adopt the report as representing its views on the draft Management Strategy for the Hordern Pavilion, Royal Hall of Industries and Equestrian Centre, and that a copy of the report be supplied to the Centennial Park at Moore Park Trust.

(DPB Report 1.9.97)

Carried.

41.

ADELAIDE STREET, NO.30, SURRY HILLS - DEMOLITION OF EXISTING COTTAGE AND ERECTION OF NEW DWELLING - BUILDING APPLICATION (Q96-01036)

- (A) That the Council as the responsible authority grants its consent to the application submitted by A Davies, for permission to demolish the existing cottage and erect a two storey dwelling at the abovementioned premises, generally in accordance with the submitted plan numbered WD01 dated 30 December 1996, subject to the submission of new plans incorporating the deletion of one of the garages on the ground floor, the relocation of bedroom No.3 to the area previously occupied by the deleted garage and the reduction of the roof height to match the ridge line of the adjacent building, subject to the following conditions, namely:-

- (1) 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;

and the following adopted standard conditions:-

- (2) BC2 - Compliance with Local Government Act 1993;
- (3) BC8 - Details of contractor;
- (4) BC11 - Inform Council for inspections;

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- (5) BC20 - Premises to remain as single dwelling;
 - (6) BC62 - Survey Certificate for setup of building;
 - (7) BC63 - Survey Certificate for finished building;
 - (8) BC64 - Applicant to make good damage to party walls;
 - (9) BC111 - Hours of work;
 - (10) BC113 - Work to comply with noise standards;
 - (11) BC116 - New work not to encroach boundaries;
 - (12) BC119 - Requirements when excavating below footings;
 - (13) BC123 - Demolition to comply with standard;
 - (14) BC167 - Structural details and certification to be submitted;
 - (15) BC170 - Structural certificate upon completion;
 - (16) BC175 - Comply with Timber Framing Code;
 - (17) BC186 - No structural work until approval granted;
 - (18) BC189 - Termite protection;
 - (19) BC529 - Smoke alarm systems;
 - (20) BC601 - Water closets and shower compartments;
 - (21) BC602 - Clothes washing and drying facilities;
 - (22) BC603 - Damp and weatherproofing;
 - (23) BC608 - Ceiling heights;
 - (24) BC609 - Natural light and ventilation;
 - (25) BC611 - Ventilation of bathrooms/laundries;
 - (26) BC615 - Common walls sound transmission;
 - (27) BC618 - Flashing to be provided;
 - (28) 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.

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

- (A) That the Council as the responsible authority grants its consent to the demolition of the existing cottage at the abovementioned premises 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 the hours and days during which 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;
 - (3) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
 - (4) 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;
 - (5) That the demolition work shall comply with Australian Standard 2601-1991;
 - (6) That with respect to proposed work to any party wall, the applicant shall make good any damage to common property as a result of such work;
- (B) That the Council as the responsible authority supports an objection under Section 82 of the Local Government Act 1993 to the application of Clause 54 of the Local Government (Approvals/Regulation in respect of the subject premises.

- (C) That subject to the concurrence of the Director General of the Department of Local Government to dispense with the application of Clause 54 of the Local Government (Approvals) Regulation 1993 resulting from the objection in (B) above, Council as the responsible authority delegates to the Director of Planning and Building power to approve the application submitted by A Davies for permission to erect a two storey dwelling at the abovementioned premises, generally in accordance with the submitted plan numbered WD01 dated 30 December 1996, subject to the submission of new plans incorporating the deletion of one of the garages on the ground floor, the relocation of bedroom No. 3 to the area previously occupied by the deleted garage and the reduction of the roof height to match the ridge line of the adjacent building, subject to conditions (1) to (28) contained in the report of the Director of Planning and Building dated 1 September 1997, and subject to those amended plans being notified to adjoining owners.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Motion carried.

At 7.24 p.m. the meeting terminated.

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

CHAIRPERSON

GENERAL MANAGER

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