

**195TH Meeting****Erskineville Town Hall  
Erskineville****Wednesday, 15 October 1997**

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.36 pm on Wednesday, 15 October 1997.

**PRESENT**

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

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

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## **Public Relations – 1997 Mitre 10 NSW Training Awards – Award to Council**

In 1996 and 1997 training has been a very busy year. More than 1,273 people attended internal/external training and courses of study. That's a huge investment of time and effort in the pursuit of new skills and knowledge.

Training was planned to benefit employees who want to obtain new skills. This program was assisted by the implementation of the New Industrial Skilled Based Award for South Sydney City Council (SSCC).

The Council has an established Joint Consultative Committee (JCC) of which the Deputy Mayor is the Chairperson. The JCC role is to develop a plan that integrates the needs of SSCC.

JCC Objective is to provide a forum for consultation between Council and its employees to achieve:

- Co-operation;
- Effective and productive workplace reforms;
- Enhanced career opportunities for our employees.

As a result of the JCC's work, the Council submitted a nomination for the 1997 Mitre 10 NSW Training Awards and I am pleased to announce that South Sydney Council has received this award.

1997 Employer of the Year Excellence in training by an employer.

The Council will now go on to represent NSW at the National Awards in Melbourne on 13 November 1997.

We wish them success.

At this time as part of the training process I would like to make a presentation to the Deputy Mayor, Councillor Christine Harcourt and the Training Manager, Mr Don Mould, of a certificate which represents Council's achievements at state level.

Councillor Harcourt responded accordingly.

## **Confirmation of Minutes**

Moved by Councillor Lay, seconded by Councillor Macken:-

That the minutes of the Ordinary Meeting of Council of 24 September 1997, be taken as read and confirmed.

At the request of Councillor Lay, and by consent, the minutes of the Ordinary Meeting of Council of 24 September 1997, were amended on Page 1214 by the addition after the word "adopted", where appearing in the sixth line of the words "subject also to the attendance of two training officers".

Minutes, as amended by consent, were then confirmed.

## **MINUTE BY THE MAYOR**

7 October 1997

### **DONATIONS – METROPOLITAN COMMUNITY CHURCH SYDNEY – GAY AND LESBIAN CHRISTMAS EVE SERVICE 1997 (2013125)**

Council has received a letter from the Metropolitan Community Church Sydney inviting it to again sponsor the Annual Sydney Gay and Lesbian Christmas Eve Service. Last year Council made a donation of \$500 towards the cost of the 1996 Gay and Lesbian Christmas Eve Service.

The Christmas Eve Service, to be held at the Sydney Town Hall on Wednesday, 24 December 1997, has become the premier event in the Sydney Gay and Lesbian Christmas calendar. The service is a non-profit event for the lesbian, gay and general community and has grown from 70 people four years ago to a full Sydney Town Hall of over 2,000 worshippers last year.

At the service, clergy of the Metropolitan Community Church (MCC), well known artists and the Sydney Gay and Lesbian Choir celebrate the true message of Christmas with gays, lesbians, their families and friends.

A donation by Council of \$500 would help to cover the costs of the service including hall hire, programs and advertising in the gay and lesbian media. Council's support would be acknowledged in the Christmas Eve Service Program and other advertising.

### **RECOMMENDATION**

That Council agree to provide a donation of \$500 under S.356 of the Local Government Act (1993) to the Metropolitan Community Church Sydney (MCC) towards the cost of the 1997 Gay and Lesbian Christmas Eve Service to be held in the Sydney Town Hall on Wednesday, 24 December 1997.

Councillor Vic Smith (SGD)  
**Mayor**

**GENERAL MANAGER**

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

## **MINUTE BY THE MAYOR**

8 October 1997

### **PUBLIC RELATIONS – RETIREMENT OF MS LORETTA DUNNE, CO-ORDINATOR, FACTORY COMMUNITY CENTRE (2016550)**

Recently the Mayoress and I represented Council at the Twentieth Anniversary of the Factory Community Centre, Raglan Street, Waterloo.

At this function we were advised of the impending retirement of the Centre's Co-ordinator, Ms Loretta Dunne, on medical advice. Under her guidance and direction, over the past seven years, Loretta has turned this Centre around from a struggling show to a leader in its field.

The Chairman of the Factory Community Centre, the Reverend John McIntyre, states that there is little comparison administratively between what Loretta inherited and what she now leaves, but more importantly, the level of humanity in the provision of services has remained and been developed in her time at the Centre.

During her time at the Factory, Loretta has always made a point of attending as many interagency groups as possible on the basis of having continual contact with other agencies and having been able to support one another.

In view of the work performed by Loretta Dunne in our community over the past seven years and the support given to her by our community, I propose that Council in acknowledging her work, hold a Reception in her honour.

#### **Recommendation:**

It is recommended that a Reception be held on Friday, 5 December 1997, at Erskineville Town Hall, to acknowledge the work performed by Loretta Dunne in our community.

Councillor Vic Smith (SGD)

**Mayor**

**GENERAL MANAGER**

Moved by Councillor Macken, seconded by Councillor Harcourt:-

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

Carried.

## **MINUTE BY THE MAYOR**

9 October 1997

### **CONFERENCES – RTA CONSULTATIVE FORUM – REVIEW OF MEETING ARRANGEMENTS (C57-00044)**

In order to extend opportunities for a greater level of communication with Councils, the Roads and Traffic Authority (Sydney Region) established a Consultative Forum.

The Forum meets generally three times a year, at different venues in the Sydney Metropolitan area. Each Council is entitled to have an elected member as its nominated representative, and it is usual for a Council officer to attend also.

South Sydney Council's representatives are the Deputy Mayor (Councillor Christine Harcourt) – with Councillor Jill Lay as the alternate member – and Council's Traffic and Design Manager (Mr Ian Thompson).

Over the last two years, there has been somewhat of a decline in attendance at the Forum meetings, due to factors such as:

- Travel distance for some people
- Conflict with other commitments
- Discussions of "parochial" issues rather than general – interest matters.

A review by a small working group from within the Forum suggested several options to enable the Forum to best serve its intended purpose.

The proposal which received widest support from Forum members was for RTA representatives to attend Regional Organisation of Council (ROC) – based meetings twice a year, and to have just one, full Sydney Region meeting each year.

The Southern Sydney Regional Organisation of Councils (SSROC) has endorsed this proposal, and now seeks the formal support of its member Councils.

The proposal, if adopted by the Consultative Forum at its November meeting, would allow focussing on topics of more particular interest to Councils at the ROC level. It would also enable each ROC to better pursue with the RTA those matters which related specifically to traffic management within the local area.

**GENERAL MANAGER**

For these reasons I recommend that Council support the proposal endorsed by SSROC.

**Recommendation:**

That Council:

- (1) support the concept of a two-tiered RTA consultative forum (that is, a local forum based on SSROC boundaries and a Sydney-wide forum);
- (2) recommend to the RTA forum meeting in November, that the local forum become part of the SSROC Transportation Policy Committee, with appropriate RTA representatives invited to participate in two of the Committee's meetings each year.
- (3) agree that the RTA Sydney Region Consultative Forum should meet in November each year, in accordance with the RTA's proposal.

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**

30 September 1997

### **PARKS - CONNECT REDFERN - EARLY CHILDHOOD CHRISTMAS PARTY 5 DECEMBER 1997 AT REDFERN PARK (P58-00117)**

Connect Redfern Interagency School Community Centre is coordinating a Christmas Party in Redfern Park on Friday 5 December from 10 am to 2 pm, for local early childhood organisations.

The idea of an Early Childhood Christmas Party grew from the very successful Playgroup Connects Day, held last May, where over 300 community members participated including South Sydney City Council.

The organising committee plans to provide a barbecue lunch, service information and activities for the children. Santa will also be arriving at some stage through the event to hand out Christmas presents to all the children.

**GENERAL MANAGER**

The committee has written to me requesting the assistance of Council to provide the following equipment for this event:

**4 large umbrellas**  
**5 tents**  
**8 trestle tables**  
**36 chairs**  
**300 helium balloons**

Council's Community Liaison Officer has costed the above at \$500 for which funds are available in the Community Liaison budget ENL 77F0 account.

### **RECOMMENDATION**

That Council assist the Connect Redfern Interagency School Community Centre's Christmas Party on 5 December 1997, by providing the equipment detailed above, involving an expenditure of \$500, for which funds are available in the 1997/98 Revenue Estimates.

Councillor Vic Smith (SGD)  
**Mayor**

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

### **MINUTE BY THE MAYOR**

2 October 1997

#### **PARKS - COMMUNITY CHRISTMAS PARTY – THURSDAY, 11 DECEMBER 1997 – MATAVAI AND TURANGA, REDFERN (P58-00055)**

After two concurrent successful community Christmas parties, the Public Housing tenants and local community in Waterloo and Redfern, are organising the 1997 Christmas celebration for the children of the tenants of "Matavai" and "Turanga" on Thursday, 11 December between 4.00 pm and 8.00 pm.

I have received a request from the organising committee, the Waterloo Christmas on the Green Committee, for the following assistance:

- **A Christmas tree**
- **small stage**

**GENERAL MANAGER**

- **PA system**
- **small tent**
- **large tent**
- **2 portaloos**
- **trestle tables and chairs**
- **entertainment – pony rides**
- **balloons**
- **bins for disposal of rubbish**
- **\$500 for BBQ requirements**

They are expecting 500 people and I understand they are planning to invite people from the Mission Home. The committee is also busy organising entertainers as well as seeking donations from the local community for toys as gifts for the children.

Council's, Community Liaison Officer has costed the above at \$2,000 excluding the donation of \$500 for which funds are available in the Community Liaison budget.

However the request for \$500, towards cost of the barbecue, is an additional expenditure for which funds will need to be allocated for by Council.

**Recommendation:**

That:-

- (1) Council approve a financial donation of \$500 under Section 356, to the Waterloo Christmas on the Green Committee so that a Community Christmas Party can be held on the Green of "Matavai " and "Turanga " on Thursday, 11 December 1997, and that such amount be added to the 1997/98 Revenue Estimates.
- (2) further, Council assist by providing the above detailed equipment, involving the expenditure of \$2,000, for which funds are available in the 1997/98 Revenue Estimates.

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

15 October 1997

### DEVELOPMENT APPLICATION - PROPOSED INTERIM CONSERVATION ORDER FOR THE YELLOW HOUSE – NOS. 57 – 59 MACLEAY STREET, POTTS POINT (U97-00228)

An application to demolish the boarding house and erect a boutique at Nos. 57-59 Macleay Street was lodged with Council on 21 March 1997. Subsequently, Council received advice from the Department of Housing in relation to SEPP No.10 refusing concurrence to the application. In addition during notification of the proposal, concerns were raised by locals and artist/historical societies regarding the loss of the building known as the Yellow House.

In order to assess the cultural significance of the premises, Rod Howard Heritage Conservation Consultants were engaged by Council. A draft report has been received and the application is likely to be presented to the Planning and Development Committee on the 5 November 1997.

After analysing the report relating to the assessment of cultural significance for the Yellow House, the report indicates that the premises has substantial cultural significance and other levels of significance including aesthetic, architectural, historical and social significance. Despite this significance, the building is neither a current nor a proposed heritage item.

While a report on the development application is still to be submitted to Committee, I believe Council should make urgent representations to the Minister to have an Interim Conservation Order placed on the premises.

### RECOMMENDATION

That Council request the Minister for Urban Affairs and Planning to issue an Interim Conservation Order under the Heritage Act, 1977 on the Yellow House at Nos. 57-59 Macleay Street, Potts Point.

Councillor Vic Smith (SGD)  
**Mayor**

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

**GENERAL MANAGER**

**MINUTE BY THE MAYOR**

14 October 1997

**DONATIONS – CHIPPENDALE RESIDENTS' INTEREST  
GROUP – CHIPPENDALE FETE (2016195)**

On 2 November 1997 the Chippendale Residents' Interest Group intend to hold a fete in the area of Peace Park.

Approval to hold the fete has been given under delegated authority by the Director of Public Works & Services subject to various standard conditions and payment of fees applicable to the use of the Park.

The Chippendale Residents' Interest Group has requested that Council consider donating funds towards various expenses involved in the operation of the fete.

It is Council's policy not to make donations towards individual organisation's fetes but to give support in terms of donations through the Annual Community Grants Scheme to various neighbourhood Festivals. This includes the Chippendale Festival which is organised by The Settlement and is to be run on 22/23 November.

I therefore **recommend** to Council that no action be taken to donate towards the Chippendale Fete beyond the waiving of the insurance fee for Peace Park and that the organisers be advised to apply for funds through Council's 1997/98 Community Grants Scheme and to have talks with the organisers of the Chippendale Festival with a view to consolidating the two events.

Councillor Vic Smith (SGD)

**Mayor**

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

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

**GENERAL MANAGER**

**MINUTE BY THE GENERAL MANAGER**

8 October 1997

**FINANCE – DRAFT FINANCIAL REPORTS –  
YEAR ENDED 30 JUNE 1997 (2000631)**

Council has prepared its Draft Financial Reports for the year ended 30 June 1997. A copy of the report and the Draft Auditor's Report is submitted for your information.

Council's Auditors, Spencer Steer and Associates (Chartered Accountants), advise that the Audit of Council's books is effectively complete and accordingly, have prepared a Draft Audit Report under Section 417(1) of the Local Government Act 1993.

The timetable to fulfil Council's statutory reporting obligations is as follows:

- Obtain Final Audit Approval - 24 October 1997.
- Submit Final 96/97 Reports and Signed Draft Audit Report to Finance Committee - 5 November 1997.
- Council to adopt and sign 96/97 Reports and give 14 days public notice (s418) Meeting - 12 November 1997.
- Auditors to sign and present Final Audit Report at Council Meeting - 12 November 1997.
- Lodge Reports with Department of Local Government and ABS - immediately after Council of 12 November 1997.
- Last day for the Public to lodge written enquiries re 1996/97 Reports – 19 November 1997.
- Present Adopted 1996/97 Reports to the Public - Public/Council Meeting 26 November 1997.

(Note: Auditors should be present to assist in answering questions raised by the public.)

**Recommendation:**

That the report be received and noted.

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

**GENERAL MANAGER**

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

### **MINUTE BY THE GENERAL MANAGER**

10 October 1997

#### **PROPERTIES – UPGRADE KINGS CROSS POLICE STATION UPGRADE – TENDER FOR DESIGN SERVICES (2015904)**

A Minute by the General Manager dated 10 October 1997, was circulated to all Councillors.

The Council resolved that the press and the public be excluded during consideration of this Item, and further, access to correspondence and reports be withheld in respect of such Item because in the opinion of the Council, publicity of the proceedings of the Council Meeting would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

### **MINUTE BY THE GENERAL MANAGER**

8 October 1997

#### **ADMINISTRATION – DISCLOSURE OF INTERESTS – TABLING OF FORMS OF RETURN (5006938)**

Part (1) of Section 450A of the Local Government Act, 1993, states:-

- (1) (General Manager to keep register) The General Manager must keep a register of returns required to be lodged with the General Manager under Section 449.

**GENERAL MANAGER**

Part (2) of Section 450A states:-

- (2) (When returns to be tabled) The returns required to be lodged with the General Manager under Section 449 must be tabled at a meeting of the Council.

The returns must be lodged at the first Council meeting after the return date of 30 September 1997.

I now table the returns received from Councillors and designated persons for the period 1 July 1996 to 30 June 1997.

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

Moved by Councillor Macken, seconded by Councillor Harcourt:-

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

Carried.

#### **MINUTE BY THE GENERAL MANAGER**

14 October 1997

#### **CONFERENCES – PLANNING – SOLUTIONS FOR A SUSTAINABLE FUTURE – MELBOURNE 27 AND 28 OCTOBER 1997 (2014100)**

A Minute by the General Manager dated 14 October 1997, was circulated to all Councillors.

The Council resolved that the press and the public be excluded during consideration of this Item, and further, access to correspondence and reports be withheld in respect of such Item because in the opinion of the Council, publicity of the proceedings of the Council Meeting would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

**GENERAL MANAGER**

**MINUTE BY THE GENERAL MANAGER**

13 October 1997

**PROPERTIES – WATKIN LANE, NO. 3, NEWTOWN –  
UPGRADE AND REFURBISHMENT (2014742)**

A Minute by the General Manager dated 13 October 1997, was circulated to all Councillors.

The Council resolved that the press and the public be excluded during consideration of this Item, and further, access to correspondence and reports be withheld in respect of such Item because in the opinion of the Council, publicity of the proceedings of the Council Meeting would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

**PETITION**

1.

Councillor Fenton tabled a petition with approximately 75 signatures appended requesting South Sydney Council to reverse its decision on one hour parking during business hours in Boundary Street, Rushcutters Bay, back to unrestricted parking.

Received.

**GENERAL MANAGER**

**QUESTIONS WITHOUT NOTICE**

1.

**CLEANING – KING STREET, NEWTOWN – STREET SWEEPING AND GARBAGE COLLECTION - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2011913)****Question:**

At the present there is a very noticeable difference between the street sweeping and garbage collection on the South Sydney section of King Street Newtown and the area under Marrickville Council's control. Could the Mayor please write to the Mayor of Marrickville suggesting that South Sydney City Council would be interested in contracting to provide these services for Marrickville along King Street, Newtown?

**Answer by the Mayor:**

Yes, I will write to the Mayor tomorrow and hopefully get an immediate response.

2.

**PUBLIC RELATIONS – ADVERTISING AND CALLING FOR AUSTRALIA DAY COMMUNITY AWARDS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (P58-00486)****Question:**

Could Council please begin advertising and calling for nominations for the Australia Day Community Awards as soon as possible to maximise Community input into the nominations for 1998? I would ask that this process be commenced by the end of October.

**Answer by the Mayor:**

I will ask the Acting Director of Health and Community Services to ensure that action is commenced before the end of the month.

3.

**PARKING – COPE STREET, REDFERN – OPERATION OF REDUNDANT CAR PARK - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2016576)****Question:**

I have representations from the Redfern Chamber of Commerce. Retailers and residents regarding the Council car park at Cope Street, Redfern.

**GENERAL MANAGER**

This car park has become redundant due to continual break enters and vandalism.

Could the Director of Corporate Services investigate options that would provide secure parking and a revenue return to Council? The options would be Council controlled and patrolled or leased to a private enterprise operation who would guarantee security.

**Answer by the Mayor:**

I will ask the Director of Corporate Services to prepare a report for Council's committee in relation to that matter.

4.

**COUNCILLORS – FEASIBILITY OF COUNCILLORS BEING PROVIDED WITH EMAIL, INTERNET AND CD ROM EQUIPMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (A54-00016)**

**Question:**

Could the Director of Corporate Service report on providing i.e. technology such as Email, Internet, CD Rom equipment and services so as to enhance Councillors ability to communicate with the Community?

**Answer by the Mayor:**

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

5.

**PUBLIC RELATIONS – COUNCIL TO SUPPORT STATE GOVERNMENT FUNDING FOR BUSINESS ENTERPRISE CENTRES THROUGHOUT N.S.W. - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2016586)**

**Question:**

Given that the State Government provides funding for business enterprise centers throughout NSW, could the Mayor write a letter of support for the South Sydney B.E.C. to the relevant minister in their application for funding?

**Answer by the Mayor:**

Yes I will support that application.

6.

**STREETS – FEASIBILITY AND PROBABLE COST OF INSTALLING WHITE WAY LIGHTING UNDER THE AWNING OF SHOPS ON CLEVELAND AND CROWN STREETS, SURRY HILLS AND BAPTIST STREET, REDFERN - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2016587)**

**Question:**

Would Council Officers please provide me with a report on the feasibility and probable cost of installing White Way Lighting under the awnings of shops on the southern portion of Crown Street, Surry Hills, and adjacent strip on Cleveland Street and Baptist Street, Surry Hills and Redfern?

**Answer by the Mayor:**

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

7.

**STREETS – WIMBO PARK, CORNER OF PARKHAM LANE AND PARKHAM PLACE, SURRY HILLS – INVESTIGATION OF STREET LIGHTING - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2016588)**

**Question:**

Could Council Officers please investigate street lighting in Wimbo Park at the corner of Parkham Lane, and on Parkham Place at the back of Olivia Gardens? Some lights are partially obscured by vegetation and other places may require additional lighting.

**Answer by the Mayor:**

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

8.

**STREETS – GUIDELINES AND CRITERIA USED BY COUNCIL IN THE DECISION MAKING PROCESS FOR PAVING TREATMENTS IN SOUTH SYDNEY - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2016589)**

**Question:**

At present there are major new paving and repaving works happening in the Kings Cross area which will have a significant impact on the public domain. However in a recent walk around the area I observed a mish mash of existing paving treatments and that the new works seem to be encouraging further,

rather than resolving existing, inconsistencies in paving. For example the new paving work around the Elan development seems to incorporate different treatments on each of the street frontages – Kings Cross Road vs Darlinghurst Road vs Craighend Street

To address this problem could a report be submitted to Council which outlines the decision making process in determining what paving treatments are implemented, including who is involved in make these decisions and what guidelines/criteria are used to inform them?

**Answer by the Mayor:**

I will ask the General Manager to review that matter and if required have a report prepared for the next Committee.

9.

**MEETINGS – REPORT FOR COMMITTEE REGARDING FUNDS FOR THE SYDNEY COASTAL COUNCILS' MEETING ON 6 DECEMBER 1997 - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (M53-00022)**

**Question:**

It is South Sydney Council's venue to host the next meeting of the Sydney Coastal Councils which is scheduled for 6 December 1997. Could a report be presented to the next Finance Committee so funds may be balloted for this meeting?

**Answer by the Mayor:**

I will ask the relevant Officer to investigate that matter and have a report prepared for the Councillors Information Service.

10.

**CELEBRATIONS – KINGS CROSS CARNIVAL – CANCELLATION OF ROAD CLOSURES AND SPECIAL SERVICES - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2003182)**

**Question:**

I understand the King Cross Carnival scheduled for Sunday, 2 November 1997, has been cancelled. Could the relevant Council Officer check this information, and if it is correct, cancel any road closure and other special services scheduled for this day?

**Answer by the Mayor:**

I was only informed today and it is correct that the carnival has been cancelled. We haven't received any notification from the chamber, but I understand that it is forthcoming.

11.

**FLINDERS STREET, NO. 100, DARLINGHURST – INVESTIGATION INTO PART DEMOLITION OF PREMISES - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2009039)****Question:**

Could the Director of Planning and Building report as to what action has been taken, if any, on the demolition and removal of all balconies, facade, timber windows and doors, lacework and balcony roof of No.100 Flinders Street? Was a Development Application or Building Application lodged for and or granted by Council for the partial demolition of a listed heritage item under LEP 107 and Draft LEP 1997? And if no approval has been given what action is Council undertaking now, to safeguard heritage and authority of Council's consent?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to have a report prepared for Committee.

12.

**PUBLIC RELATIONS – DEFECTION OF CHERYL KERNOT TO THE AUSTRALIAN LABOR PARTY - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2016590)****Question:**

Following today's historic defection of Democrats Leader Cheryl Kernot to the ALP, could the Mayor inform the Councillors if there is any truth to the rumours that the Member for Bligh has also seen the light and decided to opt for a more relevant process, and if so, would you be supporting her application for membership of the ALP?

**Answer by the Mayor:**

In response to that, I am not to sure of that rumour, but I have heard other rumours in respect of other matters in relation to the Member for Bligh, but not the one that she is about to join us at the Labor Party. But certainly yes, I would have to give serious consideration to seconding her nomination. I think that irrespective of the gender, people have to come to realise, as did the Leader of the Democrats today, that the Labor Party is a Party that is

progressing and if you're seeking progress, there is only one party to be in and of course that is the Australian Labor Party. If Cheryl Kernot can see light at the end of the tunnel, maybe the Member for Bligh is heading in the same direction.

13.

**STREETS – STREET SIGNS – INVESTIGATION INTO MISSING SIGNS IN KINGS CROSS - QUESTION WITHOUT NOTICE BY THE MAYOR (2004997)**

**Question:**

I have a question for the Director of Public Works and Services. Just over a week ago I attended a meeting at the Kings Cross Chamber of Commerce and it was raised that there were problems with street signage in that particular area. Darlinghurst Road, Bayswater Road and other streets in that vicinity. Could I ask the Director of Public Works and Services to investigate those street signs that are no longer there and have them reinstated as a matter of urgency?

**REPORT OF THE FINANCE COMMITTEE**

**8 October 1997**

**PRESENT**

**Councillor Sean Macken (Chairperson)**

**Councillor - Sonia Fenton.**

At the commencement of business at 6.36 pm those present were:-

Councillors - Fenton, Macken.

**Apology:**

An apology for non-attendance at the meeting was received from Councillors Deftereos and Waters.

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 4, 10, 11 and 23 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:-

**GENERAL MANAGER**

Items 4 and 10- Personnel Matters

Items 11 and 23 – Lease and Contractual Matters

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

That the Report of the Finance Committee of its meeting of 8 October 1997, be received and the recommendations set out below for Items 1, 4 to 7 , inclusive, 9 to 12, inclusive, 15 to 17, inclusive, 19, 21 and 22, be adopted. The recommendations set out below for Items 2, 3, 8, 13, 14, 18, 20 and 23 having been dealt with as shown immediately following such Items.

Carried.

There was no quorum present during the Finance Committee meeting and Councillors Macken and Fenton who were present recommended the following:-

1.

**RATES – NON-RATEABILITY OF VARIOUS LANDS WITHIN THE BOUNDARIES OF SOUTH SYDNEY CITY COUNCIL (2015275)**

That arising from the report dated 24 September 1997 by the Director of Finance detailing items (1) to (21) of land which has been determined as non-rateable, approval be given to the appropriate amendments to the Rate Book and consequential refund of rates where applicable

Carried.

2.

**DISASTER RECOVERY PLAN - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2009907)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That Council receives and notes the report on South Sydney Council's Disaster Recovery Plan.

(A/DCS Report 1.10.97)

Carried.

3.

**DONATION – MT. CARMEL SCHOOL AND WATERLOO PARK,  
WATERLOO – WORK TO BE CARRIED OUT BY SOUTH SYDNEY  
COUNCIL (2001966)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That approval be given to:-

- (1) the construction of an entrance and driveway to Mt Carmel Parish Presbytery on a shared cost basis with Council's "work in kind" contribution not to exceed \$5,000;
- (2) if necessary, for Council's work force to regrade the driveway in Waterloo Park adjacent to the Parish premises at an estimated cost of up to \$2,700, to be funded within the Maintenance budget allocation for 1997/98.

(DPWS Report 30.9.97)

Carried.

4.

**PERSONNEL – PROFESSIONAL SERVICES – ENGAGEMENT OF A  
PERMANENT MEDICAL OFFICER (2002087)**

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

That the recommendation as contained in the report by the Director of Employment Services dated 17 September 1997, regarding the engagement of a permanent Medical Officer for South Sydney Council, be approved and adopted.

Carried.

5.

**FLEET MANAGEMENT – FUEL CARD USAGE (2012356)**

That Council approves the use of the Shell Fuel Card under the State Government Contract for a trial period of two months involving 29 fleet

vehicles using unleaded and auto oils only.

(A/DCS Report 29.9.97)

Carried.

6.

**PROPERTIES – ONSLOW AVENUE , NO.11, ELIZABETH BAY - REPAIR OF RETAINING WALL (2010094)**

That Council increase its without prejudice offer to the Philippine Consul General from \$4,725 to \$13,525 for the rebuilding of a section of the boundary wall of No. 11 Onslow Ave, Elizabeth Bay, subject to the signing of a release form preventing any further claims against Council, for which funds are available in the 1997/98 Revenue Estimates (CMN.77FO - Budget Transfer).

(DPWS Report 19/9/97).

Carried.

7.

**CONFERENCES – 25TH ANNUAL INTERNATIONAL CONFERENCES OF AUSTRALIASIAN URBAN & REGIONAL INFORMATION SYSTEMS ASSOCIATION (AURISA) – ATTENDANCE OF SOUTH SYDNEY CITY COUNCIL (2016500)**

That approval be given to Greg Livingstone, Public Works and Services Department, attending the 25th International Conference of AURISA (Australasian Urban and Regional Information Systems Association) at Christchurch, New Zealand on 17 to 21 November 1997, at an estimated cost of \$2,126 plus out of pocket expenses, for which funds are available in the 1997/98 Revenue Estimates.

(DPWS and ADCS Joint Report 23.9.97)

Carried.

8.

**DOMAIN CAR PARK – NATIONAL ABORIGINAL SPORT CORPORATION AUSTRALIA – APPLICATION FOR FREE PARKING SPACE (2005302)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That arising from consideration of a report by the Director of Corporate Services dated 25 September 1997, Council grant approval for a donation of

\$2,280 under Section 356 of the Local Government Act, 1993, (account LFN0753.7DCD) to the National Aboriginal Sports Corporation Australia toward a 12 month permanent parking space at the Domain Car Park for one year only and that such action is not to be seen as a precedent but only as a one off contribution by Council.

Carried.

**9.**

**LICENSING – CROWN STREET, NO.587, SURRY HILLS – PROPOSED FOOTWAY LICENCE (2015520)**

That approval be given to:-

- (1) the granting of a licence to Hugh Savage over an area of 11 square metres of the footway of Crown Street adjacent to The Crown Hotel at No. 587 Crown Street, Surry Hills as shown stippled on Plan No. S4-130/671 and subject to the conditions in the schedule accompanying the Director's report;
- (2) the licence being for a period of 5 years under Part 9 Division 1 of the Roads Act 1993 at a weekly rental per square metre (payable monthly in advance) set by the annual Scale of Fees and Charges adopted by Council;
- (3) the licence commencing only following the satisfactory compliance with conditions 7 and 8, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;
- (4) the execution of all relevant documents and plans under the Common Seal of Council or by Council's Attorney;
- (5) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the Licence agreement;
- (6) this approval lapsing 12 months from the date of Council's approval to the granting of the licence if the applicant has failed to provide the security deposit and/or public risk insurance as required by Conditions 7 and 8, or failed to execute the licence agreement.

(DPWS Report 12.9.97)

Carried.

10.

**PERSONNEL – APPRENTICES/CADETS/TRAINEES (2013303)**

That the recommendation as contained in the report by the Director of Employment Services dated 25 September 1997, regarding the recruitment and retention of apprentices/cadets/trainees at end of 1997, early 1998, be approved and adopted.

Carried.

11.

**LEASING – GREEN PARK BANDSTAND – CNR DARLINGHURST ROAD, BURTON AND VICTORIA STREETS, DARLINGHURST – ABATEMENT OF RENT (P52-00035)**

That the recommendation as contained in the report by the Director of Corporate Services dated 8 September 1997, regarding the abatement of rent for the lease of Council premises, the “Bandstand Café”, Green Park, be approved and adopted.

Carried.

12.

**PLANT AND ASSETS – SUPPLY AND DELIVERY OF 11 MOTOR VEHICLE FLEET ITEMS – TENDERS (2015532)**

That approval be given to:-

- (A) the acceptance of the following tenders submitted for the supply and delivery of 11 Motor Vehicle Fleet Items in accordance with Council's Specification No PWS.10/97 in the following categories:
- (1) Category 'A' - The tender by Sundell Holden dated 4 September 1997 for four Holden Commodore Executive Sedans in the sum of \$24,824 per vehicle, in the total sum of \$99,296;
  - (2) Category 'B' - The tender by Sundell Holden dated 4 September 1997 for two Holden Commodore Executive Station Wagons in the sum of \$21,510 (sales tax exempt) per vehicle, in the total sum of \$43,020;
  - (3) Category 'C' - The tender by Suttons Arncliffe Holden dated 2 September 1997 for one Holden Commodore Executive Station Wagon in the sum of \$26,429 less a trade-in allowance of \$15,560 on Council Vehicle No 6094 Mitsubishi Magna Station Wagon, in the total nett sum of \$10,869;
  - (4) Category 'D' - The tender by Sundell Holden dated 4 September 1997 for one Holden Commodore 'S' Pack Utility in the sum of \$19,059 less a trade-in allowance of \$21,200 on Council Vehicle

**GENERAL MANAGER**

No 4393 Holden Commodore 'S' Pack Utility for a credit of \$2,141;

- (5) Category 'E' - The tender by Terry Shields Toyota dated 4 September 1997 for two Toyota Hi Lux One Tonners in the sum of \$19,154 per unit, in the total sum of \$38,308 less a total trade-in allowance of \$32,000 on Council Vehicles Nos. 4148 and 4149 Toyota Hi Lux One Tonners, in the total nett sum of \$6,308;
- (6) Category 'F' - The tender by Clinton's Toyota dated 4 September 1997 for one Toyota HiAce LWB Van in the sum of \$26,096 less a trade-in allowance of \$21,160 on Council Vehicle No 4821 in the total nett sum of \$4,936;

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

- (B) The disposal of six Council vehicles Nos. 4071, 4082, 4088, 6083, 6288 and 6353 at auction.

(DPWS Report 23.9.97)

Carried.

### 13.

#### **PROPERTIES – TENDER FOR ARCHITECT SERVICES – CIVIC ADMINISTRATION CENTRE (2013555)**

That arising from a report by the Acting Director of Corporate Services dated 3 October 1997, approval be given to a Committee being formed consisting of three Councillors with technical advice from the General Manager, Director of Corporate Services, Director of Finance and Director of Planning and Building, assisted by the Property Construction Manager and a person nominated by the South Sydney Development Corporation, to report to Council on the Architectural Tenders received for the Civic Administration Centre.

At the request of Councillor Macken, and by consent, the motion was amended by the deletion of the words "three Councillors" where appearing in the third line of the resolution and the insertion in lieu thereof of the words "Councillors Christine Harcourt, Jill Lay and John Fowler".

Motion, as amended by consent, carried.

### 14.

#### **PROPERTIES – CIVIC ADMINISTRATION CENTRE – TENDER FOR CONSULTANT DESIGN (2013555)**

That arising from a report by the Acting Director of Corporate Services dated 3 October 1997, approval be given to the formation of a Working Party consisting of two Councillors, the General Manager, Director of Corporate

Services, Property Construction Manager and Properties Contract Administrator, Peter Martin (Architect), to work with the approved Architectural team and Quantity Surveyor, to ensure that design milestones are met and costs stay within budget.

At the request of Councillor Macken, and by consent, the motion was amended by the deletion of the words "two Councillors" where appearing in the third line and the insertion in lieu thereof of the words "the Mayor, Councillor Vic Smith and Councillors Sonia Fenton and John Bush".

Motion, as amended by consent, carried.

15.

**GRANTS – BIEC RECYCLING GRANTS SCHEME 1997 – GRANT TO WATERLOO ESTATE COMMUNITY RECYCLING TRAINING SCHEME (2016353)**

That approval be given to the acceptance of the Beverage Industry Environment Council Recycling Grant of \$2,500 to go towards funding of the Waterloo Estate Community Recycling Training Scheme, and that the expenditure budget under account code DHM0001 (Waste Minimisation) be increased by this amount with the understanding that it will be balanced by the grant income.

(DPWS Report 30/9/97).

Carried.

16.

**DONATIONS – SOUTH SYDNEY POLICE CITIZENS YOUTH CLUB – REQUEST FOR DONATION OF PLANTING/LANDSCAPING (D53-00367)**

That approval be given for small scale planting/landscaping to the value of \$820 to South Sydney Police Citizens Youth Club, corner of Phillip Street and Elizabeth Street, Redfern, free of charge under the provisions of Section 356 of the Local Government Act 1993, and that such expenditure be charged against the Parks Maintenance Estimates for 1997/98.

(ADPWS Report 2/10/97).

Carried.

17.

**DONATIONS – TOM BASS SCULPTURE SCHOOL – SUBSIDISED ACCOMMODATION (2015125)**

That arising from the report by the Director of Health and Community Services, dated 3 October 1997, approval be given to the advertising of the Subsidised Accommodation grant proposed for the Tom Bass Sculpture School in accordance with Section 356 (Cl.2) of the Local Government Act, 1993.

Carried.

18.

**DONATIONS – EAST SYDNEY COMMUNITY BASED HIGH SCHOOL, NOS. 73-75, WILLIAM STREET, EAST SYDNEY – SUBSIDISED ACCOMMODATION (2014156)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Harcourt:-

That arising from a report by the Director of Health and Community Services dated 3 October 1997, Council approve an increase in the subsidy provided to the East Sydney Community Based High School for premises leased at Nos. 73 – 75 William Street, in line with lease agreement and that this subsidy be provided under Section 356 of the Local Government Act, 1993.

Carried.

19.

**PROPERTIES – CIVIC ADMINISTRATION CENTRE - PROFESSIONAL QUANTITY SURVEYING SERVICES (2014119)**

That approval be given to engage D.G. Jones and Partners Pty Limited for the sum of \$134,000 to carry out financial analysis of the five architectural submissions and provide cost planning advice for the remainder of the New Administration Centre Project.

(ADCS Report 3.10.97)

Carried.

20.

**CONFERENCES/MEETINGS - 1997 NATIONAL COMMUNITY CULTURAL DEVELOPMENT CONFERENCE – ATTENDANCE BY CULTURAL COMMITTEE MEMBERS (2016532)**

That arising from the report by the Director of Health and Community Services, dated 2 October 1997, approval be given to the attendance of two Councillors and the Coordinator Arts and Cultural Development, as members of the Council's Cultural Committee as delegates to the 1997 Community Cultural Development Conference in Brisbane on 17, 18 and 19 November 1997 and that Council pay the registration, accommodation, travel and reasonable out-of-pocket expenses for conveyance and subsistence in travelling be borne by Council, funds for which funds are available in the 1997/98 Health and Community Services Budget (KHL.77R0).

At the request of Councillor Macken, and by consent, the motion was amended by the deletion of the words "two Councillors" where appearing in the third line and the insertion in lieu thereof of the words "the Deputy Mayor, Councillor Christine Harcourt and Councillor Sonia Fenton".

Motion, as amended by consent, carried.

21.

**COMMUNITY SERVICES – LOCAL GOVERNMENT ABORIGINAL NETWORKING MEETING 1997 – ATTENDANCE AT DUBBO COUNCIL (2002540)**

That arising from a report by the Director of Health and Community Services dated 19 September 1997, approval be given to Council's Aboriginal Development Officer to attend the Local Government Aboriginal Network meeting, on a leave-with-pay basis, on 22 - 23 October, 1997, at Dubbo Council, funds for which are available in the Health and Community Services Department's 1997/98 Budget (KCB 77RO).

Carried.

22.

**GOODS AND EQUIPMENT – STATIONERY – PURCHASE – SSROC (2003203)**

That Council participates in the agreement between SSROC and Complete Office Supplies for the supply and delivery of stationery items during the period 1 October 1997 to 30 September 2000 with a two year extension option at an estimated expenditure of \$125,000 per annum (ICB.BSSO) for which

provision has been made in the 1997/98 Revenue Estimates and will be allowed for in the coming years.

(DCS Report 3.10.97)

Carried.

**23.**

**PROPERTIES - BROADWAY REDEVELOPMENT SITE (P56-00048)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That consideration of the report by the Director of Corporate Services dated 2 October 1997, regarding the redevelopment of the Broadway Site, be deferred for further information to be submitted.

Carried.

**REPORT OF THE COMMUNITY SERVICES COMMITTEE**

8 October 1997

**PRESENT**

**Councillor Sonia Fenton (Chairperson)**

**Councillor, Sean Macken.**

At the commencement of business at 7.09 pm those present were -

Councillors - Fenton, Macken.

**Apology:**

An apology for non-attendance at the meeting was received from Councillors Deftereos and Waters.

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

That the Report of the Community Services Committee of its meeting of 8 October 1997, be received and the recommendations set out below for Item 1, be adopted.

Carried.

**GENERAL MANAGER**

There was no quorum present during the meeting and Councillors Fenton and Macken who were present, recommended the following:-

1.

**LONG TERM OPERATING PLAN - SYDNEY KINGSFORD SMITH AIRPORT  
- LEGAL ACTION (D53-00084)**

That arising from a report by the Director of Health and Community Services dated 3 October 1997, it be resolved that Council not be party to any proposed Federal Court action or provide any financial commitment in mounting any action.

Carried.

**REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

8 October 1997

**PRESENT**

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

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

At the commencement of business at 6.46 pm, those present were -

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

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

That the Report of the Planning and Development Committee of its meeting 8 October 1997, be received and the recommendations set out below for Items 1, 2, 4 to 11, inclusive, 13 to 16, inclusive, 18 to 20, inclusive, 23, 24, 26, 27, be adopted. The recommendations for Items 3, 12, 17, 21, 22, 25 and 28 to 31, inclusive, having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

**GENERAL MANAGER**

1.

**BOURKE STREET, NOS. 354-358, SURRY HILLS – ALTERATIONS AND ADDITIONS TO HOTEL BUILDING – DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00348)**

(A) That the Council as the responsible authority grants its consent to an application by Glen Pearson and Associates with the authority of Copimold Industries Pty Ltd to refurbish an existing hotel, with the addition of an extra floor and the construction of a five level addition on the remainder of the site, with subsequent strata subdivision, subject to the following conditions:

(1) That the plans shall be generally in accordance with plans BFD DA18 to 24 as submitted with letter dated 8 September 1997;

(2) **Section 94 Contributions**

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$34,968	2E97001.BGY0
Open Space/Townscape/ Public Domain	\$10,447	2E97002.BGY0
Accessibility And Transport	\$ 124	2E97006.BGY0
Management	\$ 527	2E97007.BGY0
<b>Total</b>	<b>\$46,066</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI}_2}{\text{CPI}_1}$$

where:

**C** is the original contribution amount as shown above;

**CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and

**GENERAL MANAGER**

**CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

### **Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgment of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

- Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.
- (3) That this consent shall lapse two years after the date of this resolution unless a Building Application has been approved and construction commenced;
  - (4) That the floor space ratio shall not exceed 3.7:1;
  - (5) That the rooms shall be used as serviced apartments only and not for permanent residence;
  - (6) That no dancing, entertainment or live music shall be provided in the bar area or restaurant;
  - (7) That the gymnasium shall be for the use of guests occupying the serviced apartments only;
  - (8) 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.
  - (9) That a minimum of 9 off-street parking spaces shall be provided of which 8 may be in mechanical stackers to the satisfaction of the Director of Planning and Building;
  - (10) That in any strata subdivision all parking spaces and the gymnasium shall be common property;
  - (11) That the parking space shall be for the use of guests of the hotel and staff only;
  - (12) That ingress to the parking area shall be from Hill Street and egress to Flood's Lane;
  - (13) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
    - (i) external finishes to walls;
    - (ii) roofing finishes;
    - (iii) balcony balustrade treatment;
  - (14) That a colour scheme for the hotel building, incorporating heritage colours, shall be submitted for the approval of the Director of

Planning and Building and the street elevation shall be painted in accordance with the approved colour scheme;

- (15) That only one common television aerial shall be installed;
- (16) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (17) That the hours of operation of the bar shall not exceed 10.00 am to 12 pm Monday to Saturday and 12.00 midday to 10.00 pm on Sundays;
- (18) That the hours of operation of the restaurant shall not exceed 7.00 am to 12 midnight Mondays to Saturdays and 7.00 am to 10.00 pm Sundays;
- (19) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (20) That at least one main entry without steps and usable by people in wheelchairs shall be provided from the public way to the lift lobby in accordance with the Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";
- (21) 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;
- (22) 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;
- (23) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;

- (24) 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;
- (25) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (26) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (27) That where the decommissioning of any refrigeration and/or air conditioning equipment is to be carried out, any fluorocarbon refrigerate contained in the equipment shall be recovered by a mechanic authorised pursuant to the provisions of the Ozone Protection Regulation 1991;
- (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 the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (30) That smoke hazard management systems shall be designed and installed to the building in accordance with the Building Code of Australia;
- (31) That the car park shall be ventilated in accordance with Australian Standard 1668.2-1991, Section 4.
- (32) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (33) That the commercial premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (34) That the kitchen exhaust vent shall be designed to discharge the effluent air in a vertical direction three metres above the trafficable roof and at least six metres from any fresh air intake vent or adjacent allotment;

- (35) That all commercial food preparation and storage areas shall comply with the requirements of the National Code for the Construction and Fitout of Food Premises;
- (36) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (37) 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";
- (38) That the hotel's garbage room shall be reconstructed in accordance with the requirements of Council's "Waste Management/Minimisation Fact Sheets";
- (39) 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";
- (40) 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;
- (41) That all trade waste shall be stored or contained in such a manner to cause no nuisance;
- (42) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (43) That the use of the premises shall not give rise to:-  
a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or  
an "offensive noise" as defined in the Noise Control Act, 1975;
- (44) That plans and specifications showing details of:-
- (i) all proposed, altered and required mechanical ventilation systems;
  - (ii) car park ventilation systems;
  - (iii) the location of exhaust and intake vents;

- (iv) the hotel and domestic garbage rooms or garbage receptacle storage areas;
- (v) the facilities for the retention and storage of excess packaging material;
- (vi) the games room and gymnasium;
- (vii) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all commercial food preparation and storage areas;

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

**Note 1:** You are advised that any requirements of Sydney Water for grease arrestors are to be complied with completely.

**Note 2:** You are advised of Council's Food Seminar lectures that are given to promote best practices within the food handling industry and minimise the occurrence of food poisoning. Arrangement to attend a lecture can be made by contacting Council's Health Promotion Officer, Mr Peter Young on phone 9313 0504.

**Note 3:** All details relating to residential garbage should be referred to Council's Waste Services, Public Works and Services Department for approval of the location and types of containers for domestic refuse.

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

Carried.

**2.**

**HUTCHINSON STREET, NOS. 36-38, SURRY HILLS – QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (Q96-00429)**

- (a) That the report by the Director of Planning and Building dated 29 September 1997, be received and noted.
- (b) That the photographs submitted be placed in file.
- (c) That the comments made by the Director of Planning and Building be placed in file

Carried.

3.

**LAWRENCE STREET, NOS. 288-302, ALEXANDRIA – CONSTRUCT 4 X 3 BED UNITS, 7 X 2 BED UNITS AND 3 X 1 BED UNITS WITH PARKING – DEVELOPMENT APPLICATION – CONTRIBUTION INCLUDED IN CONSENT (U97-00390)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Sketchshop Architecture, with the authority of Stoic & Co. Pty Ltd, for permission to convert the existing warehouse building into 14 residential units with 14 car spaces, subject to the following conditions, namely:
- (1) That the development shall be generally in accordance with drawing numbered 97-151-DA3 dated May, 1997 as amended by 97-151-DA1 and 97-151-DA2 dated September;
- (2) **(A) Section 94 Contributions**

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$30,456	2E97001.BGY0
Open Space/Townscape/ Public Domain	\$ 9,005	2E97002.BGY0
Accessibility And Transport	\$ 107	2E97006.BGY0
Management	\$ 421	2E97007.BGY0
<b>Total</b>	<b>\$39,989</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI}_2}{\text{CPI}_1}$$

where:

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- C** is the original contribution amount as shown above;
- CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
- CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

### **(B) Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve

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months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (3) That the location of openings and detail in all facades shall be reviewed with the aim of maintaining and reinstating original openings as far as possible and enlarging existing openings and creating new openings where necessary in proportion and sympathy with the original architecture of the building, to the satisfaction of the Director of Planning and Building;
- (4) That the floor space ratio of the building shall not exceed 1.5:1;
- (5) That a total of 14 off street parking spaces shall be provided, including 2 visitor spaces, to the satisfaction of the Director of Planning and Building;
- (6) That visitor parking spaces shall be located such that they are not within the secure parking area or are accessible via an intercom system to each unit;
- (7) That 5 secure bicycle parking spaces for residents shall be provided within the car park area and 2 bicycle spaces for visitors to the satisfaction of the Director of Planning and Building;
- (8) That the applicant shall provide for any additional trees required along the frontages of the property to implement Councils Street Tree Masterplan, to the satisfaction of the Director of Public Works and Services;
- (9) That the car park shall be ventilated in accordance with the requirements of AS 1668.2 – 1991, Section 4.4;
- (10) That plans and specifications showing details of:-
  - a) all proposed mechanical ventilation systems;
  - b) car park ventilation systems; and
  - c) the garbage room and recyclables storage area

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

- (11) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
- a) external finishes to walls;
  - b) roofing finishes;
  - c) balcony balustrade treatment;
- (12) 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;

and the following adopted standard conditions:

- (13) LDA161 - Provide common television aerial;
- (14) LDA368 - Display of street numbers;
- (15) LDA12 - Applicant to liaise with Sydney Water;
- (16) LDA29 - Provide sign indicating parking;
- (17) LDA21 - No resident parking for residential flat developments;
- (18) LDA376 - Hours of building work;
- (19) LDA384 - New alignment levels;
- (20) LDA387 - Footway crossings;
- (21) LDA389 - Stormwater disposal requirements;
- (22) LDA391 - Builder's Hoarding Permits;
- (23) LDA392 - No obstruction to public way;
- (24) LDA394 - Cost of alteration to signposting;
- (25) LDA78 - Ramp grades;
- (26) BC26 - Comply with BCA;
- (27) HSC103 - Environmental site assessment being carried out;

- (28) HSC500 - Premises to be ventilated;
- (29) HSC100 - Removal of spoil from site;
- (30) HSC700 - Compliance with code for Garbage Handling System;
- (31) HSC706 - Storage of recyclables;
- (32) HSC800 - Use of appliances emitting intrusive noise;
- (33) LDA351 - Building Application required.

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

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

- (B) That the applicant be advised that the applicant may be liable for prosecution under the Local Government Act 1993 for breach of an approved condition or under the Clean Waters Act 1970 if its employees, agents, or sub-contractors allow sediment, including soil, excavated material, building materials or other materials to be pumped, drained or allowed to flow to the street, stormwater pipes, or waterways.
- (C) That applicant is advised to ensure that employees, agents, or sub-contractors understand and maintain sediment control measures.
- (D) That the person who made representations in respect of the proposal be notified of the Council's decision.

Carried.

#### 4.

**GREENKNOWE AVENUE, NOS. 11-13, ELIZABETH BAY –  
REFURBISHMENT OF EXISTING OFFICES AND ADDITION TO COUNTRY  
WOMEN'S ASSOCIATION – DEVELOPMENT APPLICATION –  
CONTRIBUTION INCLUDED IN CONSENT (U97-00576)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Nettleton Tribe, with the authority of the Country Women's Association, for permission to refurbish existing buildings, including construction of a new lift and an additional office floor, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans DA01-A to DA07-A dated July 1997;

(2) **(A) Section 94 Contributions**

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$1,580	2E97001.BGY0
Open Space/Townscape/ Public Domain	\$ 540	2E97002.BGY0
Accessibility And Transport	\$ 10	2E97006.BGY0
Management	\$ 50	2E97007.BGY0
<b>Total</b>	<b>\$2,180</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{CPI_2}{CPI_1}$$

where:

**C** is the original contribution amount as shown above;

**CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and

**CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and

cannot be taken as approval to carry out any works beyond the boundary of the site.

### **(B) Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (3) That a minimum of 18 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (4) That the building and window frames of the new office floor shall match the materials of the existing building;

- (5) That the use of the office area shall be ancillary to the use of the premises, at all times;
- (6) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
- (7) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (8) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (9) That prior to the commencement of any demolition/building work, an application for a Builder's Hoarding Permit shall be made to the Director of Public Works and Services and a hoarding shall be erected to the satisfaction of the Director of Public Works and Services;
- (10) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (11) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (12) That the public way shall be adequately supported at all times during work on the structure;
- (13) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975.

The reason for Council'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

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hazard and traffic congestion and, further, 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 relevant sections of the BCA shall be complied with;
  - (2) That all sections of the Section 124.4 Fire Safety Order Reference No. 2005482 dated 10 February, 1995 shall be fully complied with;
- (C) That the persons who made submissions be advised of the Council's decision.

Carried.

**5.**

**ALBION STREET, NOS. 93-101, SURRY HILLS – ALTERATIONS AND ADDITIONS TO EXISTING BROTHEL – DEVELOPMENT APPLICATION (U97-00589)**

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Nolta Pty Ltd, with the authority of Mr N Vassiliadis, for permission to carry out alterations and additions to the existing brothel known as "Tiffanys", subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans DWG 97/21 Sheet 1;
  - (2) That suitable signage shall be erected within the premises requesting that clients leaving the premises leave in a quiet and orderly manner and take into consideration the amenity of adjoining residents;
  - (3) That plans and specifications showing details of:-
    - (i) all proposed mechanical ventilation systems;
    - (ii) all required mechanical ventilation systems;
    - (iii) the location of exhaust/and intake vents;
    - (iv) the garbage room or garbage receptacle storage area;
    - (v) sanitary facilities;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

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- (4) The maintenance of spa pools shall be in accordance with the NSW Health Department "Public Swimming Pool and Spa Pool Guidelines". The spas in the Pink Turbo (#10), the Red Turbo (#13) and V.I.P. Turbo (#14) rooms shall be maintained in accordance with the NSW Health Department Guidelines.
- (5) 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";
- (6) That a garbage storage facility shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (7) That the hours of operation shall be restricted to between 11.00 a.m. and 5.00 a.m. daily;

and the following adopted standard conditions:

- (8) LDA351 - Building Application required;
- (9) LDA201 - Make separate application for sign;
- (10) hsc500 - Premises to be ventilated;
- (11) hsc555 - Bathroom ventilation;
- (12) hsc400 - Compliance with Brothels Policy
- (13) hsc402 - Clean linen
- (14) hsc404 - Changing of linen
- (15) hsc406 - Sanitary facilities
- (16) hsc410 - Supply of condoms
- (17) hsc411 - Contaminated waste disposal
- (18) hsc413 - STD information
- (19) hsc414 - Examination of clients
- (20) hsc416 - Health check-ups
- (21) hsc111 - Liquid wastes to sewer;

- (22) hsc715 - Trade waste;
- (23) hsc800 - Use of appliances emitting intrusive noise.

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

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

- (B) That the applicant be advised to note the following:

NOTE 1: The proprietor's attention is drawn to Section 13 of the Public Health Act, 1991, which makes it an offense to knowingly permit sex workers suffering from a sexually transmissible disease to have sexual intercourse with other persons unless the client has been informed of the risk and voluntarily agreed to accept the risk.

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

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

Carried.

**6.**

**ELIZABETH STREET, NOS. 475-479, SURRY HILLS – CONTINUE TO USE PREMISES AS A BROTHEL – DEVELOPMENT APPLICATION (U97-00540)**

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Elizabeth Consultants Pty Ltd, with the authority of Nicole Creations Pty Ltd, for permission to use the premises as a brothel, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans DA 01 to DA 05 dated 19 June 1997;

- (2) That no more than eight sex workers shall be employed on the site at any one time;
- (3) That the use of the premises as a brothel shall be for a twelve month trial period from the date of this consent. (The applicant is advised that a further application may be lodged before the expiration of this consent for Council's consideration of the continuation of the brothel's use);
- (4) That suitable signage shall be erected within the premises requesting that clients leaving the premises leave in a quiet and orderly manner and take into consideration the amenity of adjoining residents.
- (5) That no display or soliciting shall take place outside the premises;
- (6) That the use of the rear pedestrian entrance/exit to Little Buckingham shall not be used by clients (except in the case of bona fide emergency);
- (7) That adequate receptacles shall be provided for the storage of clean linen separate from used linen.
- (8) 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";
- (9) 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;
- (10) That plans and specifications showing details of:-
  - (i) all proposed mechanical ventilation systems;
  - (ii) all required mechanical ventilation systems;
  - (iii) the location of exhaust/and intake vents;
  - (iv) the garbage room or garbage receptacle storage area;

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

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.

and the following adopted standard conditions:

- (11) hsc001 - Compliance to Director of Health and Community Services;
- (12) hsc500 - Premises to be ventilated;
- (13) hsc555 - Bathroom ventilation;
- (14) hsc518 - Exhaust vent;
- (15) hsc400 - Compliance with Brothels Policy
- (16) hsc401 - Cleanliness of premises
- (17) hsc402 - Clean linen
- (18) hsc404 - Changing of linen
- (19) hsc405 - Laundering
- (20) hsc406 - Sanitary facilities
- (21) hsc410 - Supply of condoms
- (22) hsc411 - Contaminated waste disposal
- (23) hsc413 - STD information
- (24) hsc414 - Examination of clients
- (25) hsc416 - Health check-ups
- (26) hsc018 - Sanitary facilities;
- (27) hsc111 - Liquid wastes to sewer;
- (28) hsc710 - Commercial contract (daily);
- (29) hsc715 - Trade waste;
- (30) hsc719 - Contaminated waste contract;
- (31) hsc801 - Noise from premises;

- (32) hsc419 - Public Health Act offences
- (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 a suitable automatic fire detection and alarm system shall be installed throughout the building;
  - (2) 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;
  - (3) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (4) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
  - (5) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
  - (6) 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;
  - (7) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
  - (8) That the underside of all floors throughout the building be lined with one of the following materials:-
    - i) Plasterboard;
    - ii) Perforated gypsum lath with a normal paper finish;
    - iii) Fibrous-plaster sheet conforming to AS2185 specification for fibrous plaster products;
    - iv) Fibre-reinforced cement sheeting;
    - v) Any other material, upon formal application, that is subsequently approved by Council.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision;

Carried.

7.

**ROTHSCHILD AVENUE, NO. 66, ROSEBERY – PROPOSED DUAL OCCUPANCY AND NEW GARAGE TO DWELLING – DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00578)**

- (A) That the Council, as the consent authority, support the objection pursuant to State Environmental Planning No 1 in relation to the development standard regarding the minimum site area contained in Clause 9(1) of State Regional Environmental Planning Policy No 1, being satisfied that compliance with the standard would be both unnecessary and unreasonable in the circumstances as:-
- (1) The degree of non compliance is relatively minor; and
  - (2) The proposal, with conditions, will not result in any significant impact on the amenity of adjoining land of the area;
- (B) That the Council grant its consent to the application submitted by Mrs Martha Alves, with the authority of Mr V & Mrs A Alvarenga, for permission to erect a detached dual occupancy at No 66 Rothschild Avenue, Rosebery and a new side garage to the existing dwelling, subject to the following conditions:-
- (1) That the development shall be generally in accordance with plans dated July 1997, submitted with the development application;
  - (2) **Section 94 Contributions**

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$1,466	2E97001.BGY0
Open Space/Townscape/ Public Domain	\$ 438	2E97002.BGY0
Accessibility And Transport	\$ 6	2E97006.BGY0
Management	\$ 22	2E97007.BGY0
<b>Total</b>	<b>\$1,932</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed

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at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI}_2}{\text{CPI}_1}$$

where:

- C** is the original contribution amount as shown above;  
**CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and  
**CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

- (3) That the new rear dwelling shall be setback a minimum of 900mm from both the southern and western side boundaries;
- (4) That the car space in front of the existing dwelling shall be deleted and the area landscaped or retained as a grassed area;
- (5) That the brick work and terracotta tiling to the new side garage shall match the existing dwelling;
- (6) That all trees on the adjoining sites shall be protected during construction and Council's approval shall be obtained prior to removing or lopping any tree on the site or adjoining sites;
- (7) For the purpose of child safety, it is recommended that all new or replacement hot water systems be designed to deliver hot water to a maximum 50°C and/or install safety devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices;

and the following standard conditions:-

- (8) LDA101 - Provide landscaping plan;
- (9) LDA351 - Building Application required;
- (10) LDA369 - Allocation of street numbers;
- (11) LDA376 - Hours of building work;
- (12) LDA377 - Construction noise regulation;
- (13) LDA387 - Footway crossings;
- (14) LDA389 - Stormwater disposal requirements;
- (15) LDA392 - No obstruction to public way;
- (16) LDA393 - Delivery of refuse skips;
- (17) LDA396 - Works within boundaries;
- (18) HSC500 - Premises to be ventilated;
- (19) HSC800 - Use of appliances emitting intrusive noise.

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 the person who made a representation in respect of the proposal be advised of Council's decision.
- (D) That the NSW Department of Urban Affairs & Planning be advised of the outcome of the SEPP 1 objection.

Carried.

**8.**

**ELIZABETH STREET, NOS. 502-514, SURRY HILLS – ALTERATIONS TO SEATING UPSTAIRS AND DOWNSTAIRS IN RESTAURANT – DEVELOPMENT APPLICATION (U97-00670)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by George Chahwan, with the authority of Mr A &

Mr N Saad and Others, for permission to use the premises as a restaurant with downstairs seating for 40 people and 30 people upstairs in a "Cushion Room", subject to the following conditions, namely:-

- (1) That the hours of operation shall be restricted to between 11.00am until 12.00 midnight, daily ;
- (2) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (3) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (4) That all internal toilets shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia.
- (5) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (6) That the effluent air from the exhaust system shall be discharged in a vertical direction above the roof in a position approved by the Health and Community Services Department where no nuisance will be created;
- (7) That the construction of the premises shall comply with the requirements of the National Code for the Construction and fitout of food premises.
- (8) That the walls of the kitchen and food preparation rooms shall be finished with glazed tiles or other material approved by the Health and Community Services Department, evenly laid to a height of at least 2000mm above floor level and to the underside of the hoods and covered to a minimum radius of 25mm at the intersection with floor and plinths.
- (9) That the floor of all food preparation rooms shall be paved with an approved impervious material, graded and drained to an approved floor waste, installed to Sydney Water requirements, and covered to a minimum radius of 25mm at the intersection with the walls and the plinths.
- (10) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2.
- (11) 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;

- (12) 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;
- (13) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste Minimisation Fact Sheets."
- (14) 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 Minimisation Fact Sheets;
- (15) 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;
- (16) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (17) That all trade waste shall be stored or contained in such a manner to cause no nuisance;
- (18) 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;
- (19) That plans and specifications showing details of:-
  - i) all proposed and altered mechanical ventilation systems
  - ii) the location of exhaust/and intake vents;
  - iii) the garbage room or garbage receptacle storage area;
  - iv) sanitary facilities;
  - v) the coolroom;
  - vi) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;

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

NOTE 1: You are advised that any requirements of Sydney Water for grease arrestors are to be complied with fully.

NOTE 2: Copies of the National Code for the Construction and Fitout of Food Premises are available from the offices of Council's Health and Community Services Department at 140 Joynton Avenue, Zetland.

NOTE 3: The applicant may be liable to prosecution under the Local Government Act, 1993, for a breach of an approved condition, or under the Clean Waters Act, 1970, if its employees, agents or sub contractors allow sediment, including soil, excavated material, building materials, or other materials to fall, descend, percolate, be pumped, drained, washed, or allowed to flow to the street, stormwater system or waterways. The applicant shall ensure that its employees, agents, or sub-contractors provide and maintain sediment control measures.

NOTE 4: You are advised of Council's food seminar lectures that are given to promote best practices within the food industry and minimise the occurrence of food poisoning. Arrangement to attend a lecture can be made by contacting Council's Health Promotion Officer on 9300-4504.

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

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

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:-
- (1) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (2) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
  - (3) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
  - (4) That automatic Fire Alarms with photo-optical type detectors shall be installed throughout the building complying in all respects with the requirements of Australian Standard AS1670. In kitchens and other approved areas thermal type detectors may be installed;
  - (5) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application

and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;

- (6) That the edges of the treads of steps shall be made conspicuous.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

**9.**

**KING STREET, NO.210, NEWTOWN – ALTERATIONS AND ADDITIONS TO CHICKEN SHOP AND RESIDENTIAL FLAT – DEVELOPMENT APPLICATION (U97-00653)**

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr S Tsakalides, with the authority of Mr I Ispias, Mrs D Tsakalides, for permission to carry out alterations and additions to the existing dwelling, to include a first floor and ground floor addition to the existing shop and dwelling and to alter to shop front including the erection of an awning, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans date stamped 29 September 1997;
  - (2) That the proposed awning shall be located so as to align with the awning on the adjoining property. Details shall be submitted with any building application;
  - (3) That the proposed work shall be rendered to match the existing building;
  - (4) That the balustrade along the eastern and southern boundaries shall be a solid rendered balustrade to match the building with a maximum height of 1200mm. Details shall be submitted with any building application;
  - (5) That plans and specifications showing details of all proposed mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
  - (6) That the existing canvas awnings shall be removed;

and the following adopted standard conditions:

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- (7) HSC500 - Premises to be ventilated;
- (8) HSC201 - Plans and specifications for food premises;
- (9) HSC800 - Use of appliances emitting intrusive noise;
- (10) LDA151 - Schedule of finishes;
- (11) LDA157 - Provide details of heritage colour scheme;
- (12) LDA201 - Make separate application for sign;
- (13) LDA251- Only clean water to discharge;
- (14) LDA252 - Discharge to atmosphere to comply;
- (15) LDA351 - Building Application required;
- (16) LDA367 - Timing device on alarms;
- (17) LDA376 - Hours of building work;
- (18) LDA377 - Construction noise regulation;
- (19) LDA389 - Stormwater disposal requirements;
- (20) LDA392 - No obstruction to public way;
- (21) LDA393 - Delivery of refuse skips;
- (22) LDA396 - Works within boundaries;
- (23) BC26 - Comply with BCA.

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

Carried.

10.

**MARLBOROUGH STREET, NO.62, SURRY HILLS – ALTERATIONS AND ADDITIONS TO DWELLING – DEVELOPMENT APPLICATION (U97-00450)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Cracknell & Lonergan, with the authority of Mr D Miley & Ms E Ainslie for permission to carry out alterations and additions to the premises, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 97AM01 dated 5/97 as held on Council file U97-00450;
  - (2) That this consent shall lapse after a period of two years from the date this consent becomes effective, (the applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);
  - (3) That a four metre space between the garage/loft and the main house that extends the full width of the property shall be provided to the satisfaction of the Director of Planning and Building;
  - (4) That a roofed pergola structure 2.5 metres in height and 2 metres wide shall be provided between the main house and the garage/loft area to the satisfaction of the Director of Planning and Building;
  - (5) That any roofing material of the pergola shall be clear and be to the satisfaction of the Director of Planning Building;
  - (6) That the proposed parapets on the ground floor extension shall be deleted and that the proposed ground floor extension contain a skillion roof with a south to north fall to the satisfaction of the Director of Planning and Building;
  - (7) That the first floor glass doorways located on the western facade of the loft, shall be amended to windows to the satisfaction of the Director of Planning and Building;
  - (8) That the deck area located at first floor area on the western facade of the loft shall be removed and any flat surface be non-trafficable to the satisfaction of the Director of Planning and Building;
  - (9) That a right-of-way shall be created over No.62 Marlborough Street in favour of No. 64 Marlborough Street for vehicular

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access to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions:-

- (10) LDA152 - Schedule of finishes;
- (11) LDA351 - Building Application required;
- (12) LDA376 - Hours of building work;
- (13) LDA387 - Footway crossings;
- (14) LDA389 - Stormwater disposal requirements;
- (15) LDA392 - No obstruction to public way;
- (16) LDA396 - Works within boundaries;
- (17) HSC500 - Premises to be ventilated;
- (18) HSC800 - Use of appliances emitting intrusive noise.

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

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

Carried.

11.

**BAYSWATER ROAD, NOS. 20 – 26, POTTS POINT – INCREASE SEATING CAPACITY TO RESTAURANT – DEVELOPMENT APPLICATION (U97-00663)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr A Tozzi, with the authority of Axtean Pty Ltd for permission to increase the capacity of the premises to 250 persons including staff, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plan number 043/02 as held on Council file U97-00663;
  - (2) That the maximum capacity of the premises shall be restricted to 190 persons incorporating 50 seated and 140 standing (including staff);

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- (3) That the use of the premises shall not give rise to:-
- (a) transmission of vibration to any place of different occupancy;
  - (b) a sound level in any place of different occupancy greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8000 Hz centre frequencies inclusive; however, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing as specified by the equal loudness contours for octave bands of noise, this sub-clause shall not apply to any such frequencies;
  - (c) a sound level at any point on the boundary of the site greater than the levels specified in Australian Standard 1055-1984;
  - (d) an "offensive noise" as defined in the Noise Control Act, 1975;
- the method of measurement of sound levels in (b) and (c) shall be carried out in accordance with Australian Standard 1055-1984;
- (4) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (5) That the restaurant may be open for business only between 7.00am to 3.00 am seven days week and, upon expiration of the permitted hours, all restaurant service and entertainment shall immediately cease, no person shall be permitted entry and all customers on the premises shall be required to leave within the following hour;
- (6) That the use shall be confined to the ground floor section of the premises;
- (7) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2.

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

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

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

Carried.

**12.**

**KIPPAX STREET, NOS. 130-136, SURRY HILLS – ALTERATIONS AND ADDITIONS TO EXISTING BUILDING – DEVELOPMENT APPLICATION (U97-000598)**

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Cyril Smith and Associates on behalf of Speiser Investments, for permission to convert an existing building to residential flats involving construction of three additional floors and the dedication of a pocket park, for the following reasons:-
- (1) That the height of the building substantially exceeds the statutory and DCP maximum height limits as contained in LEP 107 and DCP 1997;
  - (2) That the floor space ratio substantially exceeds the 2:1 maximum in Local Environmental Plan 107 and DCP 1997;
  - (3) That the building as proposed is out of character with the buildings in the immediate vicinity;
  - (4) That parking provision is inadequate in terms of the Council's adopted DCP;
  - (5) That the building because of its excessive height substantially overshadows terrace houses in Kippax Street;
  - (6) That approval in the circumstances of the case would not be in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

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

That the application submitted by Cyril Smith and Associates on behalf of Speiser Investments, for permission to convert an existing building to

residential flats involving construction of three additional floors and the dedication of a pocket park, be deferred as requested by the applicant.

Motion, as amended by consent, carried.

13.

**MARSHALL STREET, NOS. 1-11, SURRY HILLS – CONVERT FACTORY BUILDING INTO RESIDENTIAL FLATS – DEVELOPMENT APPLICATION – CONTRIBUTION INCLUDED IN CONSENT (U97-00456)**

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

- (A) That having considered an objection under SEPP1 against the need to comply with the 9m height limit in LEP 107, the Council agrees that compliance is unnecessary as the proposal will have little effect on the visible bulk of the building.
- (B) That the Council, as the responsible authority, grants its consent to the application submitted by Rowntree Properties, with the authority of Amor Sanders Pty Ltd, for permission to subdivide the site into two lots and convert the northern building to a dwelling house and the southern building to a residential flat building containing 14 flats, involving construction of an additional floor, subject to the following conditions, namely :-
- (1) That the development shall be generally in accordance with plans 9715.1 to 6 dated May 1997;
- (2) **(A)** Section 94 Contributions

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$29,214	2E97001.BGYO
Open Space/Townscape/ Accessibility And Transport	\$ 8,739	2E97002.BGYO
Public Domain	\$ 106	2E97006.BGYO
Management	\$ 440	2E97007.BGYO
<b>Total</b>	<b>\$38,499</b>	

The above payment, with the exception of Open Space Land

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Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI}_2}{\text{CPI}_1}$$

where:

- C** is the original contribution amount as shown above;
- CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
- CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

#### **(B) Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be

carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (3) That this consent shall lapse two years after the date of this resolution unless a building application has been approved and construction commenced;
- (4) That the parking spaces with direct access to Bennett Place shall be deleted and this area shall be landscaped, or used for other communal purposes;
- (5) That a maximum of 10 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (6) That the required off-street car parking spaces shall be allocated on the basis of not more than one space for any unit and two spaces shall be designated for the use of visitors and located and marked to the satisfaction of the Director of Planning and Building;
- (7) That cycle racks shall be provided, located to the satisfaction of the Director of Planning and Building for not fewer than 5 bicycles;
- (8) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and

Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -

- (i) external finishes to walls;
  - (ii) roofing finishes;
  - (iii) balcony balustrade treatment;
  - (iv) proposed fences;
- (9) That the use of the passage from Marshall Street into the northern building shall respect any right of way. It is noted that the consent does not require the provision of a parking space in conjunction with the use of that building as a dwelling house;
- (10) That the applicant shall be responsible for the planting of street trees on the Marshall Street frontage, at his own cost, to the satisfaction of the Director of Public Works and Services;
- (11) That all asbestos fibre demolition material and asbestos dust shall be handled and removed in accordance with the Occupational Health and Safety (Asbestos Dust) Regulation 1984;
- (12) That the car park shall be ventilated in accordance with Australian Standard 1668.1, Section 7 and Australian Standard 1668.2, Section 4;
- (13) That any car wash bays shall be graded and drained to the sewer in accordance with the requirements of Sydney Water;
- (14) 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";
- (15) 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;
- (16) That plans and specifications showing details of:-
- i) all proposed mechanical ventilation systems;
  - ii) all required mechanical ventilation systems;
  - iii) car park ventilation systems;
  - iv) the location of exhaust/and intake vents;
  - v) the recycling storage area;
  - vi) the garbage room or garbage receptacle storage area;

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

**NOTE 1:** For the purpose of child safety, it is recommended that all new or replacement hot water systems be designed to deliver hot water to a maximum 50°C and/or install safety devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices.

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

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

- (17) That solid privacy screens shall be constructed on the sides of the projecting balconies on the western facade to a height of not less than 1.6m and also on the outer edge of the balconies of units 3 and 4 to a height of not less than 1.2 metres;
- (18) That the projecting balconies on the eastern side on the first floor shall be deleted;

and the following adopted standard conditions:

- (19) LDA12 - Applicant to liaise with Sydney Water;
- (20) LDA21 - No resident parking for residential flat developments;
- (21) LDA29 - Provide sign indicating parking;
- (22) LDA44 - Driving in forward direction only;
- (23) LDA48 - Safe walking surface on crossing;
- (24) LDA49 - Signage for vehicular egress;
- (25) LDA101 - Provide landscaping plan;
- (26) LDA162 - Provide common aerial for each building;
- (27) LDA351 - Building Application required;

- (28) LDA367 - Timing device on alarms;
- (29) LDA368 - Display of street numbers;
- (30) LDA376 - Hours of building work;
- (31) hsc103 - Environmental site assessment being carried out;
- (32) hsc101 - Not give rise to emissions into the environment;
- (33) hsc500 - Premises to be ventilated;
- (34) hsc555 - Bathroom ventilation;
- (35) hsc518 - Exhaust vent;
- (36) hsc111 - Liquid wastes to sewer;
- (37) hsc706 - Storage of recyclables;
- (38) hsc800 - Use of appliances emitting intrusive noise;
- (39) LDA384 - New alignment levels;
- (40) LDA387 - Footway crossings;
- (41) LDA389 - Stormwater disposal requirements;
- (42) LDA391 - Builder's Hoarding Permits;
- (43) LDA392 - No obstruction to public way;
- (44) LDA394 - Cost of alteration to signposting.

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 the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
  - (1) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;

- (2) That natural light and ventilation shall be provided in accordance with requirements of Parts 3.8.4 and 3.8.5 of the BCA respectively with specific attention directed to bedrooms located on the second floor;
- (3) That the northern external wall and any openings thereto of unit Nos. 1 & 2 shall comply fully with the requirements of Part C of the BCA;
- (4) That the proposed rooflights shall be redesigned to comply fully with the requirements of Clause 3.6 of Specification C.1.1 of the BCA;
- (5) That the doorway separating the car park area and the entry foyer shall be protected by a -/60/30 fire door;

and the following adopted standard conditions:

- (6) BC310 - Protection of external openings;
- (7) BC318 - Fire entrance doors to units;
- (8) BC420 - Construction of stairways and ramps;
- (9) BC426 - Exit doors, shutters and grilles;
- (10) BC501 - Fire extinguisher;
- (11) BC507 - Hose reels;
- (12) BC508 - Hydrants;
- (13) BC524 - Emergency lighting;
- (14) BC525 - Exit signs;
- (15) BC528 - Fire detectors and alarm system;
- (16) BC602 - Clothes washing and drying facilities;
- (17) BC611 - Ventilation of bathrooms/laundries;
- (18) BC612 - Wall sound transmissions;
- (19) BC614 - Floor sound transmissions;
- (20) LDA351 - Building Application required.

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

Carried.

14.

**BRUMBY STREET, NOS. 6-14, SURRY HILLS – ERECT 32 RESIDENTIAL APARTMENTS – DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00300)**

- (A) That the Council resolves, it is satisfied that the objection against the development standard relating to height in Clause 11 of Local Environmental Plan No. 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:

That the overall height of the building has been stepped down to provide a suitable transitional development between a taller multi-storey building and lower scale residential terraces.

- (B) That the Council, as the responsible authority, grants its consent to the application submitted by Samadi Corporation, with the authority of Mr W Liberman and Lion Pacific International for permission to erect a new residential flat building containing a total of 32 units, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans 9607 DA 2.01 to DA 2.14 inclusive and dated 30 July 1997 and the landscaping plan No. 9797 dated August 1997;
  - (2) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);
  - (3) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994, in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans;
  - (4) That car spaces No. 6, 7 and 8 shall be deleted from the proposal, a maximum of 19 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 5.5 m x 2.5m, located prepared and marked to the satisfaction of the Director of Planning and Building;

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- (5) That all vehicles shall be driven onto and off the site in a forward direction, at all times;

**(A) Section 94 Contributions**

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$50, 072	E97001.BGY0
Open Space/Townscape/ Public Domain	\$14, 972	2E97002.BGY0
Accessibility And Transport	\$ 192	2E97006.BGY0
Management	\$ 752	2E97007.BGY0
<b>Total</b>	<b>65, 988</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

**Contributions at Time of Payment**

$$= C \times \frac{CPI_2}{CPI_1}$$

where:

- C** is the original contribution amount as shown above;  
**CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and  
**CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

**(B) Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

(6) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to the approval of the Building

Application, for the approval of the Director of Planning and Building, in respect of the following:-

- (a) external walls;
  - (b) roofing;
  - (c) balustrade treatment;
  - (d) windows and doors;
- (7) 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;
- (8) That a statement shall be submitted to the Health and Community Services Department prior to work commencing of proposed control methods to be used during the course of demolition and construction for the prevention of liquid waste running off the site and the emission of loose solids, the manner of disposal of liquid and solid waste arising on the premises, and of erosion and sedimentation control measures;
- (9) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (10) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (11) That the basement car park shall be ventilated in accordance with Australian Standard 1668.2, Section 4 (1991);
- (12) That all liquid waste other than stormwater arising on the premises shall be discharged to the sewer in accordance with the requirements of the Sydney Water Corporation Ltd;
- (13) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste Management/Minimisation Fact Sheets";
- (14) That adequate facilities shall be provided for the storage of garbage and 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;

- (15) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (16) That plans and specifications showing details of:-
- (a) precaution features;
  - (b) the location of exhaust/and intake vents;
  - (c) the facilities for the retention and storage of excess packaging material;
  - (d) the garbage room or garbage receptacle storage area;
  - (e) sanitary facilities;

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

- (17) 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;
- (18) That the owner shall dedicate for road widening purposes free of cost to Council, a 1.49m widening along the site frontage to Brumby Street;

and the following adopted standard conditions:

- (19) LDA158 - Treatment of exposed walls;
- (20) LDA161 - Provide common television aerial;
- (21) LDA257 - Regulation of noise transmissions;
- (22) LDA351 - Building Application required;
- (23) LDA366 - Liaise with Natural Gas Company;
- (24) LDA367 - Timing device on alarms;
- (25) LDA376 - Hours of building work;

- (26) LDA384 - New alignment levels;
- (27) LDA389 - Stormwater disposal requirements;
- (28) LDA403 - Road dedication;
- (29) LDA404 - Cost of roadworks;
- (30) LDA21 - No resident parking for residential flat developments.

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

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

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
  - (1) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
  - (2) That an additional exit shall be provided to the car park level which shall comply fully with the requirements of Part D of the BCA;
  - (3) That vertical separation shall comply fully with the requirements of Clause C.2.6 of the BCA;
  - (4) That easements for natural light and ventilation shall be created along the western boundary. Alternatively the units which gain natural light from openings located in the western boundary wall shall be redesigned so as to not gain natural light from these openings;
  - (5) That evidence of entitlement of use of the Right of Way adjacent to the western boundary shall be provided at the time of lodging the Building Application;
  - (6) That openings in external walls shall comply fully with the requirements of Clause C.3.2(c) of the Building Code of Australia with specific attention directed to the western wall;

- (7) That exit travel distances shall comply fully with the requirements of Clause D1.4 of the Building Code of Australia with specific attention directed to entrance doorways to sole occupancy units;
- (8) That travel via fire isolated exits shall comply fully with the requirements of Part D of the BCA;

and the following adopted standard conditions:

- (9) BC310 - Protection of external openings;
  - (10) BC318 - Fire entrance doors to units;
  - (11) BC420 - Construction of stairways and ramps;
  - (12) BC426 - Exit doors, shutters and grilles;
  - (13) BC501 - Fire extinguisher;
  - (14) BC507 - Hose reels;
  - (15) BC508 - Hydrants;
  - (16) BC524 - Emergency lighting;
  - (17) BC525 - Exit signs;
  - (18) BC528 - Fire detectors and alarm system;
  - (19) BC602 - Clothes washing and drying facilities;
  - (20) BC609 - Natural light and ventilation;
  - (21) BC611 - Ventilation of bathrooms/laundries;
  - (22) BC612 - Wall sound transmissions;
  - (23) BC614 - Floor sound transmissions;
  - (24) BC26 - Comply with BCA.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

15.

**CROWN STREET, NO.476, SURRY HILLS – ALTERATIONS AND ADDITIONS TO EXISTING RETAIL PREMISES – DEVELOPMENT APPLICATION (U97-00551)**

- (A) That the Council as the responsible authority grants its consent to an application by Trivett Classic Garage Pty Ltd with the authority of Beck and Call Pty Ltd to conduct a restaurant and new car salesroom in one tenancy in the ground floor of the existing building subject to the following conditions:
- (1) That the development shall be generally in accordance with plans submitted with the application;
  - (2) That the proposed awning shall be redesigned to the satisfaction of the Director of Planning and Building to be more consistent with the style and period of the host building;
  - (3) That the facade shall not be tiled;
  - (4) That the hours of operation shall be from 7am to 11pm Mondays to Thursdays, 7am to midnight on Fridays and Saturdays and 7am to 10pm on Sundays, during the first 12 months from the commencement of operation of the restaurant, after which they shall revert to 7am to 11pm Mondays to Saturdays and 7am to 10pm on Sundays, unless a further application is lodged and approved by Council;
  - (5) That the consent shall lapse if the motor showroom use ceases and a development application shall be submitted for the use of the space for any other purpose;
  - (6) That not fewer than 8 car spaces shall be provided permanently for use in conjunction with the use, and that these shall not be used for the storage of new or demonstration cars;
  - (7) That the car spaces referred to in condition (6) shall be marked with the name of the restaurant to the satisfaction of the Director of Planning and Building;
  - (8) That demonstration cars associated with the showroom use shall not be parked in the street in the vicinity of the site;
  - (9) That display and demonstration cars associated with the showroom use shall only be moved to and from the site between 7.00am and 7.00pm;
  - (10) That a sign legible from the street shall be permanently displayed on the Arthur Street frontage to indicate that parking is available on the site;

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- (11) That an application shall be submitted to the Director of Public Works and Services for a license to place seating on a public footway;
- (12) That the construction of the premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;
- (13) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste Management/Minimisation Fact Sheets";
- (14) That 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";
- (15) 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 facilities for the retention and storage of excess packaging material;
  - (e) the garbage room or garbage receptacle storage area;
  - (f) sanitary facilities;
  - (g) the coolroom;
  - (h) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;

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

and the following adopted standard conditions:

- (16) LDA37 - Loading within confines of building;
- (17) LDA201 - Make separate application for sign;
- (18) LDA351 - Building Application required;
- (19) LDA372 - No entertainment;
- (20) LDA376 - Hours of building work;
- (21) HSC500 - Premises to be ventilated;

- (22) HSC018 - Sanitary facilities;
  - (23) HSC555 - Bathroom ventilation;
  - (24) HSC301 - Cooking of food only if air handling system is provided;
  - (25) HSC518 - Exhaust vent;
  - (26) HSC111 - Liquid wastes to sewer;
  - (27) HSC101 - Not give rise to emissions into the environment;
  - (28) HSC117 - Car wash bay;
  - (29) HSC706 - Storage of recyclables;
  - (30) HSC711 - Commercial contract (trade waste);
  - (31) HSC800 - Use of appliances emitting intrusive noise;
  - (32) That waste removal including the collection of bottles shall not occur before 7.00 a.m. or after 7.00 p.m.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

**16.**

**WARD AVENUE, NOS. 14-16, RUSHCUTTERS BAY – UNAUTHORISED CARPORT EXTENSION – BUILDING APPLICATION (Q94-00934)**

- (A) That arising from consideration of a report by the Director of Planning and Building dated 24 September 1997, regarding an unauthorised extension to the carport of the abovementioned premises, Council as the responsible authority issue an Order pursuant to section 124.5(g) of the Local Government Act 1993, to the owners requesting that the following be carried out:
- (1) That the unauthorised carport extension shall be demolished along the southern length such that the width of the carport shall be 2.6m measured from the external face of the wall of unit 2 of 14-16 Ward Avenue;
  - (2) That the existing grille to the eastern end of the carport shall be removed and replaced by balustrades and handrails in accordance with D2.16 and D2.17 of the BCA respectively not exceeding a height of 1m all along the periphery of the carport;

- (B) That subject to compliance with (A) above Council take no further action in respect of the matter.
- (C) That Council write to the owners warning that in future if works are carried out without first obtaining approval Council will enforce its full powers given under the Local Government Act, 1993.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

17.

**STANLEY STREET, NOS. 82-84, DARLINGHURST – CONSTRUCT NEW RESTAURANTS AND RESIDENTIAL UNITS – DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00470)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council having considered an objection lodged under SEPP1 against the need to comply with the 1.5:1 floor space ratio maximum in LEP 101, agrees that compliance is unreasonable as it has already resolved as part of DCP 1997, to increase the floor space ratio maximum to 2:1 and the proposal is only slightly in excess of this.
- (B) That the Council as the responsible authority grants its consent to an application by Selwyn Property Holdings with the consent of Dacette Pty Ltd to demolish existing buildings and to construct a building containing two restaurants and three one bedroom flats, subject to the following conditions, namely:-
  - (1) That development shall be generally in accordance with plans 9716DA0YF, DA02/E, DA03/E and DA04/B;
  - (2) That the hours of operation of the restaurants shall be between 8.00 am and midnight seven days a week;
  - (3) That the stone building on site shall be restored to the satisfaction of the Director of Planning and Building and a study shall be prepared by a qualified conservation architect detailing the work required, prior to the release of building plans;
  - (4) That application shall be made for a license for the location of tables and chairs on Little Stanley Street. Nothing in this consent implies that the Council will support such an application;
  - (5) **(A) Section 94 Contributions**

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As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$8,032.00	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$3,556.00	2E97002.BGYO
Accessibility And Transport	\$ 41.00	2E97006.BGYO
Management	\$ 115.00	2E97007.BGYO
<b>Total</b>	<b>\$11,744.00</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI}_2}{\text{CPI}_1}$$

where:

- C** is the original contribution amount as shown above;
- CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
- CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to

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detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

**(B) Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (6) Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed

cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed. Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (7) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994, in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans prior to the release of the final linen plan (delete as applicable);
- (8) That the floor space ratio shall not exceed 2.08:1;
- (9) That this consent shall lapse two years after the date of this resolution unless construction has commenced in accordance with an approved building consent;
- (10) That in respect of the restaurants, a voucher system shall be provided for parking at Secure Parking, Riley Street, East Sydney, whereby all customers at the premises are given the opportunity to park with their ticket validated for a discount at the Secure Parking Station. Should such spaces or vouchers no longer be available the proposed use shall cease unless alternative parking is provided to the satisfaction of the Director of Planning and Building;
- (11) That it shall be noted in any advertisement, on menus and by a wall sign within each restaurant, that parking is available in accordance with condition (10);
- (12) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
  - (i) external finishes to walls;
  - (ii) proposed fences;
- (13) That the construction of the food premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;
- (14) That sanitary and other facilities to the food premises shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;

- (15) That no tables and chairs shall be placed on the first floor deck at the rear of restaurant 2;
- (16) That all efforts shall be made to retain the existing vine growing on the Crown Street façade. In this regard, a suitably qualified arborist shall be engaged to report on the feasibility of its retention, a copy of the report shall be submitted with the building application;
- (17) That plans and specifications showing details of:-
- (i) all required mechanical ventilation systems;
  - (ii) the garbage room or garbage receptacle storage area;
  - (ii) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- and the following adopted standard conditions:
- (18) LDA12 - Applicant to liaise with Sydney Water;
- (19) LDA21 - No resident parking for residential flat developments;
- (20) LDA158 - Treatment of exposed walls;
- (21) LDA161 - Provide common television aerial;
- (22) LDA201 - Make separate application for sign;
- (23) LDA151 – Schedule of finishes;
- (24) LDA367 - Timing device on alarms;
- (25) LDA368 - Display of street numbers;
- (26) LDA371 - No dancing;
- (27) LDA372 - No entertainment;
- (28) LDA376 - Hours of building work;
- (29) LDA384 - New alignment levels;
- (30) LDA386 - Road Opening Permit;
- (31) LDA389 - Stormwater disposal requirements;

- (32) LDA391 - Builder's Hoarding Permits;
- (33) LDA392 - No obstruction to public way;
- (34) LDA393 - Delivery of refuse skips;
- (35) HSC500 - Premises to be ventilated;
- (36) HSC001 - Compliance to Director of Health and Community Services;
- (37) HSC301 - Cooking of food only if air handling system is provided;
- (38) HSC516 - Discharge vents;
- (39) HSC700 - Compliance with code for Garbage Handling System;
- (40) HSC709 - Garbage room;
- (41) HSC711 - Commercial contract (trade waste);
- (42) HSC800 - Use of appliances emitting intrusive noise;
- (43) That a system of retractable or bifold shutters be installed on each of the first floor balcony openings to both proposed restaurants 1 and 2 to the satisfaction of the Director of Planning and Building.

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 the persons who made representations with respect to the proposal be advised of Council's decision.

Carried.

18.

**CORBEN STREET, NOS. 13-23, SURRY HILLS – CONVERSION OF WAREHOUSE TO RESIDENTIAL UNITS – DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00649)**

- (A) That the Council having considered a SEPP1 objection against the need to comply with the 12m height limit in LEP 107, agrees that compliance is unnecessary as the extent of non-compliance is small and has no significant effect on amenity;
- (B) That the Council as the responsible authority grants its consent to an application by Woodhouse and Danks, Architects, with the authority of Princess Holdings Pty Ltd for the conversion and extension of an existing building to contain 9 residential flats subject to the following conditions:
- (1) That the proposal shall be generally in accordance with plans S01 to 04 dated July 1997;
- (2) (A) Section 94 Contributions

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$22,110	2E97001.BGYO
Open Space/Townscape/ Accessibility And Transport	\$ 6,613	2E97002.BGYO
Public Domain	\$ 80	2E97006.BGYO
Management	\$ 334	2E97007.BGYO
<b>Total</b>	<b>\$29,137</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{CP1_2}{CP1_1}$$

where:

**C** is the original contribution amount as shown above;

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**CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and

**CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

### **(B) Works in Kind**

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (3) That this consent shall lapse after two years unless development has commenced;
- (4) That the floor space ratio shall not exceed 2:1;
- (5) That a Certificate under Section 73 of the Water Board (Corporatisation) Act, 1994, in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans;
- (6) 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;
- (7) That of the spaces required by condition (6), two shall be for the use of visitors and shall be marked and located to the satisfaction of the Director of Planning and Building;
- (8) That racks shall be provided for three bicycles located to the satisfaction of the Director of Planning and Building;
- (9) That all vehicles shall be driven onto and off the site in a forward direction, at all times;
- (10) That the vehicle entry point shall be widened to the satisfaction of the Director of Planning and Building;
- (11) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
  - i) external finishes to walls;
  - ii) roofing finishes;
  - iii) balcony balustrade treatment;
  - iv) proposed fences;
- (12) That the southern boundary windows shall be deleted;

- (13) 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;

NOTE: The premises has recently been treated with residual pesticides to control infestations of vermin, including rodents and cockroaches;

- (14) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (15) That the basement car park shall be ventilated in accordance with Australian Standard 1668.1, 1991, Section 7 and Australian Standard 1668.2, 1991, Section 4;
- (16) That any car wash bays shall be graded and drained to the sewer in accordance with the requirements of Sydney Water;
- (17) 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" copies of which are available from the Health and Community Services Department;
- (18) That a garbage receptacle storage facility shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (19) That the use of the premises shall not give rise to:-
- i) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic – Description and Measurement of Environmental Noise" or
  - ii) an "offensive noise" as defined in the Noise Control Act, 1975;
- (20) That plans and specifications showing details of:

- i) all proposed and required mechanical ventilation systems;
- ii) car park ventilation system(s);
- iii) the location of exhaust and intake vents;
- iv) the recycling storage area;
- v) the garbage room or garbage receptacle storage area;

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

NOTE 1:

For the purpose of child safety, it is recommended that all new or replacement hot water systems be designed to deliver hot water to a maximum 50°C and/or install safety devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices;

NOTE 2:

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

NOTE 3:

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

and the following adopted standard conditions:

- (21) LDA121 - Section 94 Contributions;
- (22) LDA29 - Provide sign indicating parking;
- (23) LDA161 - Provide common television aerial;
- (24) LDA351 - Building Application required;
- (25) LDA367 - Timing device on alarms;
- (26) LDA376 - Hours of building work;
- (27) BC26 - Comply with BCA;

- (28) LDA389 - Stormwater disposal requirements;
- (29) LDA392 - No obstruction to public way;
- (30) LDA393 - Delivery of refuse skips;
- (31) LDA394 - Cost of alteration to signposting;
- (32) LDA396 - Works within boundaries;
- (33) hsc500 - Premises to be ventilated;
- (34) hsc555 - Bathroom ventilation;
- (35) hsc518 - Exhaust vent;
- (36) hsc116 - Capture of refrigerants;
- (37) hsc101 - Not give rise to emissions into the environment;
- (38) hsc111 - Liquid wastes to sewer;
- (39) hsc706 - Storage of recyclables.

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

Carried.

## 19.

### **PLANNING – APPOINTMENT OF PART-TIME HERITAGE CONSULTANT (2016326)**

That the Council engage the firm Architectural Projects to fill the heritage adviser position involving a maximum of 15 hours per week for a period of one year for which funds are available in Account GQB-66AO.

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(DPB Report 3.10.97)

Carried.

20.

**CROWN STREET, NOS.185-191, DARLINGHURST – ADDITIONAL LEVEL TO CREATE FOUR SHOPS WITH DWELLINGS ABOVE – DEVELOPMENT APPLICATION (U97-00729)**

- (A) That the Council resolves pursuant to State Environmental Planning Policy No. 1 that it is satisfied that the development standard contained in clause 11 of South Sydney Local Environmental Plan 101 relating to floor space ratio is unreasonable and unnecessary for the following reasons:
- (1) That the additional floor space will not result in a building bulk and scale that is incompatible with the nature of surrounding developments and the significance of the heritage conservation area;
  - (2) That parking and traffic impacts arising from the additional floor space ratio are acceptable;
  - (3) That the increased floor space ratio does not create significant adverse impacts on neighbouring properties;
  - (4) That the increased floor space ratio will not result in a building form that compromises the existing heritage conservation area; and it provides for a reasonable adaptation of a proposed heritage item.
- (B) That the Council as the responsible authority grants consent to the application submitted by Mr. Andrew Darroch for permission to carry out alterations and additions to the existing premises and to provide four ground floor shops with dwelling houses above, at Nos. 185 to 191 Crown Street, Darlinghurst, generally in accordance with the submitted plans numbered DA1 to DA13, inclusive and dated August 1997, subject to the following conditions of consent, namely:
- (1) That each shop shall be a “local shop” as defined in Schedule 1 of Draft South Sydney Local Environmental Plan 1997;
  - (2) That trading hours for each shop shall be restricted to the following hours:  
  
Fridays to Wednesdays, inclusive 8.00am to 6.00pm  
Thursdays 8.00am to 9.00pm

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- (3) That all garbage bins shall be stored at the rear of the premises and placed on the Crown Street footpath for collection only at the appropriate times;
- (4) 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 the lodging of the building application, in respect of the following:-
  - (a) external masonry walls and parapets, which are to match existing work;
  - (b) door and window frames and glazing;
  - (c) visual and aural privacy screening between the proposed roof terraces and balconies and the open space and balconies of the adjoining properties to the west and the north of the subject premises; and between the proposed roof terraces and balconies;
- (5) That the Crown Street and Liverpool Street facades shall incorporate markings, projections or recesses in the masonry finish which express the general line, height and stepping of the existing parapet copings;
- (6) That new windows shall be incorporated into the Liverpool Street facade at the first and second levels; and such windows, their spacings and levels, wall opening proportions and sizes, framings and masonry detailing shall match those proposed on the Crown Street facade;
- (7) That the decorative facade at the Liverpool Street and Crown Street corner of the building and the associated leaf motif shall be retained and not be, respectively, extended vertically or raised;
- (8) That details of the modifications referred to in conditions (5) and (6) shall be submitted and approved by the Director of Planning and Building prior to the lodging of the building application;
- (9) That portable fire extinguishers shall be provided throughout the building to the requirements of E.1.6 of the BCA and AS 2444;
- (10) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (11) That the proposed work shall be constructed in Type A construction in accordance with the requirements specification c1.1-(3) of the BCA;
- (12) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;

- (13) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (14) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with the requirements of Part F4.5 of the BCA;
- (15) That the ceiling beneath the first floor of the premises shall be constructed of material having resistance to the incipient spread of fire of one hour;
- (16) That the stairway and lobby area shall be separated from the ground floor shop area by construction having a minimum fire resistance level of 60/60/60;
- (17) 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 Public Works and Services Department for the use of a mobile crane;
- (18) That during building/demolition work the public way shall not be obstructed by building materials in any way whatsoever;
- (19) That building/demolition work shall comply with A.S. 2436-1081 “Guide to Noise Control on Construction, Maintenance and Demolition Sites”;
- (20) That the use of the premises shall not give rise to an “offensive noise” as defined under the provisions of the Noise Control Act, 1975, or to the emission into the surrounding environment of gases, vapours, odours, dust, or other impurities which are injurious or dangerous or prejudicial to health;
- (21) 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;
- (22) That a separate application shall be submitted at the appropriate time for any proposed sign.

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

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

- (C) That Council advise the applicant that:
- (a) 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 the 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;
  - (b) in order to comply with the Local Government Act and the Local Government (Approvals) Regulation 1993 a change of classification, pursuant to clause 23 of that Regulation, is required.
- (D) That the Secretary of the Department of Urban Affairs and Planning be notified of Council's determination under State Environmental Planning Policy No. 1 in accordance with the Department's Circular No.117, dated 9 December, 1986.

Carried.

21.

**KING STREET, NO. 174 AND 176, NEWTOWN – USE FIRST FLOOR AS A LOUNGE BAR – DEVELOPMENT APPLICATION (0437/97)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by the Stesser P/L, with the authority of Newtown Colonial Hotel P/L, for permission to use the first floor of the hotel and adjoining shop as a lounge bar, subject to the following conditions:
- (1) That the development shall be generally in accordance with the amended plans submitted on 2 September 1997;
  - (2) That the hours of operation of the first floor bar shall be restricted to between 11.00am and 12.00 midnight Mondays to Wednesdays, 11.00am and 1.00am the following day Thursdays to Saturdays and 11.00am and 11.00pm Sundays for a trial period of 6 months, after which trading shall revert to between 11.00am

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and 12.00 midnight Mondays to Saturdays and 11.00am and 10.00pm Sundays. The applicant shall notify Council in writing of the date when the bar commences trading with the trial hours and may lodge a new Development Application seeking a permanent extension of hours any time after 5 months from that date;

- (3) That no live entertainment or loud recorded music shall be permitted on the first floor and that background music only shall be provided;
- (4) That patrons shall enter and leave the premises via the stair opening onto King Street, except in emergencies;
- (5) That the applicant shall submit a report by an acoustic consultant to show how it is proposed to comply with the Council's Noise Regulation within 60 days of the date of consent;
- (6) That the hotel management shall implement practices to ensure that patrons enter and leave the premises in an orderly manner and that disturbance to the neighbouring residents is minimised, to the satisfaction of the Director of Planning and Building;
- (7) That the use of the premises shall not give rise to:-
  - (a) transmission of vibration to any place of different occupancy;
  - (b) a sound level in any place of different occupancy greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8000 Hz centre frequencies inclusive; however, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing as specified by the equal loudness contours for octave bands of noise, this sub-clause shall not apply to any such frequencies;
  - (c) a sound level at any point on the boundary of the site greater than the levels specified in Australian Standard 1055-1984;
  - (d) an "offensive noise" as defined in the Noise Control Act, 1975;

- the method of measurement of sound levels in (b) and (c) shall be carried out in accordance with Australian Standard 1055-1984;

- (8) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;

- (9) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
- (10) That 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;
- (11) That the construction of the premises shall comply with the requirements of Material Code for the construction and fitout of food premises;
- (12) That, during the extended trading hours trial period, the hotel management shall engage security staff to monitor and manage the behaviour of patrons entering and leaving the premises.

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

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

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

Carried.

## 22.

### **LITTLE ALBION STREET, NOS. 10-12, SURRY HILLS – USE PREMISES FOR EDUCATIONAL PROGRAMS FOR THE UNEMPLOYED – DEVELOPMENT APPLICATION (U97-00710)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Sydney City Mission on behalf of E & A Hacker Prop's to use the premises as an educational establishment, for the following reasons, namely:-
- (1) That the proposal would be likely to cause adverse noise impacts to nearby residents and there has been insufficient information submitted to Council to support any claim that these impacts can be adequately mitigated through any noise attenuation measures.
  - (2) That the proposal would be likely to cause a disturbance to neighbourhood amenity.
  - (3) That the proposal would not be compatible with the objectives of the residential 2(b) zone of maintaining residential amenity.
  - (4) That the proposal fails to provide sufficient off-street car parking and loading facilities.
  - (5) That approval of the proposal would not be in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

Councillor Fenton requested that her name be recorded as being opposed to the foregoing motion.

**23.**

**ALBION STREET, NOS. 102-104, SURRY HILLS – REFURBISH EXISTING BUILDING AND CONVERT TO 35 UNITS – DEVELOPMENT APPLICATION – CONTRIBUTION INCLUDED IN CONSENT (U97-00389)**

- (A) That the Council is satisfied that the State Environmental Planning Policy No. 1 objection against the floor space ratio standard in Local Environmental Plan No. 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-
- That the bulk of the building would not increase and the construction of lofts would result in only a minor increase in intensity of use of the building.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Selwyn Property Holdings Pty Ltd for

permission to convert an existing building to contain 34 residential flats and a shop, subject to the following conditions, namely:

- (1) That the development shall be generally in accordance with plans 9718DA01/D, 02T005/E, 06/F, 07/B, 08/E, 09/C, 10/B, 11/C and 12/A;

**(2) (A) Section 94 Contributions**

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

<b>Contribution Category</b>	<b>Amount</b>	<b>Account</b>
Open Space Land Acquisition	\$56,954	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$17,025	2E97002.BGYO
Accessibility And Transport	\$ 222	2E97006.BGYO
Management	\$ 856	2E97007.BGYO
<b>Total</b>	<b>\$75,057</b>	

The above payment, with the exception of Open Space Land Acquisition and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for open space land will be reviewed at time of payment in accordance with the latest valuations.

**Contributions at Time of Payment**

$$= C \times \frac{CPI_2}{CPI_1}$$

where:

**C** is the original contribution amount as shown above;

**CPI<sub>2</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and

**CPI<sub>1</sub>** is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

The above amount must be paid to the Council in cash or by unendorsed bank cheque and be accompanied by the attached Payment Sheet.

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

**Note:** No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and BA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

(B) Works in Kind

Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council **as soon as possible** concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

**Note:** Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will **not** be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (3) That this consent shall lapse after a period of two years from the date of this consent becomes effective, unless the development to which it relates is commenced (the applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);
- (4) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 in respect of the proposed development shall be submitted to Council prior to release on the approved building plans;
- (5) That the floor space ratio shall not exceed 2.95:1;
- (6) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (7) That a maximum of 12 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (8) That the required off-street car parking spaces shall be allocated on the basis of one space for use in association with the shop and the remainder for the use of residents, no residential unit being allotted more than one space;
- (9) That a single vehicle entry/exit point having a width of not less than 6m to Little Albion Street shall be constructed, located as far as possible to the west to the satisfaction of the Director of Planning and Building to maximise access to the parking area;
- (10) That the bicycle racks shall be relocated to the satisfaction of the Director of Planning and Building to minimise conflict with existing cars;
- (11) That a planter box of width not less than 1 metre shall be provided along the boundary of the common rooftop landscaped area where it adjoins terrace houses;
- (12) That the new windows in the eastern elevation shall match in style the windows in the northern elevation;
- (13) That a separate application shall be submitted at the appropriate time for the specific use of the shop ;
- (14) That the site shall be cleaned up including but not restricted to, any lead based paints, petroleum products and any other

contaminants from its previous use, to the requirement of the Environment Protection Authority and the Workcover Authority.

- (15) That the car parking area shall be ventilated in accordance with Australian Standard 1668.1, Section 7 and Australian Standard 1668.2, Section 4.
- (16) 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";
- (17) 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;
- (18) That separate facilities shall be provided for the storage of commercial trade wastes separate from residential garbage.
- (19) That the use of the premises shall not give rise to:-
  - (a) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
  - (b) an "offensive noise" as defined in the Noise Control Act, 1975;
- (20) That plans and specifications showing details of:-
  - (a) all proposed mechanical ventilation systems;
  - (b) the car park ventilation;
  - (c) the facilities for the retention and storage of excess packaging material;
  - (d) the garbage room or garbage receptacle storage area;
  - (e) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all commercial food preparation and storage areas;

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

NOTE: All details relating to the location and size of containers for residential garbage facilities should be referred to Council's Waste Services, Public Works and Services Department for approval.

and the following adopted standard conditions:

- (21) LDA44 - Driving in forward direction only;
- (22) LDA45 - Parking and driveways to be kept clear;
- (23) LDA42 - Minimum aisle width for parking areas;
- (24) LDA49 - Signage for vehicular egress;
- (25) LDA101 - Provide landscaping plan;
- (26) LDA153 - Reflectivity of external glazing;
- (27) LDA161 - Provide common television aerial;
- (28) LDA351 - Building Application required;
- (29) LDA367 - Timing device on alarms;
- (30) LDA368 - Display of street numbers;
- (31) LDA376 - Hours of building work;
- (32) LDA377 - Construction noise regulation;
- (33) LDA387 - Footway crossings;
- (34) LDA384 - New alignment levels;
- (35) LDA389 - Stormwater disposal requirements;
- (36) LDA391 - Builder's Hoarding Permits;
- (37) LDA392 - No obstruction to public way;
- (38) LDA394 - Cost of alteration to signposting;
- (39) HSC103 - Environmental site assessment being carried out;
- (40) HSC101 - Not give rise to emissions into the environment;
- (41) HSC500 - Premises to be ventilated;
- (42) HSC555 - Bathroom ventilation;
- (43) HSC018 - Sanitary facilities;
- (44) HSC111 - Liquid wastes to sewer;

## (45) HSC706 - Storage of recyclables.

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 the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
  - (2) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
  - (3) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
  - (4) That 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 the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
  - (15) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
  - (16) That all relevant sections of the BCA shall be complied with;
  - (17) That all floors throughout the building shall have a minimum fire resistance level of 90/90/90;
  - (18) 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.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

24.

**FLINDERS STREET, NOS. 88-114, DARLINGHURST – QUESTION BY COUNCILLOR FOWLER (2012075)**

- (a) That the report by the Director of Health and Community Services dated 3 October 1997, be received and noted.
- (b) That a further report be submitted by the Director of Planning and Building to explain why Council Officers, to my understanding, have received complaints on premises Nos. 98 & 100 Flinders Street for over a year, but no building notice was issued until August this year, despite complaints of unauthorised work at No. 100 Flinders Street, that included six internal unventilated bathrooms.

Carried.

25.

**PLANNING – FORMATION OF THE PADDINGTON WORKING PARTY IN CONJUNCTION WITH WOOLLAHRA COUNCIL (2015561)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

That Council:-

- (a) endorse the formation of a working party consisting of six Councillors, being three from Woollahra Council and three from South Sydney Council, to identify current inconsistencies in relation to development control, traffic management and parking, and to explore possible solutions to those inconsistencies.
- (b) nominate Councillors Fenton, Lay and Waters to participate in the working party, with technical support provided by Council's Urban Design Co-Ordinator, Transport Planner and the Area Planning Manager.

Carried.

Councillor Deftereos requested that her name be recorded as being opposed to the foregoing motion.

26.

**PLANNING – ENERGY EFFICIENCY SOLAR HOT WATER SYSTEMS –  
QUESTION BY COUNCILLOR HARCOURT (P54-00140)**

That the report by the Director of Planning and Building dated 7 October 1997, with regard to the above matter, be received and noted.

Carried.

27.

**COOK ROAD, NOS. 93 & 95, CENTENNIAL PARK – FIRST FLOOR  
ADDITION TO SEMI-DETACHED DWELLING - SECTION 100 REVIEW  
BUILDING APPLICATION (Q97-00700) (Q97-00687)**

- (A) That arising from consideration of a report by the Director of Planning and Building dated 7 October 1997 in connection with an application for review under Section 100 of the Local Government Act 1993, submitted by J Barker and C Starr in respect of the abovementioned premises, Council as the responsible authority resolves to amend building approval dated 5 September 1997 (under delegation) only in so far as will permit for the deletion of Condition No. 27.
- (B) That the person who made representation in respect of the proposal be advised of Council decision.

Carried.

28.

**VICTORIA STREET, NO.98, POTTS POINT – CONVERT EXISTING  
TERRACE INTO 3 APARTMENTS – DEVELOPMENT APPLICATION –  
CONTRIBUTION INCLUDED IN CONSENT (U97-00173)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

That the application submitted by Larcombe Mc Kenna and Solomon Architects with the authority of Mr P Lawson for permission to carry out alterations and additions to a terrace and erect an attached studio dwelling with ground level car parking to create a total of 3 dwellings, be deferred as requested by the applicant in fax dated 15 October 1997, but that Council indicates that any amended scheme for the conversion of the building to residential flats should be contained within the envelope of the existing building with the possibility of an attic conversion and that the rear yard remain open.

Carried.

29.

**PLANNING – MAIN STREET PROJECTS OFFICER – POSITION STATEMENT (2015557)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Waters:-

That Council:-

- (a) endorse the roles and responsibilities of the newly appointed Mainstreet Projects Officer as detailed in the Director's report;
- (b) approve the establishment of an internal Mainstreet Coordination Taskforce comprising relevant representatives from the Public Works and Services, Health and Community Services, Finance and Planning and Building Departments;
- (c) approve a two step approach to the selection of future mainstreet projects, being:
  - Stage 1: August 1997 to February 1998 - Kings Cross 'Mainstreet' Program,
  - Stage 2: February 1998 - Call for Expressions of Interest from community groups to form one new Mainstreet Committee.

(DPB Report 7.10.97)

Carried.

30.

**PLANNING – ADOPTION OF THE SOUTH SYDNEY BIKE PLAN – FINAL REPORT (533346)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (1) That the Council adopt the South Sydney Bike Plan prepared by Arup Transportation dated 14th August 1997 as circulated to Councillors;
- (2) That the Bicycle Liaison Committee be re-established to be chaired by Councillor Macken with membership of the RTA's Cycle Unit; Planning, Road Safety, and Traffic Engineering staff of Council; and Bicycle User Group representative, and have the role of prioritising, refining and promoting the Bike Plan;
- (3) That, beginning in the 1998/9 financial year, consideration be given to inclusion of the sum of \$42,000 in Council's estimates over a period of

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6 years for implementation of the Bike Plan, to be supplemented by Section 94 Developer Contributions and matching RTA grants;

- (4) That unspent funds of \$2,900 in the Planning and Building Department's works programme for the development of the Bike Plan, be put towards development and implementation of encouragement and promotional strategies, on the basis that it be spent in the 1997/8 financial year and the RTA match this dollar for dollar;
- (5) That Council affirm its commitment to bicycle planning in the Green Square Urban Renewal Area by inclusion of off-road bicycle routes along proposed open space corridors extending from the Alexandra Canal to Epsom Road and Todman Avenue via the Green Square Station, that opportunities for other through-site links be investigated, and that bicycle lanes be incorporated into all new roads where appropriate.

(A/DPB Report 7.10.97)

Carried.

**31.**

**RANDLE STREET, NO.8, NEWTOWN – ALTERATIONS AND ADDITIONS TO SINGLE STOREY DWELLING – DEVELOPMENT APPLICATION (U97-00672)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr M A Beattie, with the authority of Mr B & Mrs P Beattie, for permission to carry out alterations and additions to the existing dwelling, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans lodged with the development application;
  - (2) That the new attic level shall be deleted and any revision be subject to a separate development application;
  - (3) That the new rear laundry shall be set back approximately 500mm from the northern site boundary to align with the existing side wall;
  - (4) That the new northern side walls shall be painted or finished a light colour to assist the reflection of indirect light;

- (5) That any changes to the fence shall be by mutual agreement between the parties, in accordance with the dividing fences Act;
- (6) That the window opening to the new bathroom and the western joining bay window shall be obscure and fixed glazing to a height of at least 1600mm;

and the following adopted standard conditions:

- (7) LDA351 - Building Application required;
- (8) LDA367 - Timing device on alarms;
- (9) LDA376 - Hours of building work;
- (10) LDA377 - Construction noise regulation;
- (11) LDA389 - Stormwater disposal requirements;
- (12) LDA392 - No obstruction to public way;
- (13) LDA393 - Delivery of refuse skips;
- (14) LDA396 - Works within boundaries;
- (15) hsc500 - Premises to be ventilated;
- (16) hsc800 - Use of appliances emitting intrusive noise.

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

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

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

It was moved by Councillor Fowler, seconded by Councillor Bush, 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 be deferred for further consultation between the applicant and the Director of Planning and Building.

Motion, as amended by Councillor Fowler, carried.

At 7.36 p.m. the meeting terminated.

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

**CHAIRPERSON**

**GENERAL MANAGER**

**GENERAL MANAGER**