

203RD Meeting**Erskineville Town Hall
Erskineville****Wednesday, 25 March 1998**

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.45 pm on Wednesday, 25 March 1998.

PRESENT

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

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

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Confirmation of Minutes

Moved by Councillor Macken, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council of 11 March 1998, be taken as read and confirmed.

At the request of the Mayor, Councillor Vic Smith, and by consent, the minutes of 11 March 1998, were amended on Page 177 with respect to an apology for the non-attendance at the Council Meeting of 11 March 1998, by Councillor Greg Waters.

Minutes, as amended by consent, were then confirmed.

MINUTE BY THE MAYOR

24 March 1998

PLANNING - LOCAL ENVIRONMENTAL PLAN 1998 - COMMUNITY CONSULTATION (2015554)

Council's new comprehensive Local Environmental Plan for South Sydney LEP 1998, is due to be gazetted by the Minister shortly.

As Councillors will know the plan and supporting provisions, include revised heights and floor space ratios as well as other numerical standards. The documents also provide the opportunity to test those standards against a performance based approach.

The Council is preparing the strategy for a Sustainable South Sydney, the Local Environmental Plan and Development Control Plan endorsed an ambitious public participation and consultation process.

I believe the Council should continue this commitment and that following gazettal of the Plan I proposed that two workshops be arranged in each Ward where the implications of the plan as well as the development control process generally can be explained to the community. To ensure that as many people as are able can attend I proposed that the meetings be held on Saturday mornings and that they be proceeded by appropriate publicity in the media and where appropriate letter box drops.

Recommendation:

- (1) That following gazettal of Council's new Local Environmental Plan, Council hold two workshops in each Ward on Saturday mornings at venues and times approved by the General Manager;

GENERAL MANAGER

- (2) That publicity for the workshops be arranged by Council's Media Unit and that light refreshments (tea, coffee and sandwiches) be provided, for which funds are available in account EBN 77DO.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Macken, seconded by Councillor Lay:-

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

It was moved by the Mayor, seconded by Councillor Lay, that the motion be amended by the addition of clause (3) to the recommendation, namely:-

- (3) That the workshops be reviewed after a 12 month period and that the agenda for the workshops also include processing of Development Applications and the Integrated Development Assessment Bill.

Motion, as amended, carried.

MINUTE BY THE GENERAL MANAGER

24 March 1998

CLEANING - STREET ART PROJECT WITH MISSION EMPLOYMENT SYDNEY CITY (C56-00023)

BACKGROUND

At its meeting of 18 February 1998 the Finance Committee considered a report from the Director of Health and Community Services dated 9 February 1998 regarding a proposed Street Art Project with Mission Employment Sydney City. The committee resolved that a Council Officer prepare a further report regarding the selection of participants for the program.

On 25 February another report was presented to Council with an attached letter from Mission Employment Sydney City outlining the process that would be followed for this project. At that meeting it was decided that the report would be carried to the next meeting of Council on the basis that more time was needed to consider the project and its structure.

Subsequently the following is a summation of the reports presented so far.

GENERAL MANAGER

PROJECT STRUCTURE

This project has been structured to not only initiate understanding of public art and in particular graffiti issues but also to use art as a medium to appeal to young unemployed people to develop:

- Skills in communication
- Life skills
- Occupational Health and Safety
- Team working
- Program development
- Public Art design and production

The project's emphasis is on training and it will be resourced by highly skilled and appropriate trainers and coordinators.

Since Council's involvement in the project, officers have worked closely with the Mission Employment to bring the project in line with Council's other Cultural Development programs, and are satisfied that the current structure is no different to previously run LEAP's programs.

The program will be managed by Mission Employment in consultation with South Sydney City Council. The program would commence early April 1998 and be conducted for 6 months. The Mission has indicated, however, that if the project is successful, they will apply to DEETYA to extend the program for a further 6 months.

PROJECT FUNDING

The project budget is estimated to be \$64,700 and it is proposed that the income be as follows;

Federal Government	\$43,200
Sydney Mission	\$2,500 (in-kind)
Council	\$12,000 (in-kind)
	\$7,000
TOTAL:	\$64,700

SPECIAL CONSIDERATION

Council officers have been advised by Mission Employment that if they don't receive confirmation of Council support by the end of March, the Federal Government will withdraw program funding.

Recommendation:

That arising from a General Manager's minute dated 24 March 1998, approval be given to:

GENERAL MANAGER

- (1) the proposed partnership between Mission Employment Sydney City and Council to conduct a youth training program in Street Art;
- (2) the in-kind contributions of up to the value of \$12,000 (equipment, site preparation, skills training) and costs of \$7,000 (supply materials for public artwork);
- (3) Council's Attorney to sign contracts associated with the Project.

J.W. Bourke (SGD)
General Manager

Moved by Councillor Lay, seconded by Councillor Macken:-

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

At the request of Councillor Macken, and by consent, the motion was amended by the deletion of the figure "\$12,000" where appearing in the first line of clause (2) of the recommendation and the insertion in lieu thereof of the figure "\$9,500".

Motion, as amended by consent, carried.

MINUTE BY THE GENERAL MANAGER

24 March 1998

PERSONNEL - GENERAL MANAGER - ANNUAL LEAVE ARRANGEMENTS (2004907)

I commenced annual leave from 16 March to 20 March 1998, inclusive.

During such absence, confirmatory approval is requested that:-

- (1) the Director of Planning and Building, Mr. J. Harrison, act as General Manager;
- (2) delegations to the General Manager as detailed in the Manual of Standard Procedures be delegated to Mr. J. Harrison from 16 to 20 March 1998.

J.W. Bourke (SGD)
General Manager

GENERAL MANAGER

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

Leave of Absence - Councillor Deftereos

A request was received from Councillor Deftereos for leave of absence from the Council Meeting on 8 April 1998, Management Review Committee on 11 May 1998, Standing Committees of 1 April 1998, and the Management Review Committees on 4 and 5 May 1998.

Moved by Councillor Fowler, seconded by Councillor Bush:-

That leave of absence be granted to Councillor Deftereos from the Council Meeting on 8 April 1998, Management Review Committee on 11 May 1998, Standing Committees of 1 April 1998, and the Management Review Committees on 4 and 5 May 1998.

Carried.

PETITIONS

1.

The Mayor tabled a petition received by the General Manager with approximately 19 signatures appended from residents objecting to the erection of a 15 level tower on the Elan Site, No. 1 Kings Cross Road, Elizabeth Bay, for various environmental reasons.

Received.

2.

The Mayor tabled a petition received by the General Manager with approximately 19 signatures appended from residents objecting to the proposed car repair station at Nos. 496 - 512 Crown Street, Surry Hills, because of adverse effects on the community in respect of noise, parking and traffic.

Received.

3.

Councillor Lay tabled a petition with approximately eight signatures appended from residents about "Yellowmunde" Park on the corner of Caroline and Hugo

Streets, Redfern, in respect that the Park has become a toilet and exercise yard for local dogs, and that dog faecal matter and urine is overwhelming the Park.

Received.

QUESTIONS WITHOUT NOTICE

1.

PUBLIC TRANSPORT - REQUEST FOR EASTERN SUBURBS LINE TRAINS TO STOP AT ERSKINEVILLE STATION - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2008351)

Question:

Could Council write to the Minister for Transport once again requesting that consideration be given to allowing the Eastern Suburbs Line trains to stop at Erskineville Station? Many residents would benefit from this extra service without much, if any, disruption to services.

Answer by the Mayor:

I will write directly to the Minister for Transport.

2.

PUBLIC RELATIONS - CLOSING OF COMMONWEALTH BANKS IN SOUTH SYDNEY - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2010170)

Question:

Could Council write to the Commonwealth Bank expressing our dismay at the proposed closure of the Alexandria Branch? Could I have a report on which of the major banks now have the most outlets in the South Sydney area?

Answer by the Mayor:

I will ask the General Manager to respond to the second question and I certainly will write to the General Manager of the Commonwealth Bank in relation to that matter.

3.

PARKING - GREEN ROAD, PADDINGTON - WARNING TO NON-RESIDENTS FOR EXCEEDING TIME LIMITS ON PARKING - QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (P01-00042)

Question:

Could the Officers prepare a report for Council's Traffic Committee on the efficacy of the signs at Greens Road, etc, warning non-residents against parking in the residents' parking spots? Could this report consider permanent or temporary signs to coincide with major events being placed in gateway roads to Centennial Park and other parts of Paddington?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report for the next Committee in relation to that matter.

4.

CLEANING - STRATEGIES TO MINIMISE THE EFFECT OF WASTE IN EAST SYDNEY - QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (C56-00007)

Question:

Could the Waste Services Manager and other relevant Council Officers investigate the incidence of street waste related to drug use and commercial sex work in the streets and back lanes of East Sydney, and put in place strategies to minimise the effect of this waste on residential amenity?

Answer by the Mayor:

I will ask the Officers to investigate for you and have a report prepared for Committee in respect of the strategies that can be implemented to eradicate the problem.

5.

DOWLING STREET, NOS. 48 - 78, WOOLLOOMOOLOO - NON-COMPLIANCE WITH CONDITIONS OF CONSENT FOR OPERATION - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2016411)

Question:

I have had complaints from residents in Woolloomooloo that the Woolloomooloo Waters Hotel is not complying with the conditions of consent for operation, ie laundry and garbage facilities of the Hotel.

Could the relevant Council Officers investigate and take the appropriate action? The resident has also made a complaint that many requests to Council regarding the Hotel have met with no action or response from Council.

Answer by the Mayor:

I will ask the Director of Planning and Building to investigate that matter for you to ensure that the Hotel is complying with the consent and have a report prepared for the Councillors Information Service.

6.

CONFERENCES - SYDNEY AIRPORT NOISE - FOX STUDIOS - ALTERATION TO MODE 9 OF THE LONG TERM OPERATING PLAN - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2016370)

Question:

South Sydney Council's response to a request by Joe Hockey MP, Chairman of Sydney Airport Community Forum regarding the Fox Studios proposed alteration to Mode 9 of the Long Term Operating Plan:

“It was emphasised to Mark Vaile that community consultation is critical in determining whether such a proposal is acceptable.”

What form will this community consultation take and what areas are to be part of the consultation? It needs to be a wide consultation as I have had many phone calls from the Rosebery area.

Answer by the Mayor:

I have had no response from the Minister. When I get one, I will let you know what area he is proposing to consult.

7.

KINGS CROSS TUNNEL, NO. 1, KINGS CROSS - ELAN SITE - DIFFERENCE BETWEEN APPROVED DEVELOPMENT AND PROPOSED DEVELOPMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (U96-00894)

Question:

May we have a report from the Director of Planning and Building regarding the differences between the approved development and proposed development on the Eastern side of the Elan site?

Answer by the Mayor:

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

8.**TRAFFIC - MITCHELL ROAD, ALEXANDRIA - POSSIBLE ACTION TO ALLEVIATE NOISE, CONGESTION AND HEAVY VEHICLE USE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (T52-00103)****Question:**

Mitchell Road residents have made representations to me about any possible action Council can take to alleviate the noise, congestion and heavy vehicle use of the road. Could a report come to Council suggesting possible solutions to the problems residents are experiencing?

Answer by the Mayor:

They have also written to me and I will be meeting with those residents on Sunday morning at 11.00 a.m. At that meeting I will try and indicate to them what the proposals are by the Council to assist with their problem.

REPORT OF THE FINANCE COMMITTEE

18 March 1998

PRESENT**Councillor Sean Macken (Chairperson)****Councillors – Margaret Deftereos, Sonia Fenton and Greg Waters**

At the commencement of business at 6.32 pm those present were:-

Councillors - Deftereos, Fenton, Macken and Waters.

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

That the Report of the Finance Committee of its meeting of 18 March 1998, be received and the recommendations set out below for Items 1 to 10, inclusive, be adopted.

Carried.

GENERAL MANAGER

1.

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

That arising from consideration of a report by the Director Health and Community Services dated 9 March 1998, confirmatory approval be given to the motor vehicles' use costs, as listed in the abovementioned report, being treated as donations and charged against Section 356 of the Local Government Act (1993).

Carried.

2.

LEGAL - LOCAL GOVERNMENT ACT 1993 - SECTION NO. 611 - APPLICATION (2017361)

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

That arising from consideration of a report by the Director of Finance dated 2 March 1998, it be resolved that:-

- (1) Council include a Section 611 of the Local Government Act, 1993, charge of \$500/km underground and \$1,000/km aboveground in the 1998/99 Fees and Charges based on the formula advised by the Local Government Association;
- (2) Council await the outcome of the discussions between Telstra and the Local Government Association of NSW before reviewing its position in regard to its application of Section 611 of the Local Government Act, 1993.

Carried.

3.

DONATIONS - REGINALD MURPHY HALL - REQUEST FOR FREE USE - CLOVER MOORE, MEMBER FOR BLIGH (2017364)

That the application submitted by Clover Moore, Member for Bligh, for the free use of the Reginald Murphy Hall on 30 March 1998 for the purpose of holding a public meeting, be refused.

Carried.

4.

DOMAIN CAR PARK - PARKING CONCESSION REQUEST - FRIENDS OF ROYAL BOTANIC GARDENS (2005208)

That arising from consideration of a report by the Director of Corporate Services dated 5 March 1998, approval be given to the Friends of Royal Botanic Gardens Sydney Inc. for concession weekday parking at the Domain Car Park at a flat rate of \$8 for a 12 month period.

Carried.

5.

FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - JANUARY 1998 (2017376)

That arising from consideration of a report by the Director of Finance dated 9 March 1998, approval be given to the confirmation of the payment of the accounts totaling \$10,665,153.34, as detailed in the Summary of Warrants for the Month of January 1998.

Carried.

6.

FINANCE - ACCOUNTS - RECONCILIATION WITH BANK STATEMENTS FOR PERIOD ENDED 30 JANUARY 1998 (A52-00240)

That the report of the Director of Finance dated 10 March 1998, certifying to the Bank Reconciliation of Council's various Cash Books, be received and noted.

Carried.

7.

ADMINISTRATION - DEPARTMENTS - PUBLIC WORKS AND SERVICES DONATIONS - QUARTERLY REPORT, OCTOBER TO DECEMBER 1997 (2003030)

That arising from consideration of a report by the Director of Public Works and Services dated 4 March 1998, approval be given under the provisions of Section 356 of the Local Government Act, 1993, to donations in the form of plants and landscape materials to the value of \$595.50 to various local bodies situated within the South Sydney area as detailed in the report for the three month period ending 31 December 1997, and that the expenditure involved be added to the 1997/98 Revenue Estimates (Account Code LFN).

Carried.

8.

FINANCE - ACCOUNTS - INVESTMENTS - MONTHLY REPORT, PERIOD ENDING 27 FEBRUARY 1998 (2015594)

That the Investment Report of the Director of Finance dated 10 March 1998, be received and noted.

Carried.

9.

STREETS - BOTANY LANE, ALEXANDRIA - PROPOSED CLOSURE AND SALE OF PART (2017531)

That arising from consideration of a report by the Director of Public Works and Services dated 5 March 1998, approval be given for advertising and action to be taken for the proposed closure and sale of part of Botany Lane, Alexandria as shown stippled on Plan No. S6-280/240 in accordance with the revised policy for the proposed closure and sale or lease of lane ways and sale of vacant Council owned land as adopted by Council on 12 June 1996.

Carried.

10.

STREETS - NAMING - CLEMENT STREET, EAST OF WARATAH STREET, TO CLEMENT PLACE (2017131)

That arising from consideration of a report by the Director of Public Works and Services dated 12 March 1998, approval be given to:-

- (1) the renaming of part of Clement Street, east of Waratah Street, Rushcutters Bay as Clement Place;
- (2) replace the existing Clement Street nameplate with Clement Place;
- (3) advertising and Gazetting the new name and notification of relevant authorities made under the policy adopted on 14 February 1996.

Carried.

The Finance Committee Meeting terminated at 6.42 p.m.

REPORT OF THE FINANCE COMMITTEE (CONFIDENTIAL MATTERS)

WEDNESDAY, 18 MARCH 1998 AT 6.43 PM

The Committee to resolve that the press and the public be excluded from the meeting of the Finance Committee during consideration of the undermentioned Items, and further, access to correspondence and reports being withheld in respect of such Items because in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

The reasons for the press and public being excluded from the abovementioned Items are as follows, namely:-

Items 1,2,3,4 - Leasing Matters

Item 5 - Personnel Matter

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

That the Report of the Finance Committee (Confidential Matters) of its meeting of 18 March 1998, be received and the recommendations set out below for Items 1 to 5, inclusive, be adopted.

Carried.

1.

DONATIONS - PADDINGTON TOWN HALL - REQUEST FOR FREE USE - PADDINGTON PUBLIC SCHOOL (2010531)

That approval be given under the provisions of Section 356 of the Local Government Act, 1993, to the payment of a subsidy to the Paddington Public School in the amount of \$2,550 toward the cost of hiring the Paddington Town Hall on Wednesday, 2 December 1998, from 9.00 a.m. to 3.00 p.m. for the purpose of providing a speech day and infants pageant.

(DCS Report 4.3.98)

Carried.

2.

FINANCE - OUTSTANDING DEBTS - RENTS AND SUNDRIES AT 31 DECEMBER 1997 (2005599)

That the report by the Director of Finance dated 25 February 1998, detailing outstanding sundry and rent debts at 31 December 1997, be received and noted.

Carried.

3.

OXFORD STREET, NO. 94, DARLINGHURST, BASEMENT - CLAIM FOR COSTS (L52-00112)

That arising from consideration of a report by the Director of Corporate Services dated 6 March 1998, approval be given for Council to pay the Go-Go Espresso Bar the amount of \$1,171, being costs incurred during the closing of their business for 2 days whilst Council rectified the broken sewerage vent pipe and associated work, being full costs, and this payment is on the basis that no additional claim is to be submitted or considered by Council regarding this particular work.

Carried.

4.

LEASING - COMMERCIAL PROPERTIES - QUARTERLY SUMMARY REPORT - OCTOBER TO DECEMBER , 1997 INCOME, EXPENDITURE AND PROFITABILITY (P56-00385)

That the Quarterly Report on Income, Expenditure and Profitability for the period 1 October 1997 to 31 December 1997, on Council's Commercial properties, be received and noted.

(DCS Report 9.3.98)

Carried.

5.

PERSONNEL - EMPLOYMENT - ONE YEAR ABORIGINAL TRAINEESHIP (G52-00059)

(A) That option A be approved as detailed in the joint report by the Director of Employment Services and the Director of Public Works and Services dated 10 March 1998.

- (B) Funds are presently available until the end of this financial year from savings recognised within the Public Works and Services budget 1997/98.
- (C) No provision has been made in the 1998/99 budget and funds will need to be included within the Public Works and Services 1998/99 Budget currently under consideration.

Carried.

The Finance Confidential Meeting terminated at 6.51 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

18 March, 1998

PRESENT

Councillor Sonia Fenton (Chairperson)

Councillors – Margaret Deftereos, Sean Macken, Greg Waters.

At the commencement of business at 6.52 pm those present were -

Councillors:- Deftereos, Fenton, Macken and Waters.

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

That the Report of the Community Services Committee of its meeting of 18 March 1998, be received and the recommendations set out below for Items 1 to 3, inclusive, be adopted.

Carried.

The Committee **recommended** the following:-

1.

COMMUNITY SERVICES - LOCAL ETHNIC AFFAIRS POLICY STATEMENT (LEAPS) (2010935)

That arising from consideration of a report by the Director of Health and Community Services dated 12 March 1998, it be resolved that:-

GENERAL MANAGER

- (1) Council adopts the Local Ethnic Affairs Policy Statement with the changes originating from the submissions, as endorsed by Council's Multicultural Advisory Committee;
- (2) Council vote funds of \$ 10,000 for the initial implementation of the LEAPS Action Plan in the last quarter of 1997/98 financial year;
- (3) the policy is reviewed annually, and the action plan in particular, to ensure that the document is responsive to the community needs;
- (4) implementation of the LEAPS within each Department becomes a performance indicator for the Directors.

Carried.

2.

HEALTH - ENVIRONMENTAL EDUCATION - REVERSE GARBAGE CO-OPERATIVE - ENGAGEMENT (2016342)

That arising from consideration of a joint report by the Director of Health and Community Services and the Director of Public Works and Services dated 11 March 1998, approval be given to the engagement of Reverse Garbage Co-operative (total cost of \$17,520) to conduct workshops with up to six local schools to promote a greater environmental awareness, for which funds are available from the Health and Community Services Department (\$10,000 KPA 0015 77FO) and Public Works and Services Department (\$10,000 DHB 77FO) Account Codes.

Carried.

3.

HEALTH - TOTAL CATCHMENT MANAGEMENT - NOMINATIONS FOR CATCHMENT MANAGEMENT COMMITTEES (5275171)

That arising from consideration of a report by the Director of Health and Community Services dated 16 March 1998, it be resolved that Councillor Sonia Fenton be nominated for the Port Jackson Catchment Management Committee and Councillor Jill Lay be nominated for the Eastern Suburbs-Botany Bay Catchment Management Committee.

Carried.

The Community Services Committee Meeting terminated at 6.58 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

18 March 1998

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

At the commencement of business at 6.39 pm, those present were -

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

That the Report of the Planning and Development Committee of its meeting of 18 March 1998, be received and the recommendations set out below for Items 1, 3, 4, 7, 8, 10, 11, 13, 15 to 17, inclusive, and 20, be adopted. The recommendations for Items 2, 5, 6, 9, 12, 14, 18, 19, 21 and 22 having been dealt with as shown immediately following such Items.

Carried.

1.

SURREY STREET, NO.92, DARLINGHURST - UNAUTHORISED ROLLER DOOR AND NEW LATTICE SCREEN AND BRICK FENCE WALL AT THE REAR OF THE PROPERTY - BUILDING APPLICATION (Q97-00934)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Verite Productions for permission to erect a lattice screen above the roller door and a 2.1m length of brick fence wall along the northern boundary at the rear of the abovementioned premises (excluding the existing roller door), all in accordance with the unnumbered plan dated 15 October 1997, subject to the following conditions, namely:-
- (1) That the lattice work in front of the existing roller door shall not be higher than the top of the roller door;
 - (2) That the lattice work and masonry wall (including foundation) shall be constructed within the boundaries of the allotment;
 - (3) That the hours and days during which building work may be carried out shall be restricted to between 7.00 am and 5.00 pm Mondays to Fridays and 7.00 am and 3.00 pm Saturdays with no work being carried out on Sundays or public holidays;
- (B) That with regard to the unauthorised roller door and supporting structure Council as the responsible authority issue an order pursuant to Section

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124.5 (g) of the Local Government Act 1993 on the owners of the premises to:-

- (1) Provide a structural certificate from a practising structural engineer registered with the Council as to the structural adequacy of the existing roller door;
- (C) That Council write to the owners warning them that in future if works are carried out without first obtaining approval, Council will enforce its full powers given under the Local Government Act.
- (D) That subject to compliance with (A) and (B) above Council take no further action with regards to the unauthorised work.
- (E) That the persons who made representations to Council shall be notified of Council's decision.

Carried.

2.

RAILWAY PARADE NO.79, ERSKINEVILLE - RECTIFICATION OF AN UNAUTHORISED LATTICE ON TOP OF THE BRICK FENCE - BUILDING APPLICATION (Q95-00775)

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

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That Council take no further action with respect to the unauthorised lattice at No. 79 Railway Parade, Erskineville.

Carried.

3.

CLEVELAND STREET, NO.465, REDFERN - CONSTRUCTION OF NEW DWELLING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00698)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr J Tomaras, with the authority of Diff Pty Ltd, for permission to erect a second dwelling in 2 storey construction with a garage at the rear of the site, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans reference DA001;
- (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.

Contribution Category	Amount	Account
Open Space Land Acquisition	\$3,159	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$ 946	2E97002.BGYO
Accessibility And Transport	\$ 12	2E97006.BGYO
Management	\$ 48	2E97007.BGYO
Total	\$4,165	

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;
 CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
 CPI₁ 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

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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 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.

- (1) That the proposal shall be amended to the satisfaction of the Director of Planning and Building to incorporate:
 - (a) the front elevation to Little Cleveland Street to include solid fin walls and a parapet element built out to the property boundary;

(b) the rear facing windows to be reduced in size to one or two vertically proportioned windows;

- details to be submitted in the Building Application.

and the following adopted standard conditions:

- (2) LDA12 - Applicant to liaise with Sydney Water;
- (3) LDA152 - Schedule of finishes;
- (4) LDA153 - Reflectivity of external glazing;
- (5) LDA155 - Windows and doors to be of timber joinery;
- (6) LDA158 - Treatment of exposed walls;
- (7) LDA351 - Building Application required;
- (8) LDA366 - Liaise with Natural Gas Company;
- (9) LDA367 - Timing device on alarms;
- (10) LDA368 - Display of street numbers;
- (11) LDA369 - Allocation of street numbers;
- (12) LDA376 - Hours of building work;
- (13) LDA377 - Construction noise regulation;
- (14) LDA384 - New alignment levels;
- (15) LDA386 - Road Opening Permit;
- (16) LDA389 - Stormwater disposal requirements;
- (17) LDA391 - Builder's Hoarding Permits;
- (18) LDA392 - No obstruction to public way;
- (19) LDA393 - Delivery of refuse skips;
- (20) hsc500 - Premises to be ventilated;
- (21) hsc800 - Use of appliances emitting intrusive noise.

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

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

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

Carried.

4.

PLANNING - PROHIBITION OF AMUSEMENT PARLOURS IN KING STREET, NEWTOWN (2001802)

- (1) That Council take no action at this time to extend the prohibition of amusement centres to King Street, Newtown.
- (2) That this situation be reviewed in the event that evidence is submitted to Council linking anti gay and lesbian violence with amusement centres in the area.
- (3) That the issue be reconsidered as an amendment to the LEP when it is gazetted together with similar amendments for Kings Cross,

(DPB Report 11.3.98)

Carried.

5.

QUEEN STREET, NO.101, BEACONSFIELD - CONVERT EXISTING COMMERCIAL BUILDING INTO 17 UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-01080)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

- (A) That it is advised that Council is satisfied that the State Environmental Planning Policy No.1 objections against the development standards relating to the maximum height limit and the maximum floor space ratio within Local Environmental Plan No.114 are well founded and compliance is therefore unnecessary and unreasonable for the following reasons:

- (1) That the proposed height and bulk of the proposal are acceptable in relation to the existing building and surrounding development;
 - (2) That the additional bulk and height will not result in any significant adverse environmental impacts,
- (B) That the Council as the responsible authority grants its consent to the development application submitted by Mr P. Giutronich, with the authority of Estoril Pty Ltd, for permission to carry out alterations and additions including the conversion of the existing building into 17 residential units, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered DA1A-14A dated 19 November, 1997;
 - (2) That this consent shall lapse after a period of two years from the date this consent becomes effective, unless the development to which it relates is commenced;
 - (3) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
 - (4) (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.

Contribution Category	Amount	Account
Open Space Land Acquisition	\$29,211	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$ 8,561	2E97002.BGYO
Accessibility And Transport	\$ 103	2E97006.BGYO
Management	\$ 375	2E97007.BGYO
Total	\$38,250	

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;
CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
CPI₁ 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.

- (5) 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;
- (6) That all planter boxes to balconies in the eastern elevation shall have a minimum height of 1.0m above finished floor level and a minimum width of 1500mm at ground level, 1200mm at first floor level and 900mm at second floor level;
- (7) That planter boxes within the parapets of the upper level along the northern and southern boundaries shall be provided, with a minimum width of 800mm;
- (8) That one additional mature tree shall be provided, at the applicant's full expense, of a species consistent with Council's Draft Street Tree Masterplan, within the footpath to Queen Street (to be provided together with a new footpath and removal of the former driveway, prior to issuing a final linen plan for subdivision);
- (9) That the northern and southern side walls shall be articulated to break up its visual bulk, details being to the satisfaction of the Director of Planning and Building with the Building Application;

- (10) That the 16 car spaces shall be allocated on the basis of 3 for visitors (together, near the entrance), and the remaining 13 for residents, with no more than one space being allocated per unit;
- (11) That the car parking area shall be accessible for visitors by use of an intercom, installed at the entrance to the basement car park, wired to each of the units;
- (12) That the premises shall be ventilated in accordance with the requirements of AS 1668.2 – 1991, Section 4;
- (13) That plans and specifications showing details of:-
 - (a) all proposed mechanical ventilation systems;
 - (b) car park ventilation systems;
 - (c) the garbage room;

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

and the following adopted standard conditions:

- (14) LDA152 - Schedule of finishes;
- (15) LDA351 - Building Application required;
- (16) LDA367 - Timing device on alarms;
- (17) LDA368 - Display of street numbers;
- (18) LDA376 - Hours of building work;
- (19) LDA377 - Construction noise regulation;
- (20) LDA387 - Footway crossings;
- (21) LDA389 - Stormwater disposal requirements;
- (22) LDA391 - Builder's Hoarding Permits;
- (23) LDA392 - No obstruction to public way;
- (24) LDA393 - Delivery of refuse skips;
- (25) LDA396 - Works within boundaries;
- (26) hsc500 - Premises to be ventilated;

- (27) hsc700 - Compliance with code for Garbage Handling System;
- (28) hsc800 - Use of appliances emitting intrusive noise.

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

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

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

Carried.

6.

STANLEY STREET, NO.64, DARLINGHURST - ALTERATIONS AND ADDITIONS TO LORD ROBERTS HOTEL - CHANGE OF USE OF 1ST AND 2ND FLOORS AND EXTENSIONS OF TRADING HOURS - DEVELOPMENT APPLICATION (U97-00702)

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 that part of the application submitted by Susan Fuller Architects with the authority of Mr J Jones, for permission to carry out alterations and convert the existing first and second floor residential levels of the Lord Roberts Hotel for use in conjunction with the ground level hotel area and as ancillary office space, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with Project 9711 Drawing A02 to A07 inclusive all dated 15 June, 1997;
 - (2) That the proposed fenestration on the western elevation beer garden wall shall be amended to include a maximum of three vertically proportioned windows to match those on the first and second floor level and that the windows be separated by masonry

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

- (3) That the pressed metal ceilings, existing fire places and detailing to the walls on the ground floor front bar area be retained;
- (4) That the use of the second floor offices and storage area shall remain ancillary to the use of the premises as a hotel;
- (5) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (6) That the construction and fitout of the bar area shall comply with the National Code for the Construction and Fitout of Food Premises;
- (7) That plans and specifications showing details of the bar area shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (8) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;

-and the following adopted standard conditions:-

- (9) LDA351 - Building Application required;
 - (10) LDA157 - Provide details of heritage colour scheme;
 - (11) LDA376 - Hours of building work;
 - (12) LDA384 - New alignment levels;
 - (13) LDA392 - No obstruction to public way;
 - (14) LDA393 - Delivery of refuse skips;
 - (15) LDA396 - Works within boundaries;
 - (16) LDA398 - Road dedication.
- (B) That the Council refuses to grant its consent to that part of the application relating to the proposed extension of trading hours for the following reasons:-
- (1) That the proposed extension of the hours of operation beyond 12

midnight and up to 12.45 a.m. on Saturday and Sunday morning will adversely impact on the residential amenity of the neighbourhood in terms of noise nuisance;

- (2) That approval of the extension of hours would set an undesirable precedent.
- (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 portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
 - (2) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
 - (3) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
 - (4) 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;
 - (5) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
 - (6) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
 - (7) That the existing stairway shall be fire isolated and redesigned to discharge to the road or open space;
 - (8) 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. It should be noted that the requirement for this system to be connected directly to the Fire Brigade may be deleted and that a permanent notice shall be affixed adjacent to the main alarm panel and any sub-panels which may be located on each floor stating "This alarm is not connected to the N.S.W. Fire Brigades. In the event of fire ring 000".
- (D) That the persons who made representations with respect to the proposal, be advised by Council's decision.

It was moved as an amendment by Councillor Fenton, that the extension of hours beyond 12.00 midnight be for a trial period of 12 months.

Amendment lapsed for want of seconder.

Motion carried.

7.

ASQUITH AVENUE, NO.20, ROSEBERY - DEMOLISH GARAGE AND ERECT NEW GARAGE AND GRANNY'S FLAT - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U88-00049)

That the Council as the responsible authority grants its consent to the application submitted by J. Owen for permission to erect a new garage and granny's flat to the rear of the existing dwelling, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans submitted on 21 January 1998;
- (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.

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

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.

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

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where:

C is the original contribution amount as shown above;
CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment;
and
CPI₁ 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.

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 one additional parking space making a total provision of two spaces for the site off-street car parking spaces shall be provided and, except where 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. The additional parking space shall be provided behind the front alignment of the dwelling to Asquith Avenue;
- (4) That if either of the dwellings are occupied by unrelated persons the parking layout shall be altered such that there is unimpeded access to both car parking spaces;
- (5) That the external wall adjacent to the western boundary shall be set back a minimum of 900mm and comply fully with the requirements of Clause 3.7.1 of the Building Code of Australia Housing Provisions;
- (6) That a paling fence of 1800mm in height shall be built on the western boundary of the proposed second dwelling;

-and the following adopted standard conditions:

- (7) LDA351 - Building Application required;
- (8) BC529 - Smoke alarm systems;
- (9) BC26 - Comply with BCA;
- (10) LDA376 - Hours of building work;
- (11) LDA377 - Construction noise regulation;
- (12) LDA389 - Stormwater disposal requirements;
- (13) LDA392 - No obstruction to public way;
- (14) LDA396 - Works within boundaries.

Carried.

8.

MITCHELL ROAD, NO.276, ALEXANDRIA - CONVERSION OF STOREROOM OF EXISTING TAKE-AWAY TO CAFE WITH SEATING - DEVELOPMENT APPLICATION (U97-01200)

That the application submitted by Mr Simon Zhu, with the authority of Hughes Cleaning Services Pty Ltd for permission to operate a café from the existing storeroom associated with the take-away be deferred to the next Planning and Development Committee to be held on 1 April 1998.

Carried.

9.

CAMPBELL STREET, NOS. 145-151, SURRY HILLS - RESIDENTIAL FLAT BUILDING SECTION 102 - DEVELOPMENT APPLICATION (U97-00521)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Waters:-

(A) That pursuant to Section 102 of the Environmental Planning and Assessment Act, 1979, the Council's resolution of 26 November 1997 be amended by:-

(a) the deletion of the description of the proposed development and the substitution of the following description:-

“The development application submitted by David Emerson Architects with the authority of Teller Stocks Pty Ltd for permission to erect a building containing 24 flats and commercial tenancy.”

(b) the deletion of conditions (1) (3) and (18) and the substitution of the following new conditions:

(1) That the development shall be generally in accordance with plans DA01 to 07, all marked Issue No. 1 and dated 12 December 1997.

(3) 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.

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Contribution Category	Amount	Account
Open Space Land Acquisition	\$50,759	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$15,166	2E97002.BGYO
Accessibility And Transport	\$ 192	2E97006.BGYO
Management	\$ 766	2E97007.BGYO
Total	\$66,883	

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;
CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
CPI₁ 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.

-and also condition (18) and Part (B):

- (18) That the roof height of the building on Little Riley Street and Goodchap Street elevations shall be reduced by a minimum of 1 metre and the building to Goodchap Street be set back by one metre to the satisfaction of the Director of Planning and Building.

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

Carried.

10.

CROWN STREET, NOS. 238, DARLINGHURST - INTERNAL RENOVATIONS TO REAR OF GROUND LEVEL - DEVELOPMENT APPLICATION (U97-01099)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by J.L. Brooks with the authority of J and L Brookes and Jeff Jarvis Investments to convert the rear of an existing building into a residential flat, for the following reasons, namely:-
- (1) That the lighting and ventilation do not appear to be adequate in terms of the BCA and are inadequate to provide a reasonable amenity for residents;
 - (2) That the provision of a window on the southern boundary would adversely affect the privacy of the adjoining property;
 - (3) That no open space is or can be provided for the residential unit;
 - (4) That approval would make impossible the use of the rear of the site for loading in conjunction with any business use of the remainder of the premises.
- (B) That the applicant be advised that the Council regards the premises as not having any current development consent and requires that it should not be used for any purpose unless it has been made to comply with the requirements of the BCA.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

11.

VICTORIA STREET, NOS. 247-247B, DARLINGHURST - ALTERATIONS AND ADDITIONS TO EXISTING BUILDING - DEVELOPMENT APPLICATION (U97-01007)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by I B Kaldor to use the whole of the existing building as a restaurant including the construction of projecting decks with seating above the footpath, for the following reasons, namely:-

- (1) That the construction of load carrying decks of the nature proposed above the public way are inappropriate especially an on approach to traffic lights.
 - (2) That the width of the proposed decks is considered to be excessive and out of character with the existing building and streetscape.
 - (3) That the use of the decks and the smoking area would be likely to create a noise nuisance which would effect the amenity of local residents.
 - (4) That the proposal would involve a loss of residential accommodation contrary to the objectives of the current and proposed zoning. In this regard the proposal in contrary to Clause 13 of LEP 101 which limits the amount of non-residential floor space to 50% of the maximum floor space ratio, and compliance is not considered unreasonable or unnecessary.
 - (5) That the proposal would generate a demand for increase parking which can not be satisfied on-site or in the vicinity.
 - (6) That the expansion of a refreshment room to occupy the whole building is contrary to the current and proposed planning intent for the area.
 - (7) That given the circumstances of the case the proposal is not considered to 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.

OXFORD STREET, NO.42, DARLINGHURST - CHANGE OF USE TO GAMING PREMISES - DEVELOPMENT APPLICATION (U97-01179)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Waters:-

- (A) That the Council as the responsible authority refuses its consent to an application submitted by KGB Design and Construction Pty Ltd, with the authority of Estate Enterprises and J D Glick to use an existing shop as licensed gambling premises, for the following reasons, namely:-

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- (1) That the proposal is not ancillary to the Exchange Hotel being neither within it, contiguous with it, identifiable with it or consistent with its approved hours of operation;
- (2) That the introduction of a street level gambling establishment into Oxford Street could increase levels of on-street violence and harassment and should be regarded as comparable in nature to an amusement parlor;
- (3) That 24 hour operation is inconsistent with the proximity of the site to a residential area;
- (4) That an on-street gambling establishment is inappropriate to the established character of Oxford Street;
- (5) That approval in the circumstances would not be in the public interest;
- (6) That the appearance of the premises when viewed from Oxford Street would detract from the retail streetscape of Oxford Street by the enclosure of the shopfront through the use of frosted vinyl and promotional sign boxes.

-and that Council's Solicitors defend the appeal on these grounds and any such other grounds as they consider appropriate.

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

Carried.

13.

PLANNING - SECTION 94 CONTRIBUTION PLAN - STAGED REVIEW - COMMUNITY FACILITIES AND CHILDCARE - STATISTICAL SUPPORT INFORMATION AND ANALYSIS - CONSULTANCY (2014340)

That:-

- (1) approval be given to seek quotes from suitably qualified consultants to carry out the data collection, survey design and execution, analysis and recommendation work required to support the review of Council's Section 94 Contributions Plan for Community Facilities including Childcare as per the attached brief; and
- (2) a further report be submitted to Council regarding the appointment of a consultant and to allocate and apportion the budget.

(DPB Report 12.3.98)

Carried.

14.

LAWRENCE STREET, NOS. 194-218, ALEXANDRIA - CONSTRUCT 34 X 2 BEDROOM UNITS, 10 X 1 BEDROOM UNITS AND 1 RETAIL TENANCY

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fowler :-

That the application submitted by Max Sgammotta Architects, with the authority of A & J Investments Pty Ltd, for permission to demolish the existing buildings and erect a new building containing 44 residential units, one retail tenancy and 38 parking spaces, be deferred for further discussions with the applicant, Council staff and residents.

Carried.

15.

ROSLYN STREET, NOS. 5-9A, POTTS POINT - APPLICATION FOR ENTERTAINMENT LICENSE - DEVELOPMENT APPLICATION (U97-00835)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Panvena P/L, with the authority of J. Zangerl and B. Rosenberg, for permission to extend the trading hours and entertainment at the abovementioned premises, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans Nos. DA01-DA03 dated 13 June, 1997;
 - (2) That this consent is limited for a period of 12 months only from the date of commencement. (The applicant is advised that a further application may be lodged before the expiration of this consent for Council's consideration of its continuation);
 - (3) That the hours of operation shall be between 10.00 a.m. and 6.00 a.m. the next day, seven days per week;
 - (4) That the owner and licensee of the premises shall sign on as members of the Kings Cross Licensing Accord;
 - (5) That the outside of the premises shall be kept in a clean, tidy and presentable condition at all times;
 - (6) That the security arrangements for the premises shall be finalised to the satisfaction of the Local Area Commander, Kings Cross Police Patrol within one month of commencement;

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- (7) That trade waste arrangements for the premises shall be finalised to the satisfaction of Council's Director of Public Works and Services;
- (8) That any future changes to the trade waste arrangements for the premises shall be approved in writing by the Director of Public Works and Services, South Sydney Council, prior to implementation;
- (9) That the applicant shall ensure that at all times, Council has a copy of the current trade waste contract which includes contact details for the trade waste company as well as details of the services being provided (ie: the number of times the service will be provided on a weekly basis, which days the service is to be provided, from what specific location and at what times the pick up will be);
- (10) That entertainment shall be limited to one or two person bands only. Further, a dance floor shall not be provided on the premises;
- (11) That prior to commencement of the use, the applicant shall submit a report by an acoustic expert to show how it is proposed to comply with Council's Noise Regulation prior to commencement of entertainment and extended hours;
- (12) That no dancing shall be conducted on the premises and the upper level shall be utilised as a lounge bar in conjunction with the ground floor restaurant;

-and the following adopted standard conditions:

- (13) LDA201 - Make separate application for sign;
- (14) LDA257 - Regulation of noise transmissions;
- (14) LDA379 - Spruikers not permitted;
- (15) hsc801 - Noise from premises;
- (16) 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.

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- (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 an additional exit stairway shall be provided to the first floor area which shall discharge directly to the street;
- and the following adopted standard conditions:
- (2) BC501 - Fire extinguisher;
 - (3) BC503 - Fire blanket;
 - (4) BC310 - Protection of external openings;
 - (5) BC524 - Emergency lighting;
 - (6) BC525 - Exit signs;
 - (7) BC984 - Sprinkler system;
 - (8) BC806 - No entertainment;
 - (9) BC426 - Exit doors, shutters and grilles;
 - (10) BC420 - Construction of stairways and ramps.
- (C) That those persons who made representations in respect of the proposal be advised of Council's decision.

At the request of Councillor Fenton, and by consent, the motion was amended by the addition of a condition (A)(17) to the recommendation, namely:-

- (A)(17) That the exterior of the premises both front and rear to be repaired and repainted to the satisfaction of the Director of Planning and Building.

Motion, as amended by consent, carried.

16.

PLUNKETT STREET, NOS. 1-7, WOOLLOOMOOLOO - FITOUT AND ESTABLISH A COUNCIL'S WORK DEPOT - DEVELOPMENT APPLICATION (U98-00043)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Roads & Traffic Authority and South Sydney City Council, for the conversion of an existing building to a Council Works Depot, with incorporation of the residue after road works of the existing depot, subject to the following conditions, namely:-

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- (1) That the development shall be generally in accordance with plans E3-444-4.1 to 5 dated 15 January 1998;
- (2) That the windows and glass blocks to be removed from the Plunkett Street façade to allow for the fitting of roller doors shall be removed intact and with care and shall be stored for possible future incorporation in the building;
- (3) That the building shall be painted in an appropriate heritage colour of its era to the satisfaction of the Director of Planning and Building;
- (4) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (5) 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;
- (6) That details of the exact name, quantity, location, method of storage and packaging of any material covered by the Dangerous Goods Act, 1975, whether licensed under that Act or not, shall be submitted to the Work Cover Authority and approval of those details obtained before any associated work is commenced;
- (7) That oil solvent and waste liquid storage areas shall be bounded and constructed in accordance with Environment Protection Authority guidelines;
- (8) That all work and storage areas where spillages are likely to occur shall be bunded. The size of the area to be bunded shall be calculated as being equal to 110% of the largest container stored or 10% of the total volume of containers, whichever is the greater. All graded areas shall be graded to a sump to facilitate emptying and cleaning. Full details shall be included with the Building Application;
- (9) 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;
- (10) That all car washing, engine degreasing and steam cleaning shall be carried out in a wash bay which is graded and drained to the sewer in accordance with the requirements of Sydney Water;

- (11) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (12) That plans and specifications showing details of:
 - (a) all required ventilation systems;
 - (b) all liquid storage areas;
 - (c) the garbage room;

-shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (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;
- (14) That only clean and unpolluted water shall be permitted to discharge from the subject development to Council's stormwater drainage system;
- (15) That a system of "on-site" detention of stormwater shall be provided and the rate of discharge of stormwater from the site limited, to a rate set by the Director of Public Works and Services;
- (16) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;
- (17) 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;
- (18) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";

- (19) That an application shall be made 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;
- (20) That an application shall be made to the Director of Public Works and Services for the provision and to meet the cost of the necessary vehicular footway crossings and bear the cost of the reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;
- (21) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (22) 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;
- (23) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (24) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (25) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the Council;
- (26) That all proposed work shall be wholly within the boundaries of the subject site;
- (27) That alignment levels shall be obtained before commencement of work;
- (28) That stormwater disposal shall be to standard Council's requirements;
- (29) That hoarding and fencing shall be secured so as not to encroach unnecessarily onto the public way;
- (30) That the appropriate permits shall be obtained for road opening, temporary footway crossing, cranes, hoardings and construction zones prior to commencement of work;
- (31) That street trees shall be provided in accordance with the Council's Street Trees masterplan. This may involve aerial bundling of wires;

- (32) That a landscape plan and specification for the site prepared by a qualified Landscape Architect or designer shall be submitted to the Director of Public Works and Services for approval with the Building Application. The plan shall nominate hard works and soft works including decorative paving types, retaining walls, garden bed edging, furniture, pergolas and fencing, existing and proposed critical levels, drainage, planting types and species, plant numbers and sizes (container size and height) and irrigation. Minimum plant sizes shall be 75 litres for trees and 5 litres for shrubs;
 - (33) That trees shall be planted within the car park at a minimum rate of 1 tree per 10 car parking spaces for double rows of planting and 1 tree per 5 spaces for single rows of parking and around the perimeter and in accordance with Council's Transport Guidelines for Development DCP No.11 (1996);
 - (34) That the Parks Development Branch shall inspect the landscape works and the works shall be constructed in accordance with the plans approved with the Building Application;
 - (35) That any street frontage works (e.g. walling) shall be designed to complement the existing building.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

17.

CHALLIS AVENUE, NOS. 12-16, POTTS POINT - PROPOSED SIX STOREY MIXED DEVELOPMENT - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00965)

- (A) That the Council support the objection pursuant to State Environmental Planning Policy No. 1 to non compliance with Clause 11(1) of LEP 101 on the basis that compliance with the standard would be both unnecessary and unreasonable in the circumstances for the following reasons:-
 - (1) That the proposed excess floor space will not result in a development that will be inconsistent with the scale height and form of adjoining development;
- (B) That the Council as the responsible authority grants its consent to the application submitted by Challis on Macleay Pty Ltd, with the authority of Nowsco Holdings, for permission to erect a new six storey mixed use

development containing five units and ground and first floor retail/commercial space , subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans DA01 to DA04 inclusive all dated October, 1997 as amended by DA03 Revision A and DA04 Revision A both dated 3 March 1998;
- (2) That the development shall have a maximum floor space ratio as defined in LEP 101 and DCP 1997 of 3.16:1 and verification of compliance with that maximum being submitted with the building application to the satisfaction of the Director of Planning and Building;
- (3) (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.

Contribution Category	Amount	Account
Open Space Land Acquisition	\$ 6,594	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$ 2,522	2E97002.BGYO
Accessibility And Transport	\$ 29	2E97006.BGYO
Management	\$ 111	2E97007.BGYO
Total	\$9,256	

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;
CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and

CPI₁ 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.

- (4) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to the approval of the Building Application, for the approval of the Director of Planning and Building, in respect of the following:-
 - a) external walls
 - b) balustrade treatment
 - c) windows and doors
- (5) That a separate application shall be submitted at the appropriate time for the specific use of the retail/commercial tenancies;
- (6) That suitable landscaped screening shall be provided on the northern side of all the rear deck areas to the satisfaction of the Director of Planning and Building;
- (7) That provision shall be made for a bicycle storage facility to accommodate at least three bicycles in accordance with DCP 11;
- (8) 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, to an extension of one year);
- (9) 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;
- (10) That a management plan for the abatement of noise and the suppression of dust during excavation and building work shall be submitted to the Director of Planning and Building and approval obtained prior to commencement of any work on site;
- (11) That the construction of any proposed food premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;
- (12) That plans and specifications showing details of:-
 - a) all required mechanical ventilation systems;
 - b) the garbage room;

c) the recycling storage area;

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

- (13) That the proposed stairway shall be fire isolated and redesigned to comply fully with the requirements of Parts C and D of the BCA with specific attention directed to Clauses D1.7(a);
- (14) That the garbage room shall be separated from the stair shaft at ground floor level;
- (15) That apart from the entry awning, no other part of the building shall encroach over the Challis Avenue boundary;

and the following adopted standard conditions:

- (16) LDA351 - Building Application required;
- (17) LDA21 - No resident parking for residential flat developments;
- (18) LDA158 - Treatment of exposed walls;
- (19) LDA162 - Provide common aerial for each building;
- (20) LDA367 - Timing device on alarms;
- (21) LDA376 - Hours of building work;
- (22) LDA384 - New alignment levels;
- (23) LDA389 - Stormwater disposal requirements;
- (24) HSC500 - Premises to be ventilated;
- (25) HSC555 - Bathroom ventilation;
- (26) LDA21 - No resident parking for residential flat developments;
- (27) LDA251 - Clean and unpolluted water discharge;
- (28) LDA377 - Construction noise regulation;
- (29) LDA391 - Builder's Hoarding Permits;
- (30) LDA392 - No obstruction to public way;
- (31) LDA393 - Delivery of refuse skips;

- (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 the proposed stairway shall be fire-isolated and redesigned to comply fully with the requirements of Parts C and D of the BCA with specific attention directed to Clauses D.1.7(a)
 - (3) That the garbage room shall be separated from the stair shaft at ground floor level;
- and the following adopted standard conditions:
- (4) BC310 - Protection of external openings;
 - (5) BC420 - Construction of stairways and ramps;
 - (6) BC426 - Exit doors, shutters and grilles;
 - (7) BC501 - Fire extinguisher;
 - (8) BC507 - Hose reels;
 - (9) BC508 - Hydrants;
 - (10) BC524 - Emergency lighting;
 - (11) BC525 - Exit signs;
 - (12) BC528 - Fire detectors and alarm system;
 - (13) BC609 - Natural light and ventilation;
 - (14) BC611 - Ventilation of bathrooms/laundries;
 - (15) BC612 - Wall sound transmissions;
 - (16) BC614 - Floor sound transmissions;
 - (17) BC26 - Comply with BCA.
- (D) That the persons who made representations with respect of the proposal be advised of Council's decision.

Carried.

18.

ANTISOCIAL ACTIVITIES - NO LOITERING SIGNPOSTING IN SOUTH SYDNEY LOCAL GOVERNMENT AREA(2013719)

That Council write to:-

- (1) The NSW Police Minister requesting the NSW Government to amend the Summary Offences Act 1988 to:
 - (a) make the offence of soliciting for prostitution in designated areas applicable equally to sex workers and clients of sex workers;
 - (b) clarify and make explicit existing police powers to deal with soliciting and other illicit activities in designated areas;
- (2) The Premier's Council on Crime Prevention requesting that it considers ways of dealing with street crime in the Darlinghurst, Woolloomooloo, and King Cross, areas.
- (3) The NSW Commissioner of Police requesting that the relevant Police Community Safety Officers work with South Sydney Council to devise a strategy for enhancing safety and residential amenities in the Darlinghurst, Woolloomooloo and Kings Cross, areas.
- (4) That members of the NSW Police Service be given:
 - (a) powers to stop and search a person where there is reasonable suspicion that the person is in possession of a knife;
 - (b) powers to obtain a name and address and to move people on.

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

- (1) That the Council in conjunction with the relevant Police Community Safety Officers work with the community to prepare a set of Commissioners Guidelines on the policing of street prostitution in residential areas of Darlinghurst, Woolloomooloo and Kings Cross;
- (2) That if the establishment of no loitering zones is considered in the guidelines, Council must develop its own policy in relation to these zones and refer that policy in draft form to the relevant authorities (eg Anti Discrimination Board) for their consideration;
- (3) That Council writes to the NSW Police Minister requesting:

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- (a) that the NSW Government amend the Summary Offences Act 1988 to:
 - (1) make the offence of soliciting for prostitution in designated areas applicable equally to sex workers and clients of sex workers;
 - (2) clarify and make explicit existing police powers to deal with soliciting and other illicit activities in designated areas;
- (b) that the NSW Police Service:
 - (1) be given powers to stop and search a person where there is reasonable suspicion that the person is in possession of a knife;
 - (2) be given powers to obtain the name and address and to move on people.
- (4) That Council writes to the Premier's Council on Crime Prevention requesting that it consider ways of dealing with street crime in the Darlinghurst, Woolloomooloo and Kings Cross areas;
- (5) That Council write to the NSW Commissioner of Police requesting that the relevant Police Community Safety Officers work with South Sydney Council to devise a strategy for enhancing safety and residential amenity in the Darlinghurst, Woolloomooloo and Kings Cross areas.

At the request of Councillor Fowler, and by consent, the motion was further amended by the deletion of clause (5) and the insertion in lieu thereof of a new clause (5), namely:-

- (5) That Council write to the NSW Commissioner of Police requesting that the relevant Police Community Safety Officers work with South Sydney Council to establish a Community Safety Forum for a 12 month trial period to enhance safety and residential amenity in the Darlinghurst, Woolloomooloo and Kings Cross areas.

Motion, as amended by Councillors Harcourt and Fowler, carried.

At this stage, Councillor Harcourt read out the following statement in relation to the above matter:

I wish to clarify my situation in response to accusations that I may have a conflict of interest.

During an interview on radio station 2BL last week, Ms Jennifer James implied that she believes I have a conflict of interest when taking part in Council discussions on the regulation of the sex industry in the City of South Sydney, because I also sit on the Steering Committee of the Sex Workers Outreach Project (SWOP).

I would like to make it quite clear to the Council and residents that I have absolutely no conflict of interest in this regard.

SWOP is a government funded project under the auspice of the AIDS Council of New South Wales and is one of a number of projects introduced in the last decade to combat the spread of HIV/AIDS in the community. The Project was inaugurated in 1990 by the Greiner government and I have been an invited member of the Steering Committee since its inception, representing the Director of Sydney Sexual Health Centre located at Sydney Hospital. My position on the Steering Committee is in recognition of over 15 years of research into the public health outcomes of sex industry policy in this State. My research background has furnished me with a good deal of expertise in this area and in no way compromises my ability to make decisions based on evidence rather than prejudice. I need hardly add that my interest in the sex industry is purely academic.

19.

MOORE PARK ROAD, NO.408, PADDINGTON - BUILD ATTIC ROOM AND CARPORT - DEVELOPMENT APPLICATION (U97-00693)

- (A) That Council support the objection pursuant to State Environmental Planning Policy No.1, relating to the maximum height specified in IDO 22, accepting that the proposal does not constitute an increase in height as defined by IDO 22, but rather is the extension of an existing storey.
- (B) That the Council as the responsible authority refuses its consent to that part of the application lodged by Attic Roof Conversions with the consent of Mr. R Eid to erect a rear carport with access via Leinster Street, for the following reasons, namely:-
 - (1) That the proposal does not comply with the Local Government (Approval) Regulations 1993, Council's Local Approvals Policy and Council's DCP 1997 in relation to site coverage;
 - (2) That the proposed carport does not comply with either the Performance Criteria or Controls for private open space under the provisions of Council's DCP 1997 – Urban Design;
 - (3) That the proposed carport if approved would set an undesirable precedent for additional carports in Leinster Street which would not comply with the Local Government (Approval) Regulations

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1993, Council's Local Approvals Policy and Council's DCP 1997
– Urban Design;

- (C) That the Council as the responsible authority, grants its consent to that part of the application, submitted by Attic Roof Conversions with the consent of Mr R. Eid, for the construction of a rear skillion attic addition, subject to the following conditions, namely:-
- (1) That the development shall generally be in accordance with plans Drawing Nos. AO1 Revision A, dated April 1997;
 - (2) That the rear skillion attic addition be amended to comply with the South Sydney Development Control Plan 1997 – Urban Design for Attics. Amendments include the centring of the addition within the roof plane, relocating the new stairway within the main roof space, compliance with the minimum setbacks specified in DCP 1997 and adjustment of windows to be vertically proportioned. Details shall be submitted with the Building Application;
 - (3) That the rear skillion windows shall be constructed in timber joinery and the roof materials and colours shall match the existing to the satisfaction of the Director of Planning and Building;
- and the following adopted standard conditions:
- (4) LDA351 – Building Application required;
 - (5) LDA376 – Hours of Building work;
 - (6) LDA389 – Stormwater disposal requirements
 - (7) LDA392 – No obstruction to public way;
 - (8) LDA393 – Delivery of refuse skips;
 - (9) LDA396 – Works within boundaries;
 - (10) HSC800 - Use of appliances emitting intrusive noise;
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

20.

REGENT STREET, NO.34, REDFERN - ERECT 6 LEVELS OF RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-01130)

(A) That the Council resolves that the State Environmental Planning Policy No 1 objection against the development standards relating to floor space ratio in Clause 10 of Local Environmental Plan 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reasons:-

(1) That the increase in floor space is acceptable in terms of residential amenity impacts will not detract from the character of the existing streetscape in terms of bulk and scale;

(B) That the Council as the responsible authority grants its consent to the application, submitted by Terry Rauwenhoff Management Pty Ltd, with the authority of Hayek Property Group, for permission to demolish part of the existing buildings and to erect a residential flat, subject to the following conditions, namely:-

(1) That the development shall be generally in accordance with drawing Nos. ADA03 - ADA05, ADA06A-ADA08A, ADA10 - ADA13, ADA05A, ADA11B, ADA16A, ADA17 – ADA18;

(2) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced. (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);

(3) That the balcony balustraded be recessed back a minimum of 50mm from the main wall of the building to accentuated the vertical proportion of the façade;

(4) That the isolated fire passage to Regent Street be relocated to Regent Lane;

(5) (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.

Contribution Category	Amount	Account
Open Space Land Acquisition Open Space/Townscape/ Public Domain	\$ 83,210	2E97001.BGYO
Accessibility And Transport Management	\$ 24,904 \$ 323 \$ 1,267	2E97002.BGYO 2E97006.BGYO 2E97007.BGYO
Total	\$109,704	

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;
CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
CPI₁ 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.

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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.

- (6) That the existing shop structure situated on the side abutting the existing shop located on the corner between Lawson Square and Regent Street, shall be retained up to 12m in its entirety (this includes the facade, floor levels and roof form) to the satisfaction of the Director of Planning and Building;
- (7) That a maximum of 32 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (8) That a plan of the proposed works and implementation schedule are to be submitted to the Director of Planning and Building and Director of Public Works and Services for approval before commencement;

- (9) That a landscape plan and specification for the site shall be submitted for approval. The plan shall nominate hard works and soft works including decorative paving types, garden bed edging, fencing, existing and proposed critical levels, drainage, planting types and species, plant numbers and sizes (container size and height) and irrigation and or hose cock locations. Minimum plant sizes are to be 75 litres for trees and 5 litres for shrubs;
- (10) That construction details accompany the landscape plan and include details of any subsoil drainage where landscaping is provided on slab. Minimum soil depth shall be 1000mm for trees, 600mm for shrubs and 300mm for grass. These dimensions shall include 75 mm depth of mulch and a suitable waterproofing and drainage layer;
- (11) That the developer shall provide a maintenance schedule for all landscape works for the first 12 months;
- (12) That the developer shall provide 2 street trees in accordance with the Council's Street Tree Masterplan (1996). Trees shall be a minimum 75 litre in container size, 2.5 metres high, 75mm caliper and planted at 10 metre centres. Street trees are to be *Platanus x hybrida* commonly known as Plane trees are to be planted in the footway at Regent Street;
- (13) That in terms on civic improvements, the developer is required to provide decorative footway paving which is consistent with principles outlined in the Redfern Streetscape Stage 2 Masterplan - Lawson Square. Specific treatments consist of:-

Boarder paver – Pebblecrete PPX76 Tarana Granite 3000 x 300 x 60mm

Brick header boarder paver – Bowral London Chestnut 230 x 115 x 60mm

Brick infill pavers herringbone pattern – PGH Grantham Mix 230 x 115 x 60mm

Copies of this plan are available from the Landscape Section with the Public Works and Services Department.

All pavers are to be placed on 30mm sand/cement bed, where as boarder pavers are to be placed on a 75mm mortar bed. The paving base shall comprise a 75mm massed concrete base. Expansion joints should be placed every 5 metres in the footway.

- (14) That the developer is to ensure that paving treatments comply with conditions outlined in South Sydney City Council Engineer's conditions for decorative paving. All works are to be to the satisfaction of the Director of Public Works and Services;

- (15) That the developer is to arrange for a final inspection of the landscape works, with the Parks Development Branch to ensure that the works are constructed in accordance with the plans approved with the Building Application;
- (16) That where works are to be carried out in lieu of a S94 Contributions (i.e. streetscape) detailed plans, specifications and itemised costing of the works are to be submitted for approval with the Building Application;
- (17) That the garbage storage area must be large enough to accommodate 11 x 240 litre mobile garbage bins per domestic refuse (or alternative by a 2 cubic metre bin) and at least 4 additional (mob's) for recycling purposes;
- (18) That a separate garbage storage area for the shops and café shall be provided and removed by commercial contractor;
- (19) That 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;
- (20) That 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;
- (21) That you are advised that any requirements of Sydney Water for grease arrestors are to be complied with;
- (22) That the basement car park being ventilated in accordance with the requirements of AS 1668.2 – 1991 Section 4.4;
- (23) That the future proprietors of the commercial shops applicant shall enter into a commercial contract for the removal of trade waste;
- (24) That plans and specifications showing details of:-
 - (a) all required mechanical ventilation systems;
 - (b) car park ventilation systems;
 - (c) the garbage room;

- (d) 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;

- (25) That the developer shall include with the Building Application a plan detailing the Building Alignment Levels as approved by the Director of Public Works and Services. The developer shall apply and pay the fees for us to consider these levels;
- (26) That the developer must erect signs to the satisfaction of the Director of Public Works and Services, indicating the various types of vehicular entries and exits;
- (27) That 21 bicycle parking spaces shall be provided to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions:

- (28) LDA21 - No resident parking for residential flat developments;
- (29) LDA252 - Discharge to atmosphere to comply;
- (30) LDA376 - Hours of building work;
- (31) LDA384 - New alignment levels;
- (32) LDA387 - Footway crossings;
- (33) LDA389 - Stormwater disposal requirements;
- (34) LDA391 - Builder's Hoarding Permits;
- (35) LDA392 - No obstruction to public way;
- (36) LDA394 - Cost of alteration to signposting;
- (37) LDA396 - Works within boundaries;
- (38) LDA399 - Cost of consequential roadworks;
- (39) LDA414 - Costs for alterations to public services;
- (40) LDA29 - Provide sign indicating parking;
- (41) LDA151 - Schedule of finishes;
- (42) LDA153 - Reflectivity of external glazing;

- (43) LDA161 - Provide common television aerial;
- (44) LDA367 - Timing device on alarms;
- (45) LDA368 - Display of street numbers;
- (46) LDA373 - Disabled access provision;
- (47) LDA377 - Construction noise regulation;
- (48) LDA393 - Delivery of refuse skips;
- (49) LDA351 - Building Application required;
- (50) LDA396 - Works within boundaries;
- (51) hsc801 - Noise from premises;
- (52) hsc300 - Air handling systems for future food premises;
- (53) hsc018 - Sanitary facilities;
- (54) hsc500 - Premises to be ventilated;
- (55) hsc100 - Removal of spoil from site;
- (56) hsc555 - Bathroom ventilation;
- (57) hsc704 - Garbage storage area;
- (58) hsc706 - Storage of recyclables;
- (59) 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.

- (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 travel via fire-isolated stairways shall be redesigned to comply fully with the requirements of Clause D1.7 (b&c) of the BCA;

- (2) That all relevant sections of the BCA shall be complied with;
 - (3) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building 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 applicant be advised that the Rail Estate has provided the following:-

(1) Noise and Vibration

Council has a number of copies of State Rail's publication entitled "Rail Related Noise and Vibration; Issues to Consider in Local Environmental Planning – Development Applications and Building Applications". The "satisfactory" and "maximum" noise levels for relevant rooms and recreation areas established by AS 2107 are included on page 26 of this publication. State Rail requests that Council requires that all new dwellings satisfy the requirements of AS 2107.

Notwithstanding the above requirement, exceptions may be considered where it can be demonstrated that the best available techniques not entailing excessive cost (known as the BATNEEC Principle) have been used in determining the location, design, building orientation, room layout and insulation of the development.

Measures such as double glazing, solid balcony balustrades and careful construction will assist to minimise noise nuisance.

(2) Geotechnical Matters

There must be no adverse impacts from the excavation or construction of any future development of the site on the stability of any rail corridor.

(3) Drainage

State Rail and the Rail Access Corporation are not responsible for ensuring drainage from development on other sites is adequately disposed of. This responsibility lies with Council and the developer. Stormwater is not to be diverted onto the rail corridor, and there must be no adverse impacts from construction of the development on the stability of the nearby rail corridor and railway land.

(4) Fencing and Landscaping

Landscaping and fencing should be combined to screen and soften occupants' views of the rail tracks and to help alleviate their sense of exposure to the source of rail noise.

(5) Increasing Residential Densities Around Stations

State Rail supports an increase of residential population and workforce close to stations in a way maximises population densities, encourages utilisation of public transport (e.g. through design which minimises walking distance to the station and limits the supply of on-site parking), and protects future residents from any adverse impacts from public transport operations.

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

Carried.

21.

FITZROY STREET, NOS. 46-46A, NEWTOWN - ALTERATIONS AND ADDITIONS TO TWO TERRACE HOUSES - DEVELOPMENT APPLICATION (U97-01142)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council resolves that the State Environmental Planning Policy No 1 objection against the development standards relating to height in Clause 11 of Local Environmental Plan 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reasons:-
- (1) That the increase in height is acceptable in terms of residential amenity impacts will not detract from the character of the existing streetscape in terms of bulk and scale.
- (B) That the Council as the responsible authority grants its consent to the development application submitted by Ms D Mukherjee, with the authority of Stephen Morrow, for permission to carry out alterations and additions to Nos. 46-46A Fitzroy Street to include a first floor addition to each dwelling, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with drawing No 1-2 dated November 1997;

- (2) That the bottom panel of the side facing windows to the first floor bedroom and living room of 46 and 46A shall be fixed and obscurely glazed to the satisfaction of the Director of Planning and Building;
 - (3) That a survey plan be submitted with any Building Application;
- and the following adopted standard conditions:-
- (4) BC26 - Comply with BCA;
 - (5) LDA376 - Hours of building work;
 - (6) LDA384 - New alignment levels;
 - (7) LDA387 - Footway crossings;
 - (8) LDA389 - Stormwater disposal requirements;
 - (9) LDA392 - No obstruction to public way;
 - (10) LDA393 - Delivery of refuse skips;
 - (11) LDA394 - Cost of alteration to signposting;
 - (12) LDA152 - Schedule of finishes;
 - (13) LDA351 - Building Application required;
 - (14) LDA153 - Reflectivity of external glazing;
 - (15) hsc800 - Use of appliances emitting intrusive noise;
 - (16) LDA393 - Delivery of refuse skips;
 - (17) LDA157 = Provide details of heritage colour scheme;
 - (18) That all proposed work shall be wholly within the boundaries of the subject site.

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

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

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

Carried.

22.

PLANNING- POLICY INTEGRATION, ECOLOGICAL SUSTAINABILITY DEVELOPMENT AND LOCAL AGENDA 21 - APPOINTMENT OF COUNCILLOR(2014100)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

That Council:-

- (1) appoint Councillor Jill Lay as delegate and Councillor John Fowler (alternate) to attend the first roundtable discussion as part of the Institute of Sustainable Futures research project on "Policy Integration, Ecological Sustainability Development and Local Agenda 21";
- (2) endorse the Development of Sustainability Indicators as Council's focus for the Institute for Sustainable Future's research project.

Carried.

The Planning and Development Committee Meeting terminated at 9.10 p.m.

PLANNING AND DEVELOPMENT COMMITTEE (CONFIDENTIAL MATTER)

WEDNESDAY, 18 MARCH 1998 AT 9.11 PM

The following agenda item is considered to be confidential and will be discussed in closed Committee with the Press and Public Excluded, and also, access to correspondence and report will be withheld in respect of such Item because of the confidential information contained in the correspondence and report.

The reason for such item to be discussed in closed Council is:

Item 1 - Licensing Matter

GENERAL MANAGER

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

That the Report of the Planning and Development Committee (Confidential Matter) of its meeting of 18 March 1998, be received and the recommendation set out below for Item 1, be adopted.

Carried.

The Committee **recommends** the following:-

1.

KINGS CROSS PLACE MANAGEMENT PROJECT - THE KINGS CROSS LICENSING ACCORD (2013383)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt :-

- (A) That arising from the report by the General Manager dated 24 March 1998, it be resolved that Council:-
- (1) defer to sign on as an official partner to the Kings Cross Licensing Accord and in doing so agree to support the Accord by implementing the actions (numbered 1-11) outlined in the abovementioned report;
 - (2) approve an additional allocation of \$1,251 to the Health and Community Services Department Budget to support regular monitoring of noise emissions from licensed premises for a three month trial period;
 - (3) approve a seeding grant of up to \$10,000 towards the set up costs associated with the Kings Cross Licensing Accord, subject to budgetary approval by Council.
- (B) That the Kings Cross Place Management Project Team arrange a meeting between all stakeholders, that is Police, Licensees or their representatives, Government Agencies and Council, prior to the meeting of Council on 8 April 1998.

Carried.

The Planning and Development Confidential Meeting terminated at 9.12 p.m.

The Council Meeting terminated at 7.22 p.m.

Confirmed at a meeting of South Sydney City Council
held on1998

CHAIRPERSON

GENERAL MANAGER

GENERAL MANAGER