

**194TH Meeting**

**Erskineville Town Hall  
Erskineville**

**Wednesday, 24 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, 24 September 1997.

**PRESENT**

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

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

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### **Confirmation of Minutes**

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the minutes of the Extraordinary Meeting of Council of 2 September 1997 and the Ordinary Meeting of Council of 10 September 1997, be taken as read and confirmed.

At the request of Councillor Fenton, and by consent, the minutes of the Extraordinary Meeting of Council of 2 September 1997, were amended on Page 1105 by the inclusion of Councillor John Bush to the Sydney Coastal Council Harbourwatch Sub-Committee.

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 Bush, seconded by Councillor Fowler:-

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

Carried.

### **Apology**

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

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

## MINUTE BY THE MAYOR

24 September 1997

### **PERSONNEL - 1997 EMPLOYER OF THE YEAR - "EXCELLENCE IN TRAINING BY AN EMPLOYER" - AUSTRALIAN TRAINING AWARDS (2013144)**

In this matter Council submitted a nomination for the 1997 Mitre 10 NSW Training Awards under the auspice of the NSW Department of Training and Education Co-ordination.

Details of the eligibility, selection criteria and entry details are attached. Council's entry is within file.

On 12 September 1997, Mr Don Mould, Training Manager, represented Council at the luncheon for the above awards ceremony relating to NSW and, I am happy to report, was there to collect the award for Council in the category "Excellence in Training by an Employer".

The content of the entry was the "Skill Matrix Project - Competencies Profiles for Wages". This project arose out of the new salary system in the wages award and was subject to a large amount of input from the JCC and the Training Sub Committee of the Joint Consultative Committee together with representatives of the Wages Division. The Deputy Mayor has been involved in both of these committees.

Council has been advised that the National Awards will be held in Melbourne on 13 November 1997, and we will be representing NSW at that Awards ceremony. It is considered that Council should send a number of delegates to the ceremony in Melbourne.

It is also appropriate that I present the certificate for NSW Employer of the Year to the Chairperson of the JCC, Deputy Mayor, Councillor Christine Harcourt, and the Training Manager at a future Council meeting.

#### **Recommendation:**

- (1) That I make a presentation of the certificate for "Excellence in Training by an Employer" to the Chairperson of the JCC, Deputy Mayor, Councillor C Harcourt and the Training Manager, Mr D Mould at a future Council meeting.
- (2) That the Deputy Mayor, Director of Employment Services and two representatives from the Training Sub-Committee attend the National Awards

**GENERAL MANAGER**

in Melbourne on 13 November 1997, as Council's representatives and all reasonable expenses be paid by Council.

Councillor Vic Smith (SGD)  
**Mayor**

Moved by Councillor Macken, seconded by Councillor Bush:-

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

Carried.

## **MINUTE BY THE MAYOR**

24 September 1997

### **PUBLIC RELATIONS - BROTHELS (2014192)**

Correspondence has been received from the President of the Local Government Association of NSW, Councillor Peter Woods, confirming that the NSW Attorney General, the Hon. Jeff Shaw, has invited Local Government to make a detailed submission on a licensing system and the legal difficulties experienced by councils in the regulation of brothels.

A Task Force is to be formed to co-ordinate the preparation of the submission and a Technical Working Party will prepare material for the Task Force's consideration.

An invitation has been extended to Council to be a participant on the Task Force and to nominate a member of staff for the Technical Working Party.

#### **Recommendation:**

It is recommended that Council's participant on the Task Force be the Deputy Mayor, Councillor Christine Harcourt, and that the Director of Planning and Building or his nominee be a member of the Technical Working Party.

Councillor Vic Smith (SGD)  
**Mayor**

**GENERAL MANAGER**

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

## **MINUTE BY THE MAYOR**

24 September 1997

### **PUBLIC RELATIONS - NEW CRIME PREVENTION AND SAFETY CO-ORDINATOR POSITION FOR WOOLLOOMOOLOO (2016504)**

At its meeting of 3 September, 1997 Council resolved to help address the crime and safety problems being experienced in Woolloomooloo by providing a financial contribution (\$10,000) to a Crime Prevention and Safety Co-ordinator position, and also by making a financial contribution to the Woolloomooloo Review.

The Crime Prevention and Safety Co-ordinator position is a new resource for the area and is being jointly funded by a number of agencies including the Department of Community Services, the Department of Housing, the Department of Juvenile Justice, and the Crime Prevention Division of the Attorney General's Department together with Council. Support for the new position amongst these agencies totals \$50,000 and has been brokered by the Kings Cross Place Management Project.

Based on this sum the position will be to work in approximately 15 months (five months of full time employment and ten months of part time 3\_ days per week), however this time period may change depending on the working arrangements negotiated with the successful candidate.

The key responsibility of the position will be to work in partnership with the Government and the Woolloomooloo Community to develop sustainable responses to crime and safety concerns in the area. These strategies will be developed and packaged under the banner of a Woolloomooloo Crime Prevention and Safety Program.

A key aspect of this Program will be to work co-operatively with the agencies which target young people and children to develop a package of services for these groups which are complimentary, accessible and relevant to their needs. In this way the new worker will provide strategic input into the design of programs and activities which are offered through the Council's new Children and Youth Programs in Woolloomooloo.

On the basis that Council is a key stakeholder in the new position I have been approached by the Kings Cross Place Managers with the proposal that Council take on the role as the 'host' organisation for the worker, with the Kings Cross Place Management Project continuing to be the 'host' Project for the initiative.

**GENERAL MANAGER**

This means that the worker would, for administrative purposes only, be considered an employee of Council. To support this arrangement the other financial partners to the position would forward their funding contributions to Council.

On a day to day basis the worker will be supervised by the Kings Cross Local Place Manager. However, it is also proposed that a new steering committee be established for the Woolloomooloo Crime Prevention and Safety Program, comprising representatives from each of the funding bodies as well as other key stakeholders including local resident and service providers. This steering committee will provide strategic input into the activities being developed by the new worker.

On the question of accommodation for the worker I understand from the Place Managers that Plunkett Street School is the preferred location and that representations are about to be made to the school in this regard. The second preferred option for accommodation is the Juanita Neilsen Centre, however, if this option needs to be pursued it will be the subject of a further report to Council.

I propose that Council approve the 'host' organisation arrangement as outlined above, the recruitment of the worker proceed as soon as possible and further that the Director of Health and Community Services, or his nominee, represent Council on the steering committee for the Woolloomooloo Crime Prevention and Safety Program.

**Recommendation:**

I recommend that Council agree to be the 'host' organisation for the new Crime Prevention and Safety Co-ordinator position for Woolloomooloo, with the worker reporting directly to the Kings Cross Local Place Manager on the basis that the Kings Cross Place Management Project will continue to operate as the 'host' Project for the new initiative, that recruitment of the new worker commence immediately and that the Director of Health and Community Services, or his nominee, represent Council on the new steering committee which is to be established to support the development and implementation of the Woolloomooloo Crime Prevention and Safety Program.

Councillor Vic Smith (SGD)

**Mayor**

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

**MINUTE BY THE MAYOR**

24 September 1997

**GENERAL MANAGER**

**COMMUNITY SERVICES - INCREASE IN COSTS FOR MEALS ON  
WHEELS BY OTHER COUNCILS (W51-00045)**

(Copies of articles in the Wentworth Courier and the Sydney Morning Herald were circulated with the minute to the Councillors)

Reference is made to articles printed in the Wentworth Courier (17/09/1997) and the Sydney Morning Herald (18/09/1997) (attached) in regard to Meals on Wheels price rises.

The articles state that "local councils, are warning that costs for Meals on Wheels will rise to \$6.00 within the next six months" due to the current providers i.e. Prince of Wales and Prince Henry Hospitals, increasing their charges for cooking these meals.

It is important to note that this Council runs an independent service and does not have any involvement with the two named hospitals in relation to this matter. We provide on average over 300 meals per day to Meals on Wheels recipients alone for a total cost to the client of \$3.00 per day.

Our meals are fully prepared by our two main kitchens, Moore Park and Kepos Street and are not subjected to the increases spoken about in these articles. Council has not been informed of any cuts to its Home and Community Care (HACC) funding which currently stands at approximately \$450,560 per annum. This funding includes a percentage of the wages within the Aged and Disabilities Services Branch.

While real costs for the meals have increased over recent years this Council is committed to offering this service at an affordable cost to the recipients. The price for a meal has been \$3.00 since 1993 and we are not planning an increase.

Council currently supplies several other services including the Woollahra Meals on Wheels Service with meals five days a week at a cost of approximately \$4.50 per meal. Both services are extremely happy with our quality of food and we often receive letters of praise in this regard. It is not likely that these costs will be increased in the near future.

Several concerned residents have contacted Council in relation to this matter and it is important that we respond to the articles to alleviate any fears our residents may have.

**GENERAL MANAGER**

**RECOMMENDATION:**

It is recommended that the Director of Health and Community Services advise all Meals on Wheels recipients and members of Council's Activity Clubs that:

- (a) Council has no intention of increasing the cost of the meal, which will remain at the current rate of \$3.00 per meal, as we are not affected by the price increases currently incurred by other Councils;
- (b) the quality of food we presently offer is not in jeopardy and will continue at the same high standard.

Councillor Vic Smith (SGD)  
**Mayor**

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

**MINUTE BY THE GENERAL MANAGER**

24 September 1997

**COUNCIL - RECESS PERIOD - DELEGATION OF  
AUTHORITY TO THE MAYOR (C63-00001)**

Council on 11 December 1996, adopted the 1997 Schedule of Committee and Council Meeting dates and in part gave delegated authority to the Mayor during the recess periods from Wednesday, 24 September to Wednesday, 15 October 1997 and Wednesday, 22 October to Wednesday, 5 November 1997.

Council on 23 July 1997, altered the Schedule of Committee and Council meeting dates to enable a Committee Meeting to be held on Wednesday, 8 October 1997 and a Council Meeting to be held on Wednesday, 15 October 1997.

In view of this, the period of mayoral delegation should now be from Wednesday, 24 September to Wednesday, 8 October 1997 and from Wednesday, 15 October to Wednesday, 5 November 1997.

**GENERAL MANAGER**

**Recommendation:**

That Council resolution of 11 December 1996, in part giving delegated authority to the Mayor for the periods 24 September to 15 October 1997 and Wednesday, 22 October to Wednesday, 5 November 1997, be amended so as to give delegated authority to the Mayor for the periods 24 September to 8 October 1997 and 15 October to 5 November 1997.

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

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

**PETITION**

1.

The Mayor tabled a petition received by the General Manager with approximately 43 signatures appended from residents of Lawrence Street, Alexandria, objecting to height, bulk and scale of the proposed Development Application at Nos. 194 - 218 Lawrence Street, Alexandria.

Received.

**QUESTIONS WITHOUT NOTICE**

1.

**TREES – SOUTH DOWLING STREET – AERIAL BUNDLING PROGRAMME. - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2005244)**

**Question:**

Three or four years ago Council began planting spotted gum trees along South Dowling Street to replace some less suitable street trees which were causing problems. At the time I asked Mr Houlihan, the former Director of Public Works and Services, what would happen when the new trees reached the overhead cables and he replied that aerial bundling would have been completed along South Dowling Street by that time. The aerial bundling programme has come to a halt because of indecision over the future of the NSW power industry and many of the spotted gum trees are now touching the wires.

**GENERAL MANAGER**

Is there a contingency plan to avoid having to lop and prune the trees in the near future?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to respond to that question in the Councillors Information Service this coming Friday.

2.

**STREETS – STANDARDS FOR LIGHTING IN PUBLIC AREAS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2014545)**

**Question:**

Could I please have a report on what are the relevant standards for lighting in public areas, particularly parks, and how Council's parks comply?

**Answer by the Mayor:**

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

3.

**STREETS – CLOSURE OF CAROLINE LANE – INVOLVEMENT BY COUNCILLOR BUSH WITH THE LOCAL COMMUNITY - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2010907)**

**Question:**

Could Councillor Bush please indicate, in light of the article in the South Sydney Bulletin, his involvement with the local community on the issue of the closure of Caroline Lane?

**Answer by Councillor Bush:**

Having not read that article, I will reserve my answer to that question until the next meeting.

**Answer by the Mayor:**

I will hold the matter over until the next meeting.

4.

**PROPERTIES – VICTORIA PARK BOWLING CLUB – DEVELOPMENT INTO TENNIS COURT - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2016325)**

**Question:**

Could the Director of Public Works and Services with the Director of Finance report on the financial benefits to Council of developing the Victoria park Bowling Club into tennis courts?

**Answer by the Mayor:**

I will ask them to prepare that report for you taking into consideration through the feasibility study for a cultural centre on that site.

5.

**STREETS – STREET FURNITURE – JOINT ADVERTISING PROPOSAL WITH SOUTH SYDNEY COUNCIL - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2014501)**

**Question:**

Could the Councillors have a report in the Councillors Information Service relating to South Sydney Council's involvement in the joint advertising proposal with the Sydney City Council, the tender process and the possible consequences both financial and visual?

**Answer by the Mayor:**

I think that needs a report for Committee in relation to street furniture.

6.

**COMPUTERISATION – COUNCIL'S BUSINESS CONTINUITY AND CONTINGENCY PLAN IN CASE OF A DISASTER - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2009907)**

**Question:**

What business continuity, contingency plan does the Council have in place for various levels of disaster?

**Answer by the Mayor:**

There is a plan in place and I will ask the Director of Corporate Services to prepare a report for Committee.

7.

**PUBLIC TRANSPORT – CHANGE OF RAIL FARES BY THE AIRPORT LINK - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (P59-00012)**

**Question:**

Could the Mayor write a follow-up letter to the Member for Heffron on the same lines as that dated 17 September 1996, regarding rail fares that will be changed by the airport link?

**Answer by the Mayor:**

I will write to both the Member for Heffron and the Minister for Transport in relation to that matter.

8.

**CELEBRATIONS – CHIPPENDALE FETE – REQUEST FOR COUNCIL TO CONTRIBUTE TO VARIOUS COSTS - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2016195)**

**Question:**

Could I have a report on the feasibility for the request in the attached letter concerning the Chippendale Fete?

**Answer by the Mayor:**

I will ask the General Manager to ensure that the report comes to the Finance Committee on 8 October 1997.

9.

**ORB NIGHT CLUB – VICTORIA STREET, DARLINGHURST – TRAFFIC HAZARD DUE TO GIANT TELEVISION SCREEN - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2005696)**

**Question:**

On the way here this evening, I was distracted by a giant television screen made up of 16 small screens in the upstairs window of the Orb Nightclub on the corner of Nimrod, Craigend and Victoria Streets, Darlinghurst. This screen seems to create a traffic hazard at the new lights at this intersection.

Could Council Officers advise through the Councillors Information Service if this moving screen has a Development Application and permission of the Roads and Traffic Authority?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to carry out urgent investigations into that matter for you tomorrow and have a response for you in the Councillors Information Service on Friday.

10.

**FLINDERS STREET, NOS. 88 – 102, DARLINGHURST – DEVELOPMENT APPLICATION – RE-NOTIFICATION TO SURROUNDING PROPERTY HOLDERS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U96-01105)**

**Question:**

Could the Director of Planning and Building ensure that Development Application 96/1105 is re-notified to the surrounding property holders for an area that can reasonably be seen to be affected by this proposal? I would suggest that properties in the block of South Dowling, Flinders and Hannam Streets (both sides of Hannam Street) and Chisholm and Sims Streets, Darlinghurst.

**Answer by the Mayor:**

It is already underway.

11.

**MACLEAY STREET, NOS. 50-58, POTTS POINT – DEVELOPMENT APPLICATION – CONDITIONS REGARDING BUS PARKING, SET DOWN AND PICK UP - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U95-00133)**

**Question:**

Could I have a report through the Councillors Information Service that relates all conditions for the approval of the old Rex hotel site that relates to bus parking, set down and pick up and the parking controls in Macleay Street and Baroda Lane?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to have that information prepared for you in the Councillors Information Service.

12.

**ANTI-SOCIAL ACTIVITIES – OXFORD STREET – SALE OF LIQUOR, REMOVAL OF ILLEGAL HAWKERS AND BUSKERS AND THE CURRENCY OF COMMERCIAL GARBAGE CONTRACTS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2004198)**

**Question:**

At a meeting of residents, the Member for Bligh and the Commander of Surry Hills Police Command, a number of issues of continuing concern were raised:

- (a) A code of conduct for the retailers of alcohol on the sale of liquor to chronic alcoholics.
- (b) Liaison between Council Ordinance Officers and Police to maximise presence on Oxford Street to remove illegal hawkers, buskers and food retailers;
- (c) The currency of commercial garbage contracts for businesses that back on to Little Oxford Street and Foley Street;
- (d) The reinstatement of the Alcohol-Free Zone in the area.

Could I have a report in the Councillors Information Service to update these issues?

**Answer by the Mayor:**

Certainly, I will have a report prepared for the Councillors Information Service.

13.

**ANTI-SOCIAL ACTIVITIES – COUNCIL TO SUPPORT THE RELEASE OF POLICE ON CHARGE AND REMAND DUTIES TO BE MADE AVAILABLE FOR PATROL DUTIES IN SURRY HILLS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2013947)**

**Question:**

Could the General Manager or yourself write raising Council's concern that the Surry Hills Command has not yet received its budget for this financial year and could the General Manager also outline support from Council for the release of Police on charge and remand duties to be made available for patrol duties with the Surry Hills Command and for their office duties be taken up by officers from the Department of Corrective Services as has been done at a number of other N.S.W. police centres?

**GENERAL MANAGER**

**Answer by the Mayor:**

If I could have a copy of those questions I will take the matter up with the Local Area Commander and have discussions with him and if it is desirable, I will write to the Minister.

**REPORT OF THE FINANCE COMMITTEE**

**17 September, 1997**

**PRESENT**

**Councillor Sean Macken (Chairperson)**

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

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

Councillors - Fenton, Macken, Waters.

**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.

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 2,12,13,14, 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 2 and 12- Lease and Contractual Matters

Items 13,14 and 16 - Personnel Matters

The Committee **recommends** the following:-

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

That the Report of the Finance Committee of its meeting of 17 September 1997, be received and the recommendations set out below for Items 1 to 4, inclusive, 6 to 11, inclusive, and 13 to 15, inclusive, be adopted. The recommendations set out below for Items 5, 12 and 16 having been dealt with as shown immediately following such Items.

**GENERAL MANAGER**

Carried.

The Committee **recommended** the following:-

1.

**COMMUNITY SERVICES - COMMUNITY BUS SCHEME - QUARTERLY REPORT (M56-00008)**

That arising from a report by the Director of Health and Community Services dated 3 September 1997, confirmatory approval be given to the motor vehicles' use costs, as listed in the report above, being treated as donations and charged against Section 356 of the Local Government Act (1993).

Carried.

2.

**LEASE - ELIZABETH STREET, NOS. 543-551, - SURRY HILLS, RESCISSION OF LEASE (2001861)**

That approval be given to:-

- (1) the termination of the approval dated 8 March 1995 for the lease of the realigned portion of Elizabeth Street adjoining No. 543-551 Elizabeth Street Surry Hills, to the proprietors of Strata Plan No. 48226;
- (2) the Proprietors of Strata Plan No. 48226 being informed of Council's decision and advised that occupation or obstruction of the realigned area is not permitted.

(DPWS Report 23.8.97)

Carried.

3.

**LEGISLATION - PARKING SPACE LEVY - ADDITIONAL FUNDING 1997/98 BUDGET (L54-00069)**

That Council approves the voting of \$200,258 additional funds to account (AFB 88P0) for the 1997/98 Parking Space Levy for the Domain Car Park.

(DCS Report 9.9.97)

Carried.

4.

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

- (A) That the report by the Director of Public Works and Services dated 27 August 1997, regarding the recession of policy for street trading and displays, be received and noted.
- (B) That a further report be submitted to Council on a policy being formulated for the licensed display of goods on the footway.

(DPWS Report 27.8. 97)

Carried.

5.

**DONATIONS - TROPICANA '98 FILM FESTIVAL – CLEANSING AND BARRICADES (2011199)**

That arising from the report by the Director of Health and Community Services dated 12 September 1997, approval be given to a donation in the sum of \$5,000 under Section 356 of the Local Government Act (1993), to the 1998 Tropicana Film Festival being for:-

- (a) \$4,000 towards the cost of barricades and clean-up as recommended by the Cultural Committee;
- (b) an additional \$1,000 towards the anticipated shortfall in budget to produce the event.

It was moved by Councillor Fowler, seconded by Councillor Fenton 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 application for a donation by the organisers of the Tropicana 1998 Film Festival for a donation of \$5,000 towards the festival be refused.

Amendment negatived

Motion, carried.

6.

**FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - AUGUST 1997  
(2016310)**

That arising from the report of the Director of Finance dated 8 September 1997, approval be given to the confirmation of the payment of the accounts totaling \$19,968,654.70, as detailed in the Summary of Warrants for the Month of August 1997, accompanying the report.

Carried.

7.

**STREETS - BROWN STREET, CAMPERDOWN - PROPOSED CLOSURE  
AND SALE OF PART (2013990)**

That approval be given to:-

- (1) the closure under Part 4 Division 1 of the Roads Act 1993 of part of Brown Street, Camperdown shown stippled on Plan No. S6-326/276 and its subsequent sale to adjoining owners or their successors in the title subject to the conditions in the schedule accompanying the Director's report;
- (2) all public utility authorities being advised of Council's decision;
- (3) all relevant documents and plans being executed under the Common Seal of Council or by Council's Attorney;
- (4) all adjoining owners be advised of Council's decision.

(DPWS Report 11/9/97).

Carried.

8.

**GOODS AND EQUIPMENT - SUPPLY AND DELIVERY OF TURF -  
ACCEPTANCE OF QUOTATIONS (G51-00269)**

That approval be given to acceptance of quotation submissions from Grech's Turf Supplies for the supply and delivery plus laying when required, of cultivated turf grass for the period 1 October 1997 to 30 September 1999 for an amount of \$77,550, for which funds are available in the 1997/98 Revenue Estimates (Account Code FBA 58CY).

(DPWS Report 5/9/97)

Carried.

9.

**EARTH WORKS - FREE USE OF ERSKINEVILLE TOWN HALL OCTOBER AND NOVEMBER 1997 (2014972)**

That approval be given to the free use of Erskineville Town Hall on the dates listed in the Director's report for the purpose of conducting an Earth Works course by Council's Waste Minimisation Section.

(DPWS Report 12/9/97)

Carried.

10.

**CONFERENCES/MEETINGS - 1997 NATIONAL CONFERENCE ROYAL AUSTRALIAN INSTITUTE OF PARKS AND RECREATION (C61-00225)**

That Council approve the attendance of the Parks Development Manager as a delegate to the 1997 National Conference of the Royal Australian Institute of Parks and Recreation between 2 November and 7 November 1997 and that Council pay registration, accommodation, travel and reasonable out-of-pocket expenses, for which funds are available in the 1997/98 Parks Budget.

Carried.

11.

**LEASING - BLACKFRIARS PLACE, CHIPPENDALE - PROPOSED RENEWAL OF LEASE OF PART (L02-00109)**

That approval be given to:-

- (1) Corpers (No. 450) Pty Limited or their successors in title being granted a lease under Part 10 Division 2 of the Roads Act 1993 over part of Blackfriars Place, Chippendale as shown stippled on Plan No. S4-130/489A and subject to the conditions in the schedules accompanying the Directors report;
- (2) the lease being for a period of five years at a rental of \$1,700 pa, to be increased annually by 5% or the CPI (whichever is the greater);
- (3) all relevant documents and plans being signed under the Common Seal of Council or by Council's Attorney;
- (4) all public utility authorities being advised of Council's decision.

(A/DPWS Report 2.9.97)

Carried.

**GENERAL MANAGER**

12.

**PROPERTIES - PROPOSED CONSOLIDATION OF COUNCIL'S  
SUBSIDISED TENANCIES (P56-00044)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That arising from a joint report by the Director of Health and Community Services and the Director of Corporate Services dated 12 September 1997, Council resolve:-

- (1) to undertake a joint venture with the Department of Housing to develop an affordable Housing Project in Woolloomooloo to accommodate all of Councils existing subsidised tenants;
- (2) to relocate Council's existing subsidised tenants from the following Council properties:
  - 13 - 115 William Street, East Sydney;
  - 5 - 17 Norman Street, Darlinghurst;
  - 234 - 244 Dowling Street, Woolloomooloo;
  - "Glendon Court" 196 - 214 William Street, East Sydney;
  - 110 - 120 Oxford Street, Darlinghurst;into the development(s) upon completion;
- (3) to convene a public meeting in Chippendale to advise residents of the proposal, specifically how it relates to the future of the Myrtle St site;
- (4) to advise all of Council's affected residential tenants of the proposal;
- (5) to sell Council owned property at Nos. 69 -73 Myrtle St Chippendale;
- (6) that the Director of Corporate Services and Director of Health and Community Services in consultation with the Director of Finance identify additional funding sources for the project;
- (7) to submit a funding proposal under the Innovative Housing Program offered by the Office of Community Housing to seek assistance with the project;
- (8) that following negotiations with the Department of Housing that a further report be submitted to Council.

At this stage and at 7.11 pm, it was moved by Councillor Harcourt, seconded by Councillor Lay:-

**GENERAL MANAGER**

That the Council resolve to meet as a Committee of the Whole with Press and Public excluded to discuss the foregoing matter, as it dealt with Council's property.

Carried.

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

The Mayor and Councillors Bush, Fenton, Fowler, Harcourt, Lay and Macken.

At 7.27 pm the Council Meeting resumed.

The Mayor then asked the Supervising Committee Clerk to read out the recommendation of the Committee of the Whole.

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

That arising from a joint report by the Director of Health and Community Services and the Director of Corporate Services dated 12 September 1997, Council resolve:-

- (1) to undertake a joint venture with the Department of Housing to develop an affordable Housing Project in Woolloomooloo to accommodate all of Councils existing subsidised tenants;
- (2) to relocate Council's existing subsidised tenants from the following Council properties:
  - 113 - 115 William Street, East Sydney;
  - 5 - 17 Norman Street, Darlinghurst;
  - 234 - 244 Dowling Street, Woolloomooloo;
  - "Glendon Court" 196 - 214 William Street, East Sydney;
  - 110 - 120 Oxford Street, Darlinghurst;into the development(s) upon completion;
- (3) to convene a public meeting in Chippendale to advise residents of the proposal, specifically how it relates to the future of the Myrtle St site;
- (4) to advise all of Council's affected residential tenants of the proposal;
- (5) to sell at public auction Council owned property at Nos.69 -73 Myrtle St Chippendale and that a Development Application be prepared and approved in consultation with the Chippendale Resident Interest Group and other members of the Chippendale community, and further, that any proposed development is to comply with the Development Control Plan 1997 and the Draft Local Environmental Plan;

- (6) that the Director of Corporate Services and Director of Health and Community Services in consultation with the Director of Finance identify additional funding sources for the project;
- (7) to submit a funding proposal under the Innovative Housing Program offered by the Office of Community Housing to seek assistance with the project;
- (8) that following negotiations with the Department of Housing that a further report be submitted to Council.

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

**13.**

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

That arising from a report by the Director of Employment Services dated 5 September 1997, it be resolved:-

- (1) that as a result of staff procedures which comply to Occupational Health and Safety regulations that Council not provide supervisory staff for the present gymnasium situated at No. 136 Joynton Avenue, Zetland, at this time;
- (2) that funds be made available to purchase additional equipment as outlined in the report for an additional \$1,000 to be costed to KRD 000255FO;
- (3) that access to the gymnasium be expanded as set out in the report ie. 6.30 a.m. to 8.00 p.m. Monday to Friday with security and access being provided by the Ordinance Group.

Carried.

14.

**PERSONNEL - ALEXANDRIA CHILD CARE CENTRE - JOB EVALUATIONS (2015369)**

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

At this stage of the meeting there was no quorum and Councillors Fenton and Waters recommended the following:-

That approval be given to adopt the evaluation of positions within the Alexandria Child Care Centre structure as recommended by Mr Bell in his correspondence to Council dated 1 September 1997.

(Acting Director of Employment Services Report 3.9.97)

Carried.

At this stage of the meeting there was a quorum present and the Committee recommended the following:-

15.

**CONFERENCE - MANAGEMENT PLAN REVIEW - ARRANGEMENT FOR CONFERENCE , 6 – 8 FEBRUARY 1998 (2006310)**

That arising from consideration of a report by the Director of Corporate Services dated 16 September 1997, approval be given for arrangements being made for a Conference to be held at the Fairmont Resort, Leura to discuss the Management Plan from 6-8 February 1998, involving an estimated expenditure of \$13,000, for which funds are available in the 1997/98 Revenue Estimates.

Carried.

16.

**CLEANING - ADDITIONAL SERVICING OF 'THE BLOCK' IN REDFERN - TWO CASUAL POSITIONS (2011907)**

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

At this stage of the meeting there was no quorum and Councillors Fenton and Macken recommended the following:-

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Harcourt:-

That arising from a report by the Director of Public Works and Services dated 16 September 1997, it be resolved that Council employ two casual cleansing service operators to continue functions previously provided by CDEP in "The Block" Redfern, for which funds can be made available from 1997/98 Revenue Estimates(DGB refers).

Carried.

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

17 September, 1997

### **PRESENT**

**Councillor Sonia Fenton (Chairperson)**

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

At the commencement of business at 7.10 pm those present were -

Councillors - Fenton, Macken, Waters.

### **Leave of Absence – Councillor Deftereos**

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

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

That the Report of the Community Services Committee of its meeting of 17 September 1997, be received and the recommendations set out below for Items 1 to 5, inclusive, be adopted.

Carried.

The Committee **recommended** the following:-

1.

**COMMITTEE - ACCESS COMMITTEE FOR PEOPLE WITH DISABILITIES - MINUTES OF MEETING HELD 12 AUGUST 1997 (2003345)**

That the report by the Director of Health and Community Services dated 2 September 1997, and the accompanying minutes of the Access Committee for People with Disabilities meeting held on 12 August 1997, be received and noted.

Carried.

2.

**GOODS AND EQUIPMENT – WHITE - AWARENESS OF ENERGY EFFICIENT WHITE GOODS FOR RESIDENTS AND BUSINESSES IN SOUTH SYDNEY (2015572)**

That arising from a report by the Director of Health and Community Services dated 28 August 1997, approval be given to:-

- (1) a minute being distributed to all heads of Departments stressing the importance of the selection of energy efficient white goods;
- (2) an article being placed in both the Inner City News and the Red and Green Scene where the advantages of energy efficient appliances are explained and highlighted;
- (3) the proposed environmental brochures as included in the 1997/98 Works Program incorporate an explanation of the energy rating system.

Carried.

3.

**COMMUNITY SERVICES - IMPACT OF THE WITHDRAWAL OF COMMONWEALTH FUNDING FOR OUT OF SCHOOL HOURS CARE AND THE STATE GOVERNMENT BLOCK GRANTS FOR VACATION CARE ON SERVICES AND RESIDENTS IN SOUTH SYDNEY (2016191)**

That the report by the Director of Health and Community Services dated 11 September 1997, regarding the impact of the withdrawal of Commonwealth Funding for out of school hours care and the State Government Block grants for vacation care on services and residents in South Sydney, be received and noted.

Carried.

4.

**HEALTH - NATIONAL FOOD HYGIENE STANDARDS (2006547)**

**GENERAL MANAGER**

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

At this stage of the meeting there was no quorum and Councillors Fenton and Waters recommended the following:-

That arising from the report from the Director of Health and Community Services dated 10 September 1997, approval be given to forward the submission as outlined in the report to:-

Australia New Zealand Food Authority  
P O Box 7186  
Canberra Mail Centre  
ACT 2601

Carried.

5.

**HEALTH - FOOD SHOP INSPECTIONS - TAKE AWAY FOOD BARS  
(5156034)**

That the report by the Director of Health and Community Services dated 16 September 1997, regarding the information contained within the abovementioned report on the food inspections of take-away food bars, be received and noted.

Carried.

**REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

17 September 1997

**PRESENT**

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

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

At the commencement of business at 6.42 pm, those present were -

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

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

**GENERAL MANAGER**

That the Report of the Planning and Development Committee of its meeting of 17 September 1997, be received and the recommendations set out below for Items 1 to 3, inclusive, 5, 7 to 11, inclusive, 13 to 15, inclusive, 17 to 19, inclusive, and 21 be adopted. The recommendations for Items 4, 6, 12, 16, 20 and 22 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

**HENSLEY HALL NOS. 37-41, BAYSWATER ROAD, KINGS CROSS -  
ISSUING OF FIRE ORDERS - QUESTION BY COUNCILLOR FENTON  
(2012693)**

That the report by the Director of Planning and Building dated 2 September 1997, with regard to the above be received and noted.

(DPB Report 21.9.97)

Carried.

2.

**CONFERENCES/MEETINGS - PROPOSED AMENDMENTS TO THE  
CONSTITUTION OF SYDNEY COASTAL COUNCILS GROUP (M54-00018)**

That arising from consideration of a report dated 3 September 1997, by the Director of Public Works and Services, it be resolved that:-

- (a) Council concur in the proposed amendments to Clause 2.2.4, 3.1 and 3.3 of the Constitution of the Sydney Coastal Council's Group;
- (b) the Group's Secretary be informed of Council's decision.

(DPWS Report 3.9.97)

Carried.

3.

**CLEVELAND STREET, NOS. 278-284, SURRY HILLS - CONTINUE USE AS A BROTHEL - DEVELOPMENT APPLICATION (U97-00541)**

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Rabaul Pty Ltd, with the authority of Edentip Pty Ltd, for permission to operate a brothel on the first floor level, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 96:18:DA01 to DA03 inclusive and dated 19 September 1996;
  - (2) That no more than four sex workers shall be employed on the site at any one time;
  - (3) That the hours of operation shall not exceed 11.00 a.m. to 3.00 a.m. daily;
  - (4) That no advertising shall be displayed on the building;
  - (5) That clients shall not be permitted to wait outside the premises but shall be requested to either wait inside the building or asked to move on;
  - (6) That no display or soliciting shall take place outside the premises;
  - (7) That adequate receptacles shall be provided for the storage of clean linen separate from used linen;
  - (8) That plans and specifications showing details of:-
    - (a) all proposed mechanical ventilation systems;
    - (b) all required mechanical ventilation systems;
    - (c) the location of exhaust/and intake vents;
    - (d) the garbage room or garbage receptacle storage area;
    - (e) shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
  - (9) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste Management/Minimisation Fact Sheets";
  - (10) That a garbage room or garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste

Management/Minimisation Fact Sheets;

- (11) That the details of the works required to be carried out in Part (B) of this consent shall be submitted to Council within 3 months from the date of this approval and all works shall be carried out within six months from the date of building approval;

and the following adopted standard conditions:

- (12) hsc001 - Compliance to Director of Health and Community Services;
- (13) hsc500 - Premises to be ventilated;
- (14) hsc555 - Bathroom ventilation;
- (15) hsc518 - Exhaust vent;
- (16) hsc400 - Compliance with Brothels Policy
- (17) hsc401 - Cleanliness of premises
- (18) hsc402 - Clean linen
- (19) hsc404 - Changing of linen
- (20) hsc405 - Laundering
- (21) hsc406 - Sanitary facilities
- (22) hsc410 - Supply of condoms
- (23) hsc411 - Contaminated waste disposal
- (24) hsc413 - STD information
- (25) hsc414 - Examination of clients
- (26) hsc416 - Health check-ups
- (27) hsc018 - Sanitary facilities;
- (28) hsc111 - Liquid wastes to sewer;
- (29) hsc710 - Commercial contract (daily);
- (30) hsc715 - Trade waste;
- (31) hsc719 - Contaminated waste contract;

- (32) hsc801 - Noise from premises;
- (33) hsc419 - Public Health Act offences
- (34) LDA351 - Building Application required;

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

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

- (B) That the 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 an automatic sprinkler installation complying with the relevant requirements of AS2118 shall be installed throughout the building.
  - (8) That the system shall comply with a standard of Installation and Maintenance in accordance with the requirements of Australian Standard 2118 and be connected to the NSW Fire Brigade.

- (9) That certification shall be provided by the installer of the sprinkler system that the entire system is installed in accordance with the provisions of Australian Standard 2118;
  - (10) That all internal areas shall be provided with mechanical ventilation in accordance with requirements of F4.5 of the BCA and Council's Ventilation Code;
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision;

Carried.

**4.**

**FLINDERS STREET, NOS. 88 - 114, DARLINGHURST- ORDERS PLACED ON PREMISES - QUESTION BY COUNCILLOR FOWLER (2012075)**

This matter was submitted to Council without recommendation.

Moved by Councillor Fowler, seconded by Councillor Bush:-

- (A) That the report by the Director of Planning and Building dated 10 September 1997, with regard to the question raised by Councillor Fowler on the above premises, be received and noted.
- (B) That a further report by the Director of Health and Community Services be submitted on the health order that was placed on the premises.

Carried.

**5.**

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

- (A) That the report by the Director of Public Works and Services dated 10 September 1997 be received and noted.
- (B) That when Council formally adopts the Draft New South Sydney Bike Plan, Council's officers renew efforts to gain extra funding grants from the Roads and Traffic Authority to implement the Draft Plans recommendations expeditiously.

(DPWS Minute 10/9/97)

Carried.

6.

**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 Bush:-

That Council:

- (1) adopt the South Sydney Open Space Study (as amended);
- (2) advise those that made a submission of Council's decision;
- (3) nominate Councillors Macken and Fowler to participate in the Open Space Steering Committee.
- (4) refer the matter of Alcohol Free Zones and changes to the Summary Offences Act (relating to alcoholic abuse and public spaces) to the Director of Corporate Services for comment and any necessary action.

Carried.

7.

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

It be resolved that Council:-

- (1) 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;
- (2) 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.
- (3) 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.
- (4) 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.

Carried.

8.

**PUBLIC WORKS AND SERVICES ENGINEERING WORKS PROGRAMME - 1997/98 (2010337)**

(A) That Council adopts the Works Programme as listed in the report from the Director of Public Works and Services dated 10 September 1997 with funds available from the 1997/1998 Annual Engineering Works Programme

(B) That a timetable be submitted on the works to be adopted

(A/DPWS Report 10.9.97)

Carried.

9.

**REGENT STREET, NO.11, PADDINGTON - PROPOSED BRICK GARAGE WITH FIRST FLOOR LOFT - BUILDING APPLICATION (Q97-00491)**

That the Council, as the responsible authority, refuses its consent to the application submitted by Archivision, for permission to construct a garage with loft at the rear of the abovementioned premises, all in accordance with the submitted plan numbered A2665, dated 29 May 1997 for the following reasons, namely:-

(1) That the proposed site coverage does not comply with the requirements of Clause 54 of the Local Government Act, 1993;

(2) That the proposed floor space ratio exceeds the permissible floor space ratio of 1:1 as required by Draft South Sydney Development Control Plans 1997 and is generally an overdevelopment of the site

Carried

10.

**PLANNING - PROPOSED AMENDMENT TO DCP 11 - RESIDENTIAL OFF-STREET CAR PARKING PROVISION IN CHIPPENDALE - HOSPITALS PARKING REQUIREMENTS THROUGHOUT SOUTH SYDNEY (2014973)**

It be resolved that:-

(1) Council endorse the following amendments to Council's off-street parking policy contained in DCP 11: Transport Guidelines For Development:

**GENERAL MANAGER**

- (a) The maximum parking rates for new residential developments in Chippendale be set at :
    - 0.3 spaces per unit for bedsitter and one bedroom unit
    - 0.5 spaces per two bedroom apartment
    - 1.0 spaces per three bedroom apartment
    - 0.1 spaces per total apartments for visitors
  - (b) DCP 11 should clearly state that Council has the discretion to reduce the amount of car parking below maximum levels in Chippendale and other areas should it be considered that potential provision of active and safe street frontages, heritage preservation, residential and pedestrian amenity, road safety, etc. would be unreasonably compromised.
  - (c) The maximum parking rates for private and public hospitals be set at a rate of 0.7 spaces per bed, 50 percent of which is to be for patients and visitors.
- (2) DCP 11: Transport Guidelines For Development be amended as in (1) above, and that public notice of Council's intention to amend it, be advertised in local newspapers and, after a minimum period of 28 days, and, in the event of no submissions being received, a notice of adoption be similarly advertised in accordance with requirements of Part 2, Division 4 of the EP&A Regulation 1994.
- (3) In the interim in Chippendale until the DCP 11 is formally amended, and on an on-going basis in other areas, Council's staff strongly encourage parking provision below the upper-limit rates of DCP 11 where it can be justified or necessary for the reasons outlined in 1(b) above.

(DPB Report 12.9.97)

Carried.

11.

**BAYSWATER ROAD, NOS. 72-78 AND CLEMENT STREET, NO. 8,  
RUSHCUTTERS BAY - PROVIDE INCREASED CAR PARKING TO  
RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION (U97-  
00509)**

That consideration of the application submitted by Nordon Jago Architects, with the authority of N & N Davidson Investments Pty Ltd, for permission to increase the number of car spaces approved in U95-00787 from a maximum of 34 to 51 car spaces and provide an alternative access/egress arrangement off Bayswater Road , be deferred to the next meeting of the Planning and Development Committee to be held on 8 October 1997, as requested by the applicant in fax dated 16 September 1997:-

**GENERAL MANAGER**

Carried.

12.

**MITCHELL ROAD, NOS. 290-310, ALEXANDRIA - TO ERECT A RESIDENTIAL FLAT BUILDING CONTAINING 41 UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00239)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council resolves that the State Environmental Planning Policy No 1 objection against the development standards relating to height in Clause 11 of Local Environmental Plan 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reason:-

That the increase in height is acceptable in terms of residential amenity impacts will not detract from the character of the existing streetscape in terms of bulk and scale;

- (B) That the Council as the responsible authority grants its consent to the application submitted by Real Estate Investments with the authority of G Spryou and H Hampson for permission to demolish the existing building and to erect a residential flat building comprising 41 units and to further strata subdivide, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans Drawing Nos. 97BD05 DA09, DA010a-DA14a, DA020a, DA040a, DA050a dated June 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) 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	\$53,413.	2 EJ-BGY 0

**GENERAL MANAGER**

Child Care	\$2,806.	2 EK-BGY 0
Community Facilities	\$2,778.	2 EL-BGY 0
Transport and Access	\$10,401.	2 EM-BGY 0
Environmental Improvements	\$1,680.	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$71,078.</b>	

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

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

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

- (4) That the basement car park being ventilated in accordance with the requirements of AS 1668.1-1991 Section 7.6.
- (5) That plans and specifications showing details of:-
  - i) all proposed mechanical ventilation systems;
  - ii) car park ventilation systems;
  - iii) garbage and recycling storage areas
 shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (6) That the developer shall provide a system of on site stormwater detention (OSD) to the satisfaction of the Director of Public Works and Services. The OSD shall discharge by gravity to the gutters or any underground stormwater system. The developer shall submit with the Building Application, the required fee and detailed stormwater drainage plans for the Director of Public Works and Services to consider.
- (7) That the developer prior to occupation shall exercise a positive convenient to the Council's satisfaction, relating to future owners of the development maintaining the OSD.
- (8) That the developer shall include with the Building Application, a plan detailing the Building Alignment Levels as approved by the

Director of Public Works and Services. The developer shall apply and pay the fees for Council to consider the levels.

- (9) That the developer shall reinstate any damaged kerb and gutter in materials similar to those existing.
- (10) That a maximum of 42 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;
- (11) That only clean and unpolluted water shall be permitted to discharge from the subject development to Council's stormwater drainage system;

and the following adopted standard conditions, namely:

- (12) LDA21 - No resident parking for residential flat developments;
- (13) LDA29 - Provide sign indicating parking;
- (14) LDA151 - Schedule of finishes;
- (15) LDA153 - Reflectivity of external glazing;
- (16) LDA161 - Provide common television aerial;
- (17) LDA367 - Timing device on alarms;
- (18) LDA368 - Display of street numbers;
- (19) LDA373 - Disabled access provision;
- (20) LDA376 - Hours of building work;
- (21) LDA377 - Construction noise regulation;
- (22) LDA399 - Cost of consequential roadworks;
- (23) LDA389 - Stormwater disposal requirements;
- (24) LDA392 - No obstruction to public way;
- (25) LDA393 - Delivery of refuse skips;
- (26) LDA351 - Building Application required;
- (27) LDA396 - Works within boundaries;

- (28) LDA391 - Builder's Hoarding Permits;
- (29) LDA387 - Footway crossings;
- (30) LDA376 - Hours of building work;
- (31) LDA394 - Cost of alteration to signposting;
- (32) LDA414 - Costs for alterations to public services;
- (33) hsc103 - Environmental site assessment being carried out;
- (34) hsc500 - Premises to be ventilated;
- (35) hsc700 - Compliance with code for Garbage Handling System;
- (36) hsc801 - Noise from premises;
- (37) LDA399 - Cost of consequential roadworks;
- (38) LDA414 - Costs for alterations to public services;
- (39) That a plan for the landscaping of the site shall be submitted with the Building Application and shall include details of any subsoil drainage where landscaping is provided on a slab as well as details of planting including species that will be used for screening fronting the laneway which shall be a minimum of 2m high when planted. The site shall be landscaped in accordance with the plan, as approved, and shall be maintained at all times to the satisfaction of the Director of Planning and Building and the Director of Public Works and Services;
- (40) That a 2m high brick fence plus 0.5m lattice screen shall be built at the rear of the premises along Belmont Lane. The lattice screen shall be maintained until the landscaping has reached such maturity as to provide alternative screening. Details to be submitted with the Building Application and to be to the satisfaction of the Director of Planning and Building.

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

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

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

**GENERAL MANAGER**

- (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 new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
- (5) 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;
- (6) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (7) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (8) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (9) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (10) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (11) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;

- (12) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
  - (13) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
  - (14) That all relevant sections of the BCA shall be complied with.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision;

Carried.

13.

**DARLINGHURST ROAD - NOS. 61-65, KING CROSS - ALTERATIONS AND ADDITIONS TO EXISTING BUILDING AND CHANGE OF USE TO AMUSEMENT CENTRE - DEVELOPMENT APPLICATION (U97-00141)**

- (A) That Council as the responsible authority refuses its consent to the application submitted by Avel Pty Ltd, with the authority of Mr M and Mrs S Nuta, for permission to carry out alterations to the subject building for the purposes of an amusement centre to operate 24 hours daily for the following reasons:-
- (1) That the application will be responsible for adverse social impact;
  - (2) That the proposal fails to comply with Clause 13 (2) of Local Environmental Plan No. 101 in relation to the amount of non-residential uses permitted;
  - (3) That the proposal has failed to address noise impacts;
  - (4) That the proposal is not in the public interest;
- (B) That persons who made representations in respect of the proposal be notified of Council's decision.

Carried

14.

**SPRINGFIELD AVENUE, NO.13, POTTS POINT - PREMISES TO BE USED AS TICKETING OFFICE FOR BUSES - DEVELOPMENT APPLICATION (U97-00669)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Greyhound Pioneering, with the authority of Candara Pty Ltd Pty Ltd, for permission to use the premises as a ticketing office for Greyhound Pioneer Ltd subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with the submitted information held on Council file U97-00669;
  - (2) That the hours of operation shall be restricted to between 9.00am to 6.00pm Monday to Saturday;
  - (3) That at no time shall the premises or Springfield Avenue be used as a pick-up or drop-off point for bus passengers;

and the following adopted standard conditions:

- (4) LDA201 - Make separate application for sign;

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- (5) LDA257 - Regulation of noise transmissions;
  - (6) LDA367 - Timing device on alarms;
  - (7) HSC018 - Sanitary facilities;
  - (8) HSC500 - Premises to be ventilated;
  - (9) HSC801 - Noise from premises;
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision

Carried.

15.

**SWANSON STREET, NO.108, ERSKINEVILLE - ADDITION TO EXISTING HOTEL - DEVELOPMENT APPLICATION (U97-00625)**

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

That consideration of the application submitted by Inner Living, with the authority of Mr G & Mrs K Thompson, for permission to erect an additional storey and mezzanine level to the existing hotel to create a four bedroom flat with roof decks at the second floor and third (mezzanine) levels, be deferred to the next meeting of the Planning and Development Committee to be held on 8 October 1997, as requested by applicant in fax dated 17 September 1997.

Carried.

16.

**MARLBOROUGH STREET, NO.70, SURRY HILLS - ERECT RESIDENTIAL FLAT BUILDING CONTAINING 9 UNITS AND BASEMENT FOR PARKING - DEVELOPMENT APPLICATION (U97-00427)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

- (A) That the Council, having considered an objection under SEPP1 against the need to comply with the 9m height standard in LEP 107, agrees that compliance in this case is unnecessary for the reason that the building is compatible with adjoining buildings.

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- (B) That the Council as the responsible authority grants its consent to an application submitted by R.H. McLachlan with the authority of R.H. McLachlan and E McDonald for the construction of two buildings to contain nine flats, subject to the following conditions:-
- (1) That development shall be generally in accordance with plans DA2.01 to 8 dated August 1997;
  - (2) That the unit mix shall be three one bedroom units, five two bedroom units and one three bedroom units;
  - (3) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$10,502	2 EJ-BGY 0
Child Care	\$552	2 EK-BGY 0
Community Facilities	\$546	2 EL-BGY 0
Transport and Access	\$2,044	2 EM-BGY 0
Environmental Improvements	\$331	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$13,975</b>	

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

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

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

- (4) That the visitor space and the two car spaces numbered 3 and 4 shall be deleted and columns be repositioned to allow a widening of the turning bay to not less than 3 metres.

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- (5) That the open area between the two buildings shall be landscaped to the satisfaction of the Director of Planning and Building for use as communal open space.
- (6) That the facade of the front building shall be generally in accordance with plan DA2-07 but that the ridge line shall be as low as possible and the three dormer windows shall be redesigned so as to be uniform in scale all to the satisfaction of the Director of Planning and Building;
- (7) That the terraces on the eastern side of the front building shall be screened with fixed screening to the satisfaction of the Director of Planning and Building on their northern and southern sides to a height of not less than 1.5m, and that this screening shall wrap around the outer corners of the terraces for a distance of 0.3m to minimise overlooking.
- (8) That this consent shall lapse after two years from the date of consent unless a Building Application has been approved and work commenced in accordance with the consent.
- (9) 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.
- (10) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (11) That a maximum of 8 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;
- (12) That the required off-street car parking spaces shall be allocated on the basis of not more than one car space to any flat;
- (13) That racks to accommodate not fewer than three bicycles shall be provided, located to the satisfaction of the Director of Planning and Building;
- (14) That all vehicles shall be driven onto and off the site in a forward direction, at all times;
- (15) That at all times the car parking spaces and driveway thereto shall be kept clear of goods and shall not be used for storage purposes including garbage storage;

- (16) That the vehicular crossing shall be treated in such a manner as to provide a safe walking surface to the satisfaction of Council's officers;
- (17) That the appropriate sign shall be provided and maintained within the site at a point of vehicular egress to compel all vehicles to stop before proceeding onto the public way;
- (18) That a plan for the landscaping of the site, including details of any subsoil drainage where landscaping is provided on a slab and any proposed security fencing, shall be lodged with the Director of Planning and Building for approval and the site shall be landscaped in accordance with the plan as so approved and be maintained at all times to the satisfaction of the Director of Planning and Building and the Director of Public Works and Services;
- (19) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to the approval of the Building Application, for the approval of the Director of Planning and Building, in respect of the following:-
  - (i) external walls;
  - (ii) roofing;
  - (iii) balustrade treatment;
  - (iv) fences;
  - (v) windows and doors;
- (20) That the developer, with the concurrence of the adjoining owners, shall treat any exposed walls of the adjoining buildings to the satisfaction of the Director of Planning and Building;
- (21) That only one common television aerial for each building shall be installed;
- (22) 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;
- (23) 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;

- (24) 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;
- (25) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (26) 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;
- (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 a system of traffic lights and/or mirrors shall be installed to the satisfaction of the Director of Planning and Building to indicate traffic movement on the single lane ramp;
- (31) 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;
- (32) That Council's Order No. O/41/97V, dated 12/5/97 and Notice No.N/86/97V, dated 12/5/97 be complied with completely.
- (33) That the demolition and construction 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;
- (34) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
  - (35) That the basement car park be ventilated in accordance with Australian Standard 1668.1-1991, Section 7 and Australian Standard 1668.2-1991, Section 4.
  - (36) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
  - (37) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
  - (38) 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;
  - (39) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste Management/Minimisation Fact Sheets";
  - (40) That a garbage room or garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets.
  - (41) That adequate facilities shall be provided for the storage of recyclable material. The area to be located and marked to the satisfaction of the Director of Health and Community Services. Details to be submitted with the Building Application;
  - (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 plans and specifications showing details of:-
    - i) all proposed mechanical ventilation systems;
    - ii) car park ventilation systems;
    - iii) the location of exhaust/and intake vents;
    - iv) the garbage room;

v) the recycling storage area;

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

- (44) 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;
- (45) 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;
- (46) 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;
- (47) 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;
- (48) That the applicant shall submit a plan showing how it is proposed to comply with conditions contained herein for the approval of the Director of Planning and Building prior to the approval of the Building Application;
- (49) 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;
- (50) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;

- (51) That all details relating to the location and size of the garbage receptacles shall be forwarded to Council's Waste Services, Public Works and Services for approval;
- (52) That a dilapidation report be carried out for 68 and 72 Marlborough Street, (subject to access being provided by the owners) and be submitted with any building application and a copy given to the owners;
- (53) That a new fence be constructed on the northern side of the site on its boundary with 58-60 Marlborough Street.

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

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

- (C) That persons who made submissions be advised of the Council's decision.

Carried.

17.

**PINE STREET, NOS.1 - 35, CHIPPENDALE - CONSTRUCT 30 X 3 BED UNITS AND 25 X 2 BED UNITS PLUS PARKING - DEVELOPMENT APPLICATION (U97-00217)**

- (A) That the Council resolves it is satisfied that the State Environmental Planning Policy No.1 objection against the development standard relating to the 12m maximum height limit contained in Local Environmental Plan No.66 is well founded and that compliance is unnecessary for the following reasons:
- (1) That the proposal relates satisfactorily to the heights of the buildings to the east and west and provides a satisfactory transitions to the terrace houses to the south;
  - (2) That the parts of the building exceeding the height limit are set back from the boundary and do not result in an unacceptable impact on the streetscape or with regard to overshadowing;
  - (3) That the proposal complies with the height limit under DCP 1997.
- (B) That the Council as the responsible authority refuses its consent to the application submitted by the Cityscape Group P/L, with the authority of Oriental Enterprises, for permission to demolish the existing building except for part of the eastern and western outer walls and to erect 55 residential units with first floor and basement parking, for the following reasons, namely:
- (1) That the proposal is an over-development of the site;
  - (2) That the proposal does not comply with the maximum floor space ratio for the site contained in Development Control Plan 1997;
  - (3) That the proposal fails to satisfy the objectives, performance criteria and controls in Development Control Plan 1997 relating to sunlight access, amenity and aural and visual privacy;
  - (4) That the proposal fails to satisfy the objectives, performance criteria and controls in Development Control Plan 1997 relating to provision of useable open space with satisfactory amenity;
  - (5) That approval of the proposal would set an undesirable precedent with regard to acceptable standards for the internal amenity of new residential development; and
  - (6) That in the circumstances of the case, granting of approval would not be in the public interest.

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- (C) That the Council resolves to participate in mediation through the Land and Environment Court before the matter proceeds to a hearing and the Mayor be authorised to settle the matter, in consultation with the Chippendale Resident Interest Group.
- (D) That the persons who made representations in respect of the proposal be notified of the Council's decision.

Carried.

**18.**

**CALDER ROAD, NO.18, DARLINGTON - ERECTION OF GARAGE - BUILDING APPLICATION (Q97-00542)**

- (A) That the Council, as the responsible authority, grant its consent to the application submitted by Howmeg Investments Pty Ltd for permission to erect a brick garage at the rear of at the abovementioned premises, all in accordance with the submitted two unnumbered plans received on 18 June, 1997, subject to the following conditions, namely:
  - (1) That the height of the proposed garage shall be reduced to 2.4m on the north eastern side and 2.2m on the south western side of the premises with the roof being made to slope in a north eastern to south western direction;
  - (2) That a splay (1.2m x 1.2m ) shall be provided at the north eastern corner of the garage;
  - (3) That an advanced replacement tree, minimum height 2m shall be planted at appropriate location in the backyard of the property;
  - (4) That the adjoining building shall be preserved and protected from damage and if necessary underpin and support the building in an approved manner and with adjoining owner's consent;
  - (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 during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;

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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;
- (10) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (11) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;

and the following adopted standard conditions:

- (12) BC2 - Compliance with Local Government Act 1993;
- (13) BC3 - Compliance with conditions on plan;
- (14) BC8 - Details of contractor;
- (15) BC11 - Inform Council for inspections;
- (16) BC15 - Approval relates to coloured work;
- (17) BC20 - Premises to remain as single dwelling;
- (18) BC62 - Survey Certificate for setup of building;
- (19) BC63 - Survey Certificate for finished building;
- (20) BC65 - Boundary walls not to be party walls without neighbour's consent;
- (21) BC111 - Hours of work;
- (22) BC113 - Work to comply with noise standards;
- (23) BC116 - New work not to encroach boundaries;
- (24) BC119 - Requirements when excavating below footings;
- (25) BC167 - Structural details and certification to be submitted;

- (26) BC170 - Structural certificate upon completion;
- (27) BC175 - Comply with Timber Framing Code;
- (28) BC176 - Approval for permanent work only;
- (29) BC184 - Foundation material under slabs;
- (30) BC186 - No structural work until approval granted;
- (31) BC337 - Construction of boundary walls;
- (32) BC340 - Non-flammable sarking materials;
- (33) BC352 - Glazing materials;
- (34) BC603 - Damp and weatherproofing;
- (35) BC608 - Ceiling heights;
- (36) BC617 - Rain or dampness penetration;
- (37) BC618 - Flashing to be provided.

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

Carried.

**19.**

**OATLEY ROAD, NO.27A, PADDINGTON - ALTERATIONS AND ADDITIONS TO DWELLING - BUILDING APPLICATION (Q97-00669)**

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Archivision for permission to erect two storey additions to the rear and side of the dwelling including a juliet balcony at the abovementioned premises, all in accordance with the submitted plan numbered A3873 received 24 July 1997, subject to the following conditions, namely:-
- (1) That the doorway onto the juliet balcony shall be reduced in width to that of a standard door and the new door be hung in two folds;
  - (2) That the projection of the juliet balcony shall not exceed 450mm to allow for the opening of the doors;

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- (3) That sanitary and clothes washing facilities shall be provided in particular the provision of a laundry tub in accordance with the requirements of F2.3 of the BCA,;
- (4) That the new windows and doors shall be constructed in timber joinery;
- (5) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building in respect of the following aspects of the proposal: -
  - (i) external finishes to walls;
  - (ii) roofing finishes;
  - (iii) balcony balustrade treatment;
  - (iv) proposed fences;
  - (v) size and proportion of windows and doors;
- (6) 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;
- (7) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (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 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;
- (11) That the proposed glazed roof shall be non-combustible;
- (12) That the proposed skylight over the WC shall be reduced and setback 900mm from the boundary;

and the following adopted standard conditions:

- (13) BC2 - Compliance with Local Government Act 1993;

- (14) BC8 - Details of contractor;
  - (15) BC11 - Inform Council for inspections;
  - (16) BC15 - Approval relates to coloured work;
  - (17) BC62 - Survey Certificate for setup of building;
  - (18) BC65 - Boundary walls not to be party walls without neighbour's consent;
  - (19) BC111 - Hours of work;
  - (20) BC113 - Work to comply with noise standards;
  - (21) BC114 - Existing building to be kept in stable condition;
  - (22) BC116 - New work not to encroach boundaries;
  - (23) BC119 - Requirements when excavating below footings;
  - (24) BC167 - Structural details and certification to be submitted;
  - (25) BC175 - Comply with Timber Framing Code;
  - (26) BC186 - No structural work until approval granted;
  - (27) BC337 - Construction of boundary walls;
  - (28) BC341 - Roof lights in dwellings;
  - (29) BC529 - Smoke alarm systems;
  - (30) BC601 - Water closets and shower compartments;
  - (31) BC603 - Damp and weatherproofing;
  - (32) HSC500 - Premises to be ventilated;
  - (33) HSC558 - toilet exhaust;
  - (34) HSC800 - Use of appliances emitting intrusive noise;
  - (35) LDA163 - New brickwork to match existing.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried

20.

**PARKS - SYDNEY PARK - LIVE ENTERTAINMENT EVENT (5168104)**

This matter was submitted to Council without recommendation.

Moved by Councillor ,Harcourt , seconded by Councillor Lay:-

It be resolved that:-

- (1) Domestic Music Concepts and Creative Entertainment be advised that Council is not prepared to allow the use of Sydney Park for the music event as proposed for the Australia Day long weekend of 24-27 January 1998 and therefore will not agree to the signing of the Development Application as owner of the land;
- (2) clear guidelines be established for the use of Sydney Park as an outdoor venue and that an allocation of \$30,000 be voted to engage a Consultant to assist Council in establishing the guidelines after comprehensive community consultation.

(DPWS report 12.9.97)

It was moved as an amendment by Councillor Fowler, seconded by Councillor Bush, that the application be approved.

Amendment negatived.

Motion, as moved by Councillor Harcourt, carried..

21.

**STREETS - PROPOSED CLOSURE OF DALMENY AVENUE AT  
KIMBERLEY GROVE, ROSEBERY (2005996)**

That Council:-

- (a) take no further action under Part 4 Division 1 of the Roads Act 1993 to close the section of Dalmeny Avenue in question as public road ; and
- (b) reaffirm that no action will be taken to seek approval to open Dalmeny Avenue to vehicular traffic on the northern side of the intersection with Kimberley Grove.

(DPWS and DPB Reports 15.9.97)

Carried.

22.

**ELIZABETH BAY ROAD, NOS, 1-15, ELIZABETH BAY, ALTERATIONS  
AND ADDITIONS TO KINGS CROSS POLICE STATION - DEVELOPMENT  
APPLICATION (U97-000612)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fenton:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Guy Fuller Cook Pty Ltd with the authority of South Sydney City Council for permission to carry out alterations and additions to the existing police station with parking for 10 police vehicles and the provision of public toilets, at Nos.1-15 Elizabeth Bay Road, Elizabeth Bay, generally in accordance with the submitted plans numbered SK3-01 to 05 dated 10 July 1997, SK3-06 to 09 dated 11 July 1997 and SK3-10 to 13 dated 28 July 1997, as amended by plans numbered SK3-01a to 03a inclusive, SK3-05b, 06b and 08b dated 16 September, 1997, subject to the following conditions, namely:
  - (1) That details, shall be submitted, including materials and finishes proposed and colours of same for the approval of the Director of Planning and Building prior to lodging of the building application, in respect of the following :-
    - (i) external masonry walls and curtain wall cladding, glazing and framing;
    - (ii) roofing geometry, layout, detailing and finishes;
    - (iii) junction between north-facing curved roof and main roof fascia at grid lines 'B' and '3';
    - (iv) detailing and finishes of roof fascias;

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- (v) concrete balcony and planter box at upper floor level and support columns;
  - (vi) signs and their locations;
- (2) That any external glazing shall have a reflectivity not exceeding 20%;
  - (3) That a minimum of ten off-street parking spaces for police vehicles shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
  - (4) That the developer shall submit a survey of the existing site which indicates all existing trees, their species, height, caliper and their status i.e. to be retained or to be removed. (A tree is classified as any plant taller than 3.4m). This survey shall also include any street trees adjoining the site;
  - (5) That a Tree Preservation Order application shall be submitted to the Director of Public Works and Services and approved before any existing tree on site is lopped or removed. A letter of application shall be marked to the attention of the Tree Preservation Officer;
  - (6) That the landscape plan shall nominate hard works and softworks including decorative paving types, retaining walls, garden bed edging, furniture, pergolas and fencing, existing and proposed critical levels, planting types and species, plant numbers and sizes (container size and height) and irrigation. Minimum container sizes are to be 75 litres for trees and 5 litres for shrubs;
  - (7) That where works are to be carried out in lieu of a S94 contribution (i.e. streetscape or park improvements) detailed plans, specifications and itemised costing of the works are to be submitted for approval prior to commencement of construction of the works. Plans for the development of parkland areas shall comply with the Fitzroy Gardens Plan of Management adopted by Council in June 1997;
  - (8) That a detailed plan for the landscaping on site be provided, including details of any subsoil drainage where landscaping is provided on slab. Minimum soil depths shall be 1000mm for trees, 600 mm for shrubs and 300mm for grass. These dimensions shall include 75mm depth of mulch and a suitable waterproofing and drainage layer;
  - (9) That an extent of works line is clearly marked on the plan referred to in condition 8;

- (10) That consideration shall be given to the pavement treatment abutting the development especially as the existing pavers are difficult to replace (firmly cemented to a concrete slab). New pavement treatment shall follow the recommendations of the Fitzroy Gardens Plan of Management adopted by Council in June 1997;
- (11) That the final finished levels of the adjacent parkland are in accordance with the Fitzroy Gardens Plan of Management adopted by Council in June 1997;
- (12) That the developer shall provide a maintenance schedule for landscape works for the first 12 months with evidence of a contract to carry out such works after practical completion;
- (13) That all existing trees on the site covered by Council's Tree Preservation Order shall be preserved and protected during the construction phase to the satisfaction of the Director of Public Works and Services;
- (14) That at least one main entry without steps and useable by people in wheelchairs shall be provided from the public way to the lift lobby in accordance with the Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";
- (15) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30am and 5.00pm on Mondays to Fridays, inclusive, and 7.30am and 3.00pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services for the use of a mobile crane;
- (16) 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;
- (17) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (18) 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;

- (19) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (20) 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;
- (21) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (22) That building/demolition work shall comply with A.S. 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (23) That the premises including 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;
- (24) That a management plan for the abatement of noise and the suppression of dust during building work shall be submitted to the Director of Planning and Building and approval obtained prior to commencement of any work on site;
- (25) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (26) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (27) That all fresh air intake and exhaust air discharge vents shall be located in positions approved by the Health and Community Services Department;
- (28) 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;
- (29) 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;
- (30) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with

the requirements of Council's Code for the Construction of Garbage Handling Systems;

- (31) That plans and specifications showing details of :-
- a) all required mechanical ventilation systems;
  - b) the garbage room;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (32) That noise and vibration from the use of any plant, equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (33) 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;
- (34) That provision shall be made for the installation of external cameras for the 24 hours/day surveillance of the entrances to the public toilets, and such installations shall be to the satisfaction of the Director of Public Works and Services and Director of Corporate Services;
- (35) That the public toilets shall be made accessible and available to the general public at all times on a 24 hours/day basis;
- (36) That any permanent structure projecting in the public way shall comply with the requirements of the Building Code of Australia;
- (37) That the developer shall accept responsibility for the cost of construction of any alteration or adjustment to existing public services affected by the proposed work;

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 application be notified of Council's decision.
- (C) That the Building Application when lodged be referred to the Planning and Development Committee for consideration.

**GENERAL MANAGER**

Carried.

At 7.53 p.m. the meeting terminated.

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

**CHAIRPERSON**

**GENERAL MANAGER**

**GENERAL MANAGER**