

212th. Meeting

**Erskineville Town Hall
Erskineville**

Wednesday, 26 August 1998

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.45 p m on Wednesday, 26 August 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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A/GENERAL MANAGER

WELCOME TO PARKES SHIRE COUNCILLORS – ATTENDANCE AT COUNCIL MEETING

At this stage the Mayor welcomed to Council Meeting the Deputy Mayor, Councillor Jack Tanswell, Councillor Ken Keith, Councillor Bev Lang, Councillor Jerry Cross and the Director of Administration and Finance, Brian Matthews, from Parkes Shire Council, who were visiting South Sydney Council as part of an expanding Sister City Relationship.

Confirmation of Minutes

Moved by Councillor Lay, seconded by Councillor Deftereos:-

:

That the minutes of the Ordinary Meeting of Council of 12 August 1998, be taken as read and confirmed.

Carried.

At this stage it was moved by the Mayor, seconded by Councillor Harcourt, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, to seek an unreserved apology from Councillor Bush with respect to his column published in the Bulletin Newspaper on 12 August 1998, regarding Councillors and Council.

Carried.

Councillor Bush apologised unreservedly to his fellow Councillors and Council with respect to the article printed in the Bulletin Newspaper on 12 August 1998, and expressed that he did not intend to offend any Councillor by his comments, but only wished to express his opinion on the political process involving donations to political parties.

The Mayor accepted the apology from Councillor Bush.

MINUTE BY THE MAYOR

21 August, 1998

DONATIONS - MUSICIANS UNION OF AUSTRALIA - BENEFIT NIGHT FOR ARTHUR HAINES (SZABO) - DONATION OF COST OF PA SYSTEM. (2019109)

Council has received a request from the Musicians Union of Australia to donate the cost of hiring a PA System and operator for the Benefit Night which was held at South

A/GENERAL MANAGER

Sydney Leagues Club on Saturday 22 August 1998 for the family of local youth Arthur Haines (Szabo).

Arthur was an innocent victim of a fire bombing in Waterloo in April this year and died in June. The 22nd August would have been Arthur's 14th birthday. Funds raised on the evening were used to assist the grieving family.

South Sydney Leagues Club donated the use of their auditorium and other local businesses provided free goods and services. Musicians and artists volunteered and performed on the night

RECOMMENDATION

That confirmatory approval be given to the donation of \$240 to the Musicians Union of Australia for hire of a PA System and Operator used at a Benefit Night for Arthur Haines which was held at South Sydney League Club on 22 August 1998. Funds are available in the Community Services Section Budget (Donations 356)

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

26 August, 1998

PUBLIC RELATIONS - CITY OF BOTANY BAY MAYORAL CHARITY GOLF DAY 1998 (2015942)

The 1998 City of Botany Bay Mayoral Charity Golf Day is to be held on Thursday 24 September 1998. The Charity Golf Day will raise money for the Sydney Children's Hospital.

Council sponsored 4 teams in the 1997 Charity Golf Day and the cost of sponsoring 4 teams for 1998 is \$2000.

Council has in the past supported Touch Football, Tennis and Cricket Days between local Councils and in anticipation of other Council's sponsoring teams in the Charity Day it will provide the opportunity to get to-gether and exchange ideas.

A/GENERAL MANAGER

RECOMMENDATION

That approval be given to Council sponsoring 4 teams in the 1998 City of Botany Bay Mayoral Charity Golf Day at a cost of \$2,000 and that such amount be added to the 1998/99 Revenue Estimates under Section 356.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

24 August 1998

PLANNING - CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN CO-SPONSORSHIP OF FORUM (2013745)

I have received a request from the South Sydney Development Corporation to co-sponsor a forum with the Corporation, The Department of Urban Affairs and Planning and Sydney City Council.

The topic for the forum is Crime Prevention Through Environmental Design and will explore ways of achieving safer residential developments.

The forum is to be held at Sydney University, 148 City Road, Wilkinson Building, Lecture Theatre 2 on 8 September commencing 5.15 pm and concluding at 9.30 pm. The forum will be addressed by Mr Greg Saville who is visiting Australia to present a paper on this topic to a conference in Melbourne. Mr Saville is the Chair of the International Crime Prevention through Environmental Design Association and recently appointed Assistant Professor and Director of the Police Training Centre at Florida State University in Tallahassee. Council's contribution to the forum would be \$600. The forum will be free to those attending. The forum will complement the work done by this Council in preparing our own Safer by Design Policy.

RECOMMENDATION

That Council provide \$600 to the South Sydney Development Corporation towards sponsorship of the forum on Crime Prevention through Environmental Design for which funds are available in the Strategic Planning Works Programme Account Code GP99004 - Safer by Design Implementation.

A/GENERAL MANAGER

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

MINUTE BY THE MAYOR

26 August 1998

DONATIONS - THE CITY OF WOLLONGONG'S LORD MAYOR'S RELIEF FUND FOR FLOOD VICTIMS (2018981)

TO COUNCIL

This month has been marked by devastation in the Wollongong area after record torrential rains.

The rains battered Wollongong causing major flooding and evacuation of people and damaged many homes, with the area being classified a National Disaster area.

The Lord Mayor of Wollongong has initiated a Relief Fund to raise money for the victims of the disaster. The money raised will in some way lessen the hardships being experienced by the Wollongong residents, many of whom will be suffering both emotionally and financially for many years.

Council has in the past made donations of \$10,000 to both the Newcastle Earthquake Lord Mayor's Appeal and also to the Thredbo Family Relief Fund. I would recommend that Council make a similar donation to the City of Wollongong's Lord Mayor's Relief Fund to assist flood victims.

RECOMMENDATION

That approval be given to the payment of a donation in the sum of \$10,000 to the City of Wollongong's Lord Mayor's Relief Fund for flood victims, and that such amount be added to the 1998/99 Revenue Estimates under Section 356.

Councillor Vic Smith (SGD)

Mayor

A/GENERAL MANAGER

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

26 August, 1998

PARKS - PRESENTATION OF PRIZE FOR TEMPORARY SCULPTURAL SYMPOSIUM (2018146)

Despite the extremely heavy rain we have been experiencing, Council's first temporary Sculptural Symposium at Sydney Park has been a huge success, and has been extended until 6 September, 1998.

On behalf of Council I would like to thank all the artists and staff involved in this great public art display.

It is my pleasure to announce to Council that the winner of the Sculptural Symposium is Haydn Wilson for his entry *Sea of Bags*. And on behalf of Council I would like to congratulate Haydn and thank him for being here tonight.

RECOMMENDATION

That the winner's cheque of \$5000 for the inaugural Sculptural Symposium, be presented to Haydn Wilson at the proposed civic reception on Friday, 4th September 1998 at Erskineville Town Hall.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Lay, seconded by Councillor Bush:-

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

Carried.

MINUTE BY THE MAYOR

26 August, 1998

A/GENERAL MANAGER

CELEBRATIONS - LOCAL GOVERNMENT WEEK 1998 CELEBRATIONS (2011361)

Council is aware that Local Government Week celebrations are being held throughout the South Sydney City Council area from Sunday, 23 August to Sunday, 30 August 1998.

The theme of the week is "COUNCIL, COMMUNITY, CULTURE". For Local Government Week 1998, Council has organised a series of locally-based events that reflect the cultural heritage of South Sydney.

Some of the highlights of the week include:

- A inaugural kite flying at Sydney Park
- guided heritage walks of Erskineville, Newtown and Kings Cross
- "Researching your House" workshop at Paddington Town Hall
- a free Tea Dance at Paddington Town Hall
- a free concert at Paddington Town Hall
- entertainment and displays at Newtown Library
- a heritage photographic display at Kings Cross Library
- free plants for residents at Kings Cross and Newtown Libraries and Council's Nursery
- an Art and Cultural Development Program display and talk at Paddington Town Hall
- Mascon Festival participants morning tea at Paddington Hall
- presentation of Temporary Sculptural Symposium Prize of \$5000
- certificates for competitors Combined Councils' Youth Games
- launch of Kings Cross Cultural Walk map
- launch of "Cuisine on the Green" video
- and launch of a multi-lingual electronic community noticeboard at Surry Hills Shopping Centre.

On behalf of the Councillors I would like to take this opportunity to thank Council staff, community organisations and residents for helping to make Local Government Week a success in South Sydney.

Co-operation and communication with the local community is something that this Council has endeavoured to promote.

Local Government Week has allowed us to showcase the services we offer to the local community.

RECOMMENDATION

That the General Manager convey to all staff associated with Local Government Week activities the Council's appreciation for their efforts and we look forward to another successful celebration next year.

A/GENERAL MANAGER

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

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

Carried.

MINUTE BY THE MAYOR

26 August, 1998

COMMUNITY SERVICES - LAUNCH OF COUNCIL'S MULTILINGUAL COMMUNITY NOTICEBOARD (2003690)

I am very pleased to announce that tomorrow I will be launching Council's "Talking Window", a multilingual electronic Community Noticeboard at Surry Hills Shopping Village.

With this project, Council has made a great step forward in providing information and making it accessible to all our residents.

Twenty messages about a range of Council services can be listened to in English, Arabic, Cantonese, Greek, Italian, Mandarin, Spanish, Russian and Vietnamese. The messages are also illustrated with photographs.

We hope that these windows of information will provide residents with quick and helpful information about some of the activities, services and facilities provided by Council.

RECOMMENDATION

That Council officially endorse the community launch of the multilingual electronic Community Noticeboard.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

A/GENERAL MANAGER

At the request of Councillor Lay, the Mayor directed that a letter be forwarded to all staff who participated in the project congratulating them on their efforts.

MINUTE BY THE MAYOR

26 August, 1998

PUBLIC RELATIONS - REPRESENTATIVES IN THE NSW COUNCILS YOUTH GAMES (2004979)

On August 23 and 24, six representatives from South Sydney Council gave it their best at Hurstville Oval in the NSW Combined Councils Youth Games.

Etta Nali, Paris Robinson, Thomas Coe, and Kevin Lyons represented South Sydney in athletics, and Brianne Gordon and Koolyn Gordon represented Council in swimming.

RECOMMENDATION

On behalf of Council I would like to thank our competitors for giving it their best in representing South Sydney.

Etta Nali, Paris Robinson are here tonight and I would like to present them with a certificate of appreciation for their efforts.

Councillor Vic Smith (SGD)

Mayor

Moved by the Mayor, seconded by Councillor Lay:-

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

Carried.

At this stage the Mayor presented certificates to Etta Nali and Paris Robinson and congratulated them on their performances.

A/GENERAL MANAGER

MINUTE BY THE GENERAL MANAGER

.26 August, 1998

**COUNCIL MINUTES OF 24 JUNE 1998 - REPORT OF THE
MANAGEMENT REVIEW COMMITTEE 17 JUNE 1998 (C57-00048)**

At the Council Meeting held on 24 June 1998, the Report of the Management Review Committee, 17 June 1998, was inadvertently omitted from the minutes of that meeting.

The Report was adopted by Council with amendments as per attached pages (A) and (B) and accordingly the minutes of the meeting should be amended.

Recommendation:

That the minutes of the Council Meeting of 24 June 1998, be amended to include the Report of the Management Review Committee of 17 June 1998, as adopted and as detailed in attachments (A) and (B).

J. W. Bourke (SGD)
General Manager

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

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

Carried.

ATTACHMENT A**REPORT OF THE MANAGEMENT REVIEW COMMITTEE**

17 June 1998

Business commenced at 5.40 p.m. Those in attendance were:-

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

Apologies were received from Councillor Greg Waters

A/GENERAL MANAGER

The Committee recommended the following Draft Management Plan 1998/2001.

Domestic Waste Management Charges

That the report by the General Manager dated 12 June 1998, in respect of the Management Plan 1998/2001 be approved and adopted, subject to a new Clause (8) being added namely:-

- (8) The amendments to the Domestic Waste Management Charges wording as per new page No.99 be included.

That the attached page be substituted as the new page No.99 for the Draft Management Plan.

ATTACHMENT B

**DOMESTIC WASTE MANAGEMENT SERVICES - ANNUAL
AVAILABILITY CHARGE**

The availability charge will not be increased for the year 1998/99

The availability charge under Section 496 (1) applies to parcels of ratable residential land as follows:-

- (a) \$133.00 for each parcel entitled to receive a regular collection service
- (b) \$193.00 for each parcel entitled to receive an extended collection service.

A regular collection service is a twice weekly service provided Monday to Friday of each week and entitled the ratepayer to a 55-litre bin.

An extended collection service is a daily collection service (includes weekends) The Kings Cross, Potts Point and Rushcutters Bay area (as indicated on the attached map) receive an extended collection service.

Multiple parcels of residential land may utilise combinations of bins, for example 55-litre, 240-litre, 2m³ bins, so long as the total capacity utilised doesn't exceed the number of land parcels times 55-litres, again subject to the suitability of access for servicing of these bins.

A/GENERAL MANAGER

PETITIONS

1. The Mayor tabled a petition received by the General Manager with approximately 39 signatures appended from residents of Waratah Street, Rushcutters Bay, objecting to the proposal to add an additional level to the building at No. 27 Waratah Street, Rushcutters Bay.

Received

2. The Mayor tabled a petition received by the General Manager with approximately 39 signatures appended from residents of Waratah Street, Rushcutters Bay, objecting to proposed extension of working hours to seven days a week and until 10.00 p.m. at the Marina One development in Bayswater Road, Rushcutters Bay.

Received

3. The Mayor tabled a petition received by the General Manager with approximately 79 signatures appended objecting to the proposed alterations and additions to the "Palace" Hotel, Nos. 122 - 124 Flinders Street, Darlinghurst, for various environmental reasons.

Received.

QUESTIONS WITHOUT NOTICE

- 1.

ANTI-SOCIAL ACTIVITIES - INVESTIGATION INTO BEHAVIOR OF SPRUIKERS WORKING FOR CLUBS IN KING CROSS - QUESTION WITHOUT NOTICE BY COUNCILLOR CHRISTINE HARCOURT. (2012770)**Question:**

I recently met with Council Planners and King Cross Police to discuss applications for brothels in King Cross. There is an ongoing problem with the behaviour of spruikers working for clubs adjacent to the premises making applications and the police have limited owners to deal with them. Would the Director of Planning arrange for an investigation of the conditions of consent for these clubs to ascertain if there are any planning grounds for restricting the activities of spruikers?

A/GENERAL MANAGER

Further, if spruiking is found to be contrary to the conditions of consent, would Council move immediately to enforce these conditions? The police have expressed their willingness to co-operate fully with Council in this matter.

Answer by the Mayor:

I understand that there is an investigation underway and I will ask the Director of Planning and Building to prepare a report for Committee.

2.

TRAFFIC - CHALLIS AVENUE, POTTS POINT - EXTENSION OF FOOTWAY ONTO ROAD FOR PURPOSES OF A PAVEMENT LICENCE - QUESTION WITHOUT NOTICE BY COUNCILLOR SONIA FENTON (2005916)

Question:

I have been approached by residents and business on Challis Avenue, Potts Point regarding the extension of footway onto the road for the purposes of a pavement licence. I have viewed plans drawn by Congbere Morrison and the proposal in my opinion, has merit. I understand that 3 Central Departments would need to be coordinated to gain approval and request that this matter be given some priority by our main street planner?

Answer by the Mayor:

I will ask the Director of Planning and Building and the Director of Public Works and Services to refer that matter to the Main Street Co-ordinator once the plans are submitted to Council.

3.

DALMENY AVENUE, NOS.83-93, ROSEBERY - COMPLAINTS REGARDING EXHAUST FUMES FROM CAR PARK - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (Q97-00646)

Question:

Residents of Kimberly Grove, Rosebery have made representation to me regarding the measures taken to question the car park exhaust next to the new Park?

Answer by the Mayor:

Measures have been taken and one of the residents has been spoken to and notified and was asked to report back to Council if there was a problem with the exhaust from the car park. I will ask the Officer to investigate as a matter of urgency and have a report prepared for the Councillors Information Service.

4.

DALMENY AVENUE, ROSEBERY - KIMBERLEY GROVE PARK - WEED INFESTATION - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2014200)

Question:

The turf that has been laid in Kimberly Grove Park by the contractor appears to have a weed infestation. Can the Director of Public Works and Services investigate?

Answer by the Mayor:

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

5.

PARKS - UPGRADING OF ELEVATION OF PARKS IN SOUTH SYDNEY - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2010532)

Question:

With the future and present Master Plan and probable development across the South Sydney Region in particular the Southern Industrial Zone, can a report come to Council considering the upgrading and elevation of the Parks and Landscape department to meet future demands and responsibility?

Answer by the Mayor:

I support that and I will ask for a report to come back to Council's Committee.

6.

TRAFFIC - MAINTENANCE WORK ON FOOTPATHS STREET LIGHTING, GULLY TRAPS/RETENTION BASINS AND TREE PLANTINGS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (T02-00172)

Question:

Would a Council Officer liaise with the appropriate Officer in the relevant departments and qangos to report on the necessary maintenance work on:-

- (a) footpaths
- (b) street lighting
- (c) gully traps/retention basins
- (d) and tree plantings

-in the ESP Tunnel Area?

Answer by the Mayor:

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

7.

PLANNING - OXFORD STREET - AGREED PAINT SCHEMES - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2015331)

Question:

Oxford Street as a designated gateway to Sydney has had an agreed paint scheme. Will Council Officers report on what action will be taken to ensure that finishes in harmony with existing buildings (many of the Council owned and listed by the National Trust), being part of any consents on signage?

Answer by the Mayor:

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

8.

FLINDERS STREET, NO.58A, DARLINGHURST - INSPECTIONS ON CONSTRUCTION - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U96-01078)

Question:

What frequency of inspections is being made on constructions especially where development requires retention of existing structures, notably No.58A Flinders Street and corner of Chambers and Belvoir Streets?

Answer by the Mayor:

I will ask the Director of Planning and Building to have a report prepared for the Councillors Information Service

9.

CLEANING - FEASIBILITY OF UPDATING ON STREET CLEANING VEHICLES. - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (C56-00022)

Question:

I would like to table a photo of street cleaning machinery. Can a report be prepared as to the potential need for such footway machines.

Answer by the Mayor:

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

REPORT OF THE FINANCE COMMITTEE

19 August 1998

PRESENT

Councillor Sean Macken (Chairperson)

Councillors – Margaret Deftereos and Sonia Fenton

At the commencement of business at 6.34 p.m those present were:-

Councillors - Deftereos, Fenton and Macken.

Apology:

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

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

That the Report of the Finance Committee of its meeting of 19 August 1998, be received and the recommendations set out below for Items 1, 3 to 5, inclusive, 8 to 11, inclusive, and 13 to 19, inclusive, be adopted. The recommendations set out below for Items 2, 6, 7, and 12 having been dealt with as shown immediately following such Items.

Carried.

A/GENERAL MANAGER

The Committee **recommended** the following:-

1.

LEASING - BROADWAY, NOS. 149-151, ULTIMO - LEASE TO TIMOTHY GOH TRADING AS ALPHA CENTAURI (2000011)

That arising from consideration of a report by the Director of Corporate Services dated 4 August 1998, approval be given to grant Timothy Goh a new lease of Council premises, Nos. 149-151 Broadway, Ultimo, for a term of one month and continuing on a monthly basis at a rental of \$901 per month gross commencing on the date of execution of the lease, subject to the conditions of the existing lease, and Council's standard Leasehold provisions and the following conditions, namely:-

- (1) That the Lease Agreement be terminated by either party giving 1 month written notice in line with any future re-development plans for the Broadway Consolidation Site;
- (2) That the Lessee is to make the premises available for inspections when required by Council Officers;
- (3) That the Lessee is to provide Personal Guarantees for the term of the Lease;
- (4) That the Lessee is to provide Council with a Public Liability Insurance Policy in an amount of not less than Ten Million Dollars indemnifying Council against any claims that may arise during the term of the Lease;
- (5) That the Lease is subject to Development Application approval and all alterations to the leased premises, including refurbishments, fit-outs etc by the Lessee during the term of the Lease period, must be submitted to the Property Branch Manager prior to any submission of plans etc to Council's Planning and Building Department for Statutory approvals;
- (6) That a "rent free" period of 1 month is to apply;
- (7) That all legal costs associated with the preparation and execution of the necessary Lease documents by Council's Legal Officer are to be borne by the Lessee;
- (8) That all relevant documents are to be executed by Council's Attorney, if required.

Carried.

A/GENERAL MANAGER

2.

**LEASING - OXFORD STREET, SUITE 6, LEVEL 2, NO. 66 DARLINGHURST
- PROPOSED LEASE TO THE MILLENIUM GROUP PTY LTD.(2009593)**

(At the 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 Corporate Services dated 4 August 1998, approval be given to The Millenium Group Pty Limited (ACN 055 730 400) being offered a 3 year Lease of Council premises Suite 6, Level 2, No.66 Oxford Street, Darlinghurst, at a rental of \$3,887.25 per month (\$46,647 per annum) gross, commencing on 19 September, 1998, subject to the following conditions, namely:-

- (1) That the lease is to include the use of one car space;
- (2) That the lease is to be reviewed by 3% on the 2nd term and to Market on the 3rd term;
- (3) That the Lessee is to provide a Bank Guarantee equivalent to 3 months rental, together with unconditional Personal Guarantees for the term of the lease;
- (4) That the Lessee is to provide Council with a Public Liability Insurance Policy in an amount of indemnity of not less than Ten Million Dollars indemnifying both Council and the Lessee against any claims that may arise during the term of the lease;
- (5) That any proposed alterations or Development Applications for the leased premises including refurbishments, fit-outs, etc, by the Lessee during the term of the lease period, must first be submitted to the Property Branch Manager prior to any submission of plans, etc, to Council's Planning and Building Department for Statutory approvals;
- (6) That a "rent free" period of 1 month is to apply;
- (7) That all legal costs associated with the preparation and execution of the necessary lease documents by Council's Legal Officer are to be borne by the lessee;
- (8) That all relevant documents are to be executed by Council's Attorney.

It was moved as an amendment by Councillor Fowler, seconded by Councillor Deftereos, that condition (6) in the recommendation of the Director of Corporate Services report dated 4 August 1998, be deleted.

Amendment negatived.

Motion carried.

3.

**PERSONNEL - REHABILITATION - ALCOHOL AND DRUGS IN THE
WORKPLACE - POLICY REVIEW - ADOPTION (P53-00051)**

That arising from consideration of a report by the Director of Organisational Development dated 10 August 1998, approval be given to:-

- (1) the rescinding of the policy dated 27 September 1989, dealing with alcohol and drugs in the workplace;
- (2) the adoption of the policy attached to the abovementioned report.

Carried.

4.

**DONATIONS - 1998 STAFF CHRISTMAS PARTY AND STAFF GYMNASIUM
- FUNDING (D53-00054)**

That arising from consideration of a report by the Director of Corporate Services dated 14 August 1998 it be resolved that Council approves the allocation of additional funds to the 1998/99 Budget for the Staff Christmas Party (\$10,000 to account AXM.7CAT) and the purchase of recreation equipment for use in the staff gymnasium (\$2,000 to account BLD.55EO).

Carried.

5.

**GOODS AND EQUIPMENT - PURCHASE - TREADMILL MACHINE - STAFF
GYMNASIUM (2000521)**

That arising from consideration of a report by the Director of Health and Community Services dated 4 August 1998, it be resolved an additional amount of \$12,000 be voted to the 1998/99 Budget for the purchase and installation of another treadmill machine to meet the increasing demands for aerobic equipment in Council's employee gymnasium, due to the unexpected and increasing popularity of this facility.

Carried.

6.

**CELEBRATIONS - GAY AND LESBIAN MARDI GRAS - IMAX FILM -
REQUEST FOR SPONSORSHIP (2016720)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That the request for sponsorship by Total Film & Television Pty Ltd in respect of the Gay and Lesbian Mardi Gras, be refused and that a letter be forwarded endorsed by Council under the signature of the Mayor to the above Organisation informing them of Council's decision.

Carried.

7.

**PROPERTIES - PADDINGTON TOWN HALL - REQUEST FOR FREE USE
ON 29 OCTOBER 1998 - PADDINGTON BAZAAR (P56-00416)**

That arising from consideration of a report by the Director of Corporate Services dated 12 August 1998, it be resolved that Council support Paddington Bazaar by foregoing \$3,825 in income, and meet the expenses of \$860 (from account ENG.123) and allow Paddington Bazaar free use of Paddington Town Hall on Thursday 29th October, 1998 for their Gala Cocktail Reception.

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

That the Paddington Bazaar's application for free use of Paddington Town Hall, be refused as it is a commercial venture.

Amendment negatived.

Motion carried.

Councillor Deftereos requested that her name be recorded as voting against the foregoing motion.

8.

**SPORTS - VICTORIA PARK SWIMMING POOL - PROMOTIONAL PLAN
(2013161)**

That arising from consideration of a joint report by the Director of Corporate Services and the Director of Public Works and Services dated 13 August 1998, approval be given to:-

- (a) the Victoria Park Swimming Pool Promotions Plan, accompanying to the abovementioned report;
- (b) the two-for-one, bounce back, buy-one-get-one-free and other discount promotions contained in the plan.

Carried.

A/GENERAL MANAGER

9.

STREETS - MANAGEMENT PLAN - WORKS 1997/98 - PUBLIC WORKS AND SERVICES DEPARTMENT/CONSTRUCTION BRANCH - QUARTERLY REPORT FOR PERIOD ENDING 30 JUNE 1998 (S56-02169)

That the report by the Director of Public Works and Services dated 5 August 1998 presenting the Quarterly Progress Report of the 1997/98 Works Programme (Construction Branch) for the period ending 30 June 1998, be received and noted.

Carried.

10.

TRAFFIC - LOCAL ROADS IN SOUTH SYDNEY - PROPOSED 50KM/HR SPEED LIMIT (T52-00167)

This matter was dealt with as Item No.20, in the Planning and Development Committee report.

11.

PUBLIC RELATIONS - SOCIAL HISTORY PROJECT - ACCEPTANCE OF TENDER (P58-00484)

That arising from consideration of a report by the Director Health and Community Services dated 4 August 1998, approval be given to:-

- (a) the appointment of Hale and Iremonger to publish the Social History book "We Never Had a Hotbed of Crime";
- (b) the expenditure of up to \$90,000 for the purchase and publishing rights of photographs \$10,000 and publishing costs \$80,000;
- (c) the voting of an additional \$90,000 to the 1998/99 budget to cover costs associated with the project.

Carried.

12.

MEMBERSHIP - BOTANY BAY BUSINESS ENTERPRISE CENTRE - REQUEST FOR ACCOMMODATION IN COUNCIL PREMISES (M54-00040)

That arising from consideration of a report by the Director of Planning and Building dated 14 August 1998, Council note the request from the Botany Bay Business Enterprise Centre and that Councils Property Branch give further consideration to the Botany BEC request when allocating floor space in the refurbished Alexandria Town Hall in 1999.

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Carried.

13.

LEASING - LACHLAN STREET, WATERLOO - PROPOSED RENEWAL OF LEASE OF PART (L02-00125)

That arising from consideration of a report by the Director of Public Works and Services dated 3 August 1998, approval be given to:-

- (1) Newstart 13 Pty Limited (ACN 001636273) or their successors in title being granted a lease under Part 10 Division 2 of the Roads Act 1993, over part of Lachlan Street, Waterloo, as shown stippled on Plan No S4-130/404 and subject to the conditions in the schedule, accompanying the Director's report;
- (2) all relevant documents and plans being signed by Council's Attorney;
- (3) all public utility authorities being advised of Council's decision;
- (4) the lease being for a period of five years under Part 10 Division 2 of the Roads Act 1993 and at a nominal rental of \$1.00 per annum;
- (5) this approval lapsing six months from the date of Council's approval to the granting of a lease if the applicant has failed to sign the lease agreement and/or provided proof of public risk insurance as required by Condition 5 in the schedule accompany the Director's report.

Carried.

14.

LEASING - WILLIAM STREET, NO. 248B, POTTS POINT - PROPOSED RENEWAL OF LEASE (2015357)

That arising from consideration of a report by the Director of Public Works and Services dated 10 August 1998, approval be given to:-

- (1) amalgamated Hotels Pty Limited (ACN 009 604 719) or their successors in title being granted a lease under Part 10 Division 2 of the Roads Act 1993 over part of William Street, Potts Point, as shown stippled on Plan No. S4-130/392B and subject to the conditions in the schedule accompanying the Director's report;
- (2) the date of commencement of the lease being 17 September, 1997;
- (3) all relevant documents and plans being signed by Council's Attorney;
- (4) all public utility authorities being advised of Council's decision;

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- (5) the lease being for a period of five years under Part 10 Division 2 of the Roads Act 1993 and at a rental determined by the State Valuation Office of \$12,500 p.a., increased annually by the CPI;
- (6) the Lessee increasing the Bond held by Council to \$5,000;
- (7) this approval lapsing six months from the date of Council's approval to the granting of a lease if the applicant has failed to sign the lease agreement and/or provided proof of public risk insurance as required by Condition 5 in the schedule accompanying the Director's report.

Carried.

15.

DONATIONS - PLANET ARK - NATIONAL TREE DAY - 5 SEPTEMBER, 1998 (2018934)

That arising from consideration of a report by the Director of Public Works and Services dated 17 August 1998, it be resolved that Council as part of Planet Ark's National Tree Day provide the following to local schools:-

- plants and shrubs up to a value of \$100 to local schools who request such a donation to plant in schoolyards during the duration of the programme with such donations to be reported in the quarterly donations report to Council;
- Assistance in the way of plant material and supervision for tree planting days in Sydney Park for local schools should they wish to pursue this.

Carried.

16.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF TEN MOTOR VEHICLE FLEET ITEMS - ACCEPTANCE OF TENDERS (2018559)

That arising from consideration of a report by the Director of Public Works and Services dated 13 August 1998, approval be given to:-

- (A)(1) the acceptance of the tender submitted by Brian Hilton Motor Group for the supply and delivery of four Toyota Camry CSi sedans in the sum of \$21,830.00 per vehicle (Non trade in basis) in the total sum of \$87,320.00 in accordance with Council's specification PWS 16/98 and the firm's tender dated 4 August 1998;
- (2) the tender submitted by Brian Hilton Motor Group for the supply and delivery of three (3) Toyota Camry CSi sedans in the sum of \$21,650.00 per vehicle, in the total sum of \$64,950.00 less a total trade in allowance of \$52,000.00 on Council vehicle Nos. 4096, 6211

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and 6215, in the nett sum of \$12,950.00 in accordance with Council's specification PWS 16/98 and the firm's tender dated 4 August 1998;

- (3) the tender submitted by Terry Shields Toyota for the supply and delivery of two (2) Toyota Camry CSi sedans in the sum of \$22,512.00 per vehicle, in the total sum of \$45,024.00, less a total trade in allowance of \$35,000.00 on Council vehicle Nos. 6043 and 6521, in the total nett sum of \$10,024.00 in accordance with Council's specification PWS 16/98 and the firm's quotation dated 4 August 1998;
- (4) the tender submitted by Mosman Toyota for the supply and delivery of one (1) Toyota Camry CSi sedan in the sum of \$22,692.00 less a trade in allowance of \$17,650.00 on Council vehicle No. 6047 in the total nett sum of \$5,042.00 in accordance with Council's specification PWS 16/98 and the firm's tender dated 4 August 1998;

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

- (B) The disposal of Council vehicle, Nos. 4087, 5004, 6245 and 6507 at auction.

Carried.

17.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF THREE, 22 SEAT PASSENGER BUSES - ACCEPTANCE OF TENDER (2018560)

That arising from consideration of a report by the Director of Public Works and Services dated 14 August 1998, approval be given to the acceptance of the tender submitted by Lander Toyota for the supply and delivery of three (3) 22 seat Toyota Coaster L.W.B. Deluxe Model Buses for the unit price of \$71,800 less the total trade-in allowance of \$125,000 on Council vehicles 4802, 4803 and 4804 all being 1993 Toyota Coaster Deluxe Model Buses thereby providing a total changeover cost of \$90,400, in accordance with Council's Specification No. PWS 20/98 and the firm's tender dated 10 August 1998, for which funds are available in 1998/99 Revenue Estimates.

Carried

18.

PARKS - VICTORIA PARK - MAIN AVENUE FOOTBRIDGE AND ASSOCIATED WORKS - CONSTRUCTION - ACCEPTANCE OF TENDER (2018348)

That arising from consideration of a report by the Director of Public Works and Services dated 17 August 1998, approval be given to:-

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- (a) the acceptance of the tender by Griffith Landscapes in the amount of \$210,000 for the construction the Victoria Park Main Avenue Footbridge and associated works;
- (b) the provision of a contingency sum of \$21,000 (10% of the contract sum);
- (c) the transfer of \$31,000 from FWP 9031 (Victoria Park – City Rd frontage) to FWP 8021 (Victoria Park Main Avenue Footbridge)

-for which funds are available in the 1998/99 Parks Development Works Programme (FWP 8021 refers)

Carried.

19.

PARKS - SYDNEY PARK WETLANDS - DESIGN AND DOCUMENTATION - ACCEPTANCE OF TENDER (2018140)

That arising from consideration of a report by the Director of Public Works and Services dated 31 July 1998, it be resolved that approval be given to accept the submission from NSW Department of Public Works and Services for the detailed design and documentation of the Sydney Park Wetlands in the amount of \$95,000, and for the provision of a contingency sum of \$9,500 (10% of the tender sum) for which there are funds available in the 1998 / 1999 Parks Development Branch Works Program (FWP9071 Sydney Park Wetlands).

Carried.

The Finance Committee Meeting terminated at 7.03 p.m.

REPORT OF THE FINANCE COMMITTEE (CONFIDENTIAL MATTERS)

WEDNESDAY, 19 AUGUST 1998 AT 7.04 PM

The Committee to resolve that the press and the public be excluded from the meeting of the Finance Committee (Confidential Matters) during consideration of the undermentioned Item, and further, access to correspondence and reports being withheld in respect of such Item 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.

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Apology:

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

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

Item 1 - Personnel Matter

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

That the Report of the Finance Committee (Confidential Matters) of its meeting of 19 August 1998, be received and the recommendations set out below for Item 1 be adopted.

Carried.

The Committee **recommended** the following:-

1.

COMMUNITY FACILITIES - ALEXANDRIA CHILD CARE CENTRE - STAFF ESTABLISHMENT (2013319)

That the recommendation as contained in the report by the Director of Health and Community Services dated 12 August 1998, in respect of the Staff Establishment at the Alexandria Child Care Centre, be approved and adopted.

Carried.

The Finance Committee (Confidential Matters) Meeting terminated at 7.06 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

19 August 1998

PRESENT

Councillor Sonia Fenton (Chairperson)

Councillors – Margaret Deftereos and Sean Macken.

At the commencement of business at 7.07 p.m. those present were -

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Councillors:- Deftereos, Fenton, Macken.

Apology:

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

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

That the Report of the Community Services Committee of its meeting of 19 August 1998, be received and the recommendations set out below for Items 1 to 6, be adopted.

Carried.

The Committee **recommended** the following:-

1.

COMMITTEES - AGED AND DISABILITY SERVICES - SUSPENSION OF THE GAY AND LESBIAN COMMITTEE (2017729)

That arising from consideration of a report by the Director of Health and Community Services dated 10 August 1998, Council grant approval to the suspension of the Gay and Lesbian Liaison Committee.

Carried.

2.

COMMITTEES - APPOINTMENT OF SECTION 377 COMMUNITY MANAGEMENT COMMITTEE TO THE ROSEBERY COMMUNITY CENTRE (C57-00074)

That arising from consideration of a report by the Director of Health and Community Services dated 13 August 1998, approval be given under the provisions of Section 377 of the Local Government Act 1993, to the appointment of the following persons:-

Mr Bart Galea (President)	114 Rosebery Ave ROSEBERY 2018
Mr Neal Jackson (Secretary)	32 Morley Ave ROSEBERY 2018
Mrs Jean Thomas (Treasurer)	53 Dalmeny Ave ROSEBERY 2018

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Ana Da Cunha	117 Harcourt Parade ROSEBERY 2018
Helen Abbey	58 Tweedmouth Ave ROSEBERY 2018
Millie Sibbald	170 Dunning Ave ROSEBERY 2018
Con Mantikos	78 Rothschild Ave ROSEBERY 2018
Alan Karam	5 Kimberley Grove ROSEBERY 2018
Con Vassiniotis	2 Dalmeny Ave ROSEBERY 2018
Elsbeth Halloran	12 Yathong Road CARINGBAH 2229
Jim Halloran	12 Yathong Road CARINGBAH 2229

- to a local citizens' committee and that the care, control and management of the Rosebery Community Centre, Rosebery, be delegated to such committee on the understanding that Council will be responsible for the outgoings, including electricity, rates, refuse collection, maintenance and repairs to the Centre, but excluding telephone, subject to the committee being required to clean the premises and keep proper records and books of account, which must be made available for inspection by Council officers when required.

Carried.

3.

CONFERENCES - 15TH ANNUAL PACRIM CONFERENCE ON DISABILITIES - UNIVERSITY OF HAWAII - FEBRUARY 1999 - ATTENDANCE BY COUNCIL REPRESENTATIVES (2018731)

That arising from consideration of a report by the Director of Health and Community Services dated 13 August 1999, approval be given to the attendance, at the 15th Annual PACRIM Conference on Disabilities from 29 January 1999 to 3 February 1999 at the University of Hawaii Honolulu, by the Chairperson of the Access Committee For People With Disabilities and the Aged and Disability Services Manager, and that any registration fees, accommodation and out of pocket expenses for conveyance and subsistence

in travelling be borne by Council, for which funds are available in the 1998/99 Budget (KAA.77RO)

Carried.

4.

COMMITTEES - HEALTHY OLDER PEOPLE PROGRAM (HOPP) - MINUTES OF MEETING - 28 JULY 1998 (2018510)

That the report by the Director of Health and Community Services dated 13 August 1998, and the accompanying minutes of the Healthy Older People Program Committee held on 28 July 1998, be received and that the undermentioned recommendation of the Committee, be adopted, namely:-

That arising from the minutes of Council's HOPP Committee meeting of 28 July 1998, Council grant its approval of the concept of International Day of Older People, and that an allocation of \$907 be made available in KEV 77FO, for which funds are not available in the 1998/99 Budget.

Carried.

5.

COMMUNITY FACILITIES - DARLINGTON ACTIVITY CLUB - NSW TACTUAL AND BOLD PRINT MAPPING COMMITTEE - REQUEST FOR FREE USE AND PROVISION OF SUPPER - 25 AUGUST 1998 (C59-00090)

That arising from consideration of a report by the Director of Health and Community Services Dated 14 August 1998, Council grants its confirmatory approval for the free use, including supper for 60 people, of Darlington Activity Club by the NSW Tactual and Bold Print Mapping Committee, on 25 August 1998, for an information evening, costs are estimated at \$234, for which funds are available in the 1998/99 Donations Budget (LFN.77DCD).

Carried.

6.

HEALTH - BACKGROUND NOISE SURVEY-REPORT FOR THE CITY OF SOUTH SYDNEY (2008122)

That arising from consideration of a report by the Director of Health and Community Services dated 5 August 1998, regarding a Background Noise Survey, for South Sydney it be resolved that:-

- (1) this report be received and noted;
- (2) to assist in the prevention of increasing noise levels, the Planning Levels contained in the Results of the Technical Paper be implemented into the

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Health and Community Services Department's conditions of consent;

- (3) Officers of the Health and Community Services Department continue to take background noise levels, on future potential noise generating industrial and commercial developments in an effort to prevent background creep.

Carried.

The Community Services Committee Meeting terminated at 7.16 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

19 August 1998

PRESENT

The Mayor, Councillor Vic Smith (Chairperson)

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

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

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

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

That the Report of the Planning and Development Committee of its meeting of 19 August 1998, be received and the recommendations set out below for Items 1, 8 to 11 inclusive, 13 to 15 inclusive and 17 to 20 inclusive, be adopted. The recommendations for Items 2 to 7, 12 and 16 having been dealt with as shown immediately following such Items.

Carried.

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The Committee **recommended** the following:-

1.

CHISHOLM STREET, NO.28, SURRY HILLS - ERECT GARAGE AND DWELLING AT REAR OF SITE (U97-01075)

That consideration of the application submitted by Mr P Brookes, for permission to erect garage and studio at rear of the site, be deferred to the next meeting of the Planning and Development Committee to be held on 2 September 1998, as requested by applicant in fax dated 19 August 1998.

Carried.

2.

PARKS - PEDESTRIAN ACCESS PATH BETWEEN HARCOURT PARADE AND CRETE RESERVE, ROSEBERY (2028329)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (1) That Council take no action to close the pathway between Harcourt Parade and Crete Reserve, Rosebery and ask the Redfern Police Service to increase its surveillance in the area;
- (2) That the residents who initiated the investigation for the closure be informed of Council's decision.

(DPWS Report 31/7/98)

Carried.

3.

MISSENDEN ROAD, NOS. 155-179, NEWTOWN - USE PREMISES AS A DOCTOR'S SURGERY - DEVELOPMENT APPLICATION (U98-00250)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council, as the responsible authority, grants its consent to the application, submitted by Hassell Pty Ltd, with the authority of Whitehall Development Co No. 11 Pty Ltd, for permission to fitout and occupy tenancy 3 on the ground floor of the mixed development as medical surgeries, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plan 6533/DA01 dated August, 1997;
- (2) That the hours of operation shall be restricted to between 8.00 a.m. and 6.00 p.m., Monday to Friday;
- (3) That 2 car spaces shall be allocated to the proposed use;
- (4) That a maximum of two (2) effective fulltime medical practitioners shall occupy the premises at any time;
- (5) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (6) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (7) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (8) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (9) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (10) That the use of the premises shall not give rise to:-
 - (a) transmission of vibration to any place of different occupancy, or
 - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
 - (c) an "offensive noise" as defined in the Noise Control Act, 1975;
- (11) That the applicant shall enter into a commercial contract for the removal of trade waste;

- (12) That suitably constructed waste disposal containers with securely fitting lids shall be left on the premises for the reception of any clinical, contaminated or related waste and, final disposal of the material shall be effected at a facility approved by the Environment Protection Authority;

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

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

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

Carried.

4.

MISSENDEN ROAD, NOS. 155-179, NEWTOWN - USE PREMISES AS A DOCTORS' SURGERIES - DEVELOPMENT APPLICATION (U98-00299)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay :-

- (A) That the Council, as the responsible authority grants its consent to the application submitted by R Campkin-Smith, with the authority of Whitehall Development Co. No. 11 for permission to fitout and occupy tenancies 6 and 7 on the ground floor of the mixed development as specialist medical surgeries subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans reference 3378/009G, 9806/BA-01A, 02A;
 - (2) That the hours of operation shall be restricted to between 8.00 a.m. and 6.00 p.m., Monday to Friday;
 - (3) That two off street car spaces shall be allocated to the proposed use;
 - (4) That a maximum of two (2) effective fulltime medical practitioners shall occupy the premises at any time;
 - (5) That a separate application shall be submitted at the appropriate time for any proposed signs;

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- (6) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (7) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (8) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (9) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (10) That the use of the premises shall not give rise to:-
 - (a) transmission of vibration to any place of different occupancy, or
 - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
 - (c) an "offensive noise" as defined in the Noise Control Act, 1975;
- (11) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (12) That suitably constructed waste disposal containers with securely fitting lids shall be left on the premises for the reception of any clinical, contaminated or related waste and, final disposal of the material shall be effected at a facility approved by the Environment Protection Authority;

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

Carried.

5.

DARLINGHURST ROAD, NOS. 83-97, POTTS POINT - USE PREMISES AS A THEATRE - DEVELOPMENT APPLICATION (U98-00120)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay :-

- (A) That the Council as the responsible authority grants its consent to Owens and Legge Design, with the authority of Stasia Pty Ltd, for permission to use the abovementioned premises as a theatre with live entertainment, subject to the following conditions, namely; -
- (1) That the development shall be generally in accordance with the revised plans 97021 / 1 – 9702 / 14, dated October 16, 1997, submitted August 4 1998;
 - (2) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
 - (3) That access shall be from Darlinghurst Road and that the fire exit door to Earl Place shall remain closed and alarmed and shall be used only in the event of a fire emergency;
 - (4) That the hours of operation shall be restricted to between 6.00 pm and 3.00 am the following day, seven days a week. A trial period of 12 months (from the date of consent) shall apply permitting the premises to operate from 3.00 am until 6.00 am on Saturdays and Sundays. At the end of this trial period, a further development application will be required for extended trading hours beyond 3.00am;
 - (5) That the premises shall not operate any of the following: -
 - (a) external speakers
 - (b) internal speakers within 3 metres of the entrance
 - (c) the use of spruikers

- (6) That the maximum number of people on the premises shall be limited to 250, including entertainers and staff;
- (7) That the building application shall be accompanied by details, including plans, how it is proposed to comply with condition (6);
- (8) That the seating and table layout shall be generally in accordance with the submitted plans at all times;
- (9) That no snooker / pool tables shall be permitted;
- (10) That details of live entertainment shall be submitted and approved by Council as part of the Building Application;
- (11) That prior to the release of building approval the applicant shall submit evidence of a formal lease arrangement for the provision of 7 off street car parking spaces for a minimum period of two years. In the event that these spaces are no longer available the proposed use shall cease unless alternative parking is provided to the satisfaction of the Director of Planning and Building.

and the following adopted standard conditions:

- (12) LDA201 - Make separate application for sign;
- (13) LDA259 - Provide acoustic consultant's report;
- (14) LDA360 - Amusement machines not permitted;
- (15) LDA381 - Not to be used as restricted premises;
- (16) HSC710 - Commercial contract (daily);
- (17) HSC500 - Premises to be ventilated;
- (18) HSC801 - Noise from premises;

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

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

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

Carried.

6.

CLEVELAND STREET, NO. 426, SURRY HILLS - ALTERATIONS AND ADDITIONS TO EXISTING BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-00402)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

(A) That the Council as the responsible authority grants its consent to the development application submitted by Bauhaus Developments Pty Ltd (Owner), for permission to make alterations and additions to the existing building, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans numbered A01, A02, A03 A04, A05 and dated May 1998 and amended plans numbered A06 and dated 13 June, 1998 and August 1998;
- (2) That details of the location of a solar hot water heating system or a heat pump system shall be submitted with the Building Application. If a solar hot water heating system is used, a tank with a capacity of 180 litres (one panel system) shall be associated with each one bedroom and two bedroom unit, a tank with a capacity of 300 litres (2 panel system) shall be associated with the three bedroom unit;
- (3) That a statement from a suitably qualified energy adviser shall be submitted with the Building Application, indicating the suitability of the proposed system in terms of orientation, location and capacity;
- (4) That the portion of the Cleveland Street facade closest to Cleveland Avenue shall be altered so as to be generally symmetrical with the portion of the Cleveland Street facade closest to High Holborn Street in terms of window openings and doorways.
- (5) 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
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Open Space Land Acquisition	\$45,500	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$13,433	2E97002.BGYO
Accessibility And Transport	\$159	2E97006.BGYO
Management	\$621	2E97007.BGYO

Total **\$59,713**

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.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction

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documentation and detailed cost estimates of the works based on established industry standards.

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

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

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

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

- (6) That in addition to the Section 94 Contributions required by Condition (6) above, works to the public domain are required, involving embellishment of the High Holborn Street closure and the Cleveland Avenue footpath to the value of \$20,000. These works shall be completed to the satisfaction of the Director of Public Works and Services, prior to any occupation of the development hereby approved;
- (7) The full agreement of all details of the public domain works, including the cost of those works will be required prior to the implementation of this consent, that is, the commencement of any development on the site. Under no circumstances will the cost of these works be offset against any Section 94 Contribution required for the site;
- (8) That street tree planting shall be undertaken at the Cleveland Street (*Plantanus x hybrida* and *Lophostemon confertus*), Cleveland Avenue (*Pistacia chinensis*) and High Holborn Street (*Robinia x `Frisia`*) elevations in accordance with the South Sydney Street Tree Masterplan;

- (9) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and shall be submitted to Council for referral to the Environmental Planning & Assessment Act 1979. This assessment will need to clarify 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 the clearance by the Environmental Planning & Assessment Act 1979. No works on the site shall be undertaken prior to the Environmental Planning & Assessment Act 1979 giving clearance other than works associated with remediation of the land;
- (10) That a maximum of seven off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (11) That two parking spaces shall be allocated to the retail shops, that 1 space shall be allocated to the 22 x 1 bedroom units, that 3 spaces shall be allocated to the two and three bedroom units and that 1 space shall be allocated to visitor parking;
- (12) That no more than one parking space shall be allocated to each residential unit;
- (13) That cycle racks shall be located in the basement carpark area, providing parking for a minimum of 8 bicycles. The cycle racks shall also be made available without charge to cyclists who work within the building;
- (14) That a bathroom shall be located at the ground floor of the premises, able to be accessed by disabled persons;
- (15) That the garbage room be ventilated to the external air by natural ventilation or an approved mechanical ventilation system.
- (16) That the proposed shops shall not be used for the cooking of commercial food unless an approved air handling system is installed to the cooking appliances;
- (17) That the construction of any proposed commercial food premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;

- (18) That all car washing and garbage receptacle 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;
- (19) That all asbestos fibre demolition material and asbestos dust shall be handled and removed in accordance with the Occupational Health and Safety (Asbestos Dust) Regulation 1984;
- (20) That separate facilities shall be provided within the premises in approved positions for the storage of trade wastes and excess packaging materials separate from residential refuse and recyclable materials;
- (21) That all facilities for trade wastes, residential refuse, packaging and recyclable materials shall be designed and constructed in accordance with Council's Waste Management/Minimisation Fact Sheets;
- (22) That the applicant shall enter into a commercial contract for the removal of trade waste and excess packaging materials;
- (23) That a separate application shall be submitted at the appropriate time for the specific use of the retail shops;
- (24) That all existing signage located on the site shall be removed;
- (25) That plans and specifications showing details of:-
 - (a) all proposed mechanical ventilation systems and associated fire precaution features;
 - (b) car park ventilation systems;
 - (c) the location of exhaust/and intake vents;
 - (d) the garbage room;
 - (e) the recycling storage area;
 - (f) the facilities for the retention and storage of excess packaging material;
 - (g) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes of commercial food premises;

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

and the following adopted standard conditions:

- (26) LDA152 - Schedule of finishes;
- (27) LDA155 - Windows and doors to be of timber joinery;

- (28) LDA201 - Make separate application for sign;
- (29) LDA368 - Display of street numbers;
- (30) LDA373 - Disabled access provision;
- (31) LDA396 - Works within boundaries;
- (32) LDA351 - Building Application required;
- (33) LDA376 - Hours of building work;
- (34) LDA377 - Construction noise regulation;
- (35) LDA21 - No resident parking for residential flat developments;
- (36) LDA384 - New alignment levels;
- (37) LDA387 - Footway crossings;
- (38) LDA389 - Stormwater disposal requirements;
- (39) LDA391 - Builder's Hoarding Permits;
- (40) LDA392 - No obstruction to public way;
- (41) LDA393 - Delivery of refuse skips;
- (42) LDA394 - Cost of alteration to signposting;
- (43) HSC103 - Environmental site assessment being carried out;
- (44) HSC500 - Premises to be ventilated;
- (45) HSC555 - Bathroom ventilation;
- (46) HSC518 - Exhaust vent;
- (47) HSC300 - Air handling systems for future food premises;
- (48) HSC018 - Sanitary facilities;
- (49) HSC101 - Not give rise to emissions into the environment;
- (50) HSC111 - Liquid wastes to sewer;
- (51) HSC100 - Removal of spoil from site;
- (52) HSC700 - Compliance with code for Garbage Handling System;

(53) HSC715 - Trade waste;

(54) HSC800 - Use of appliances emitting intrusive noise;

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

- (1) That the basement carpark shall be ventilated in accordance with the Building Code of Australia and Council's Ventilation Code;
- (2) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
- (3) That exit travel distances shall be redesigned to comply fully with the requirements of Clause D.1.4 of the BCA with specific attention directed to the first floor;

and the following adopted standard conditions:

- (4) BC318 - Fire entrance doors to units;
- (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) BC602 - Clothes washing and drying facilities;
- (16) BC608 - Ceiling heights;
- (17) BC612 - Wall sound transmissions;
- (18) BC614 - Floor sound transmissions;
- (19) 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, overshadowing, privacy loss, streetscape qualities, heritage 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.

Carried.

7.

SPORTS - QUESTION WITHOUT NOTICE - OPEN SPACE FOR SOUTH WARD INCLUDING GREEN SQUARE(2017514)

That the report by the Director of Planning and Building dated 13 August 1998, regarding the above matter, be received and noted.

At the request of Councillor Bush and by consent, the motion was amended by the addition of a Clause (B) to the recommendation namely:-

- (B) That the Director of Planning and Building prepare a report on the possibility of purchasing property in the Green Square area for open space from Section 94 Contributions.

Motion as amended by consent, carried.

8.

KING STREET, NOS. 58 - 72, NEWTOWN (ALPHA HOUSE) - DEVELOPMENT APPLICATION (U93-01154)

That Council resolve to allow the Section 94 contribution payable under development consent U93-01154, granted 7 December 1994, to be deferred until the building is ready for occupation on the condition that the developer lodges a Bank Guarantee with Council equal to the amount of the contribution before release of the building application, in accordance with Clause 29 of the South Sydney City Council June 1993 Section 94 Contributions Plan.

(DPB Report 18.8.98)

Carried.

9.

EDGELY STREET, NO. 18, SURRY HILLS - ALTERATIONS AND ADDITIONS TO SINGLE DWELLING - DEVELOPMENT APPLICATION(U98-00480)

(A) That the Council as the responsible authority grants its consent to the application submitted by A Harvey with the authority of the Department of Housing, to make alterations to an existing dwelling including a first floor rear deck, subject to the following conditions, namely:-

- (1) That the work shall be generally in accordance with plans dated 18 May 1998;
- (2) That the new work shall be constructed in similar materials and colour to the existing building;
- (3) That the first floor deck shall be screened at the sides to a height of not less than 1.5m;
- (4) That the ground level decking at rear be reduced in height to a level of at least 300mm below the family room to preserve the future privacy of adjoining buildings;

and the following adopted standard conditions:

- (5) LDA351 - Building Application required;
 - (6) hsc800 - Use of appliances emitting intrusive noise;
 - (7) LDA376 - Hours of building work;
 - (8) LDA377 - Construction noise regulation;
 - (9) LDA389 - Stormwater disposal requirements;
 - (10) LDA392 - No obstruction to public way;
 - (11) LDA393 - Delivery of refuse skips.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

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10.

FLINDERS STREET, NOS. 88 - 102, DARLINGHURST - REFURBISH TERRACES AND ERECT NEW TERRACES AT REAR - TOTAL OF 95 SELF CONTAINED UNITS PROPOSED - DEVELOPMENT APPLICATION (U96-01105)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Fibrent P/L with the authority of Mr B Gallego for permission to carry out alterations and additions to existing terraces and erect a new row of terraces for low cost accommodation for the following reasons, namely:-
- (1) That the proposal is deficient in the amount of open space provided for the occupants of the premises as a residential flat building under DCP 1997;
 - (2) That the proposal is deficient in relation to the provision of car parking required for a residential flat building under DCP No.11 Transport Guidelines for Development;
 - (3) That the proposal is deficient with regard to provision of access to sunlight for the occupants of the development in accordance with DCP 1997;
 - (4) That the proposal does not provide for a suitable unit mix in accordance with the provisions of DCP 1997;
 - (5) That in the long term the proposal would be responsible for an adverse impact on the stock of low cost accommodation in the area;
 - (6) That the proposal is not in the public interest.
- (B) That the persons who made representations in respect of the subject proposal be advised of Council's decision.

Carried.

11.

LOCAL GOVERNMENT ACT 1993 AND AMENDED ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - POLICIES AND PROCEDURES NEW DRAFT LOCAL POLICY FOR ORDERS AND DRAFT DEVELOPMENT CONTROL PLAN FOR ORDERS (2012716)

That approval be given to:-

- (1) the "Draft Local Orders Policy" and the "Draft Development control Plan for orders" accompanying this report being exhibited for public comment for a period of 42 days;

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- (2) a further report being submitted to Council following the exhibition and receipt of any response from the public.

(DPB Report 13.8.98)

Carried.

12.

ITHACA ROAD, NOS. 1 - 3, ELIZABETH BAY - USE PART OF EXISTING MARINA AS A KIOSK AND ERECT A NEW BUILDING FOR STORAGE AND A BROKERAGE OFFICE IN ASSOCIATION WITH THE EXISTING MARINA - DEVELOPMENT APPLICATION (U97-00831)

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

That the matter be deferred so the applicant can further submit information on whether the application meets the potential of condition (1) in the report by the Director of Planning and Building dated 13 August 1998.

It was moved as an amendment by Councillor Harcourt, seconded by Councillor Waters that the motion be deleted and the following new resolution be inserted in lieu thereof, namely:-

- (A) That the Council as the responsible authority grants its consent pursuant to Section 91AA of the Environmental Planning and Assessment Act to the application submitted by Elizabeth Bay Marina Pty Ltd, with the authority of the Marine Ministerial Holdings, for permission to construct a kiosk within the existing marina building with three ancillary outdoor tables, subject to the following conditions, namely:-
 - (1) That the consent shall not become operative until the applicant has provided the Council with details of the manner in which the kiosk would be incorporated within the existing buildings including details of any signs and changes to the outer shell of the building. These details shall be submitted within 3 months of the date of this consent and shall be to the satisfaction of the Director of Planning and Building;
 - (2) That the kiosk shall not operate until works proposed in condition (1) have been completed;
 - (3) That the proposed office and store building at the end of the existing slipway shall be deleted;
 - (4) That not more than twelve seats shall be provided for the kiosk;

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- (5) That no building work shall be carried out until construction has been approved by the Waterways Authority;
- (6) That the hours of operation of the kiosk shall be only between 8.00am and 6.00pm daily and that the seats be stored within the building outside these times to discourage evening use;
- (7) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (8) That the kiosk shall comply with the requirements of the National Code for the Construction and Fitout of Food Premises;
- (9) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (10) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (11) That all liquid wastes other than stormwater arising on the premises shall be discharged to the sewer in accordance with the requirements of Sydney Water;
- (12) That 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;
- (13) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste/Minimisation Fact Sheets";
- (14) That adequate facilities shall be provided for the storage of recyclable material. The area to be located and marked to the satisfaction of the Director of Health and Community Services. Details to be submitted with the Building Application;
- (15) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (16) That plans and specifications showing details of:-
 - (a) all required mechanical ventilation systems;
 - (b) the recycling storage area;

- (c) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;

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

- (17) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (18) That all drawings for building works are to be of the standard that would be required for a "Building Application" under the Local Government Act;
- (19) That all building work is to also comply with the Building Code of Australia 1990 and health and building requirements equivalent to those which would be imposed by South Sydney Council;
- (20) That all external building work is to be coloured or painted in accordance with the "Guidelines for Waterside Structures" or to match existing. Details of proposed finish and colour are to be shown on the required drawings;
- (21) That the drawings are to include full details of the proposed new steps and associated new decking etc;
- (22) That any new steps and all the adjoining deck south of the security gate are to be accessible to the public at all times;
- (23) That no structures, awnings, etc are to be erected on or over the deck south of the security gate and no tables and chairs etc, are to be placed on that deck at any time;
- (24) That all structural elements of the works shall be designed by a practising consulting structural engineer qualified for Corporate Membership of the Institution of Engineers Australia;
- (25) That design loads for the new works shall be determined by the designer but not less than the loads stipulated at para 29.2.2 of the "Guidelines" and in AS 1170 Pt 1 - 1989 and AS 1170 Pt 2 - 1989, and including the appropriate Floor Live Loads set down in Pt 6, Appendix B of AS 1170.1;
- (26) That new railings etc to the deck and their fixings shall be designed for loads determined by the designer but not less than those stipulated at sub clause 4.7.1(b) of AS 1170.1 - 1989;

- (27) That drawings for all structural aspects of the works are to be prepared by or under the supervision of an Engineer as described above;
- (28) That all work, including any incidental demolition work is to be done in such a way that no building or demolition debris etc. falls, flows or is carried to the bed or waters of the Bay and any such material entering the Bay is to be removed immediately;
- (29) That detailed drawings shall be submitted to the Waterway Authority with:-
 - (a) a copy of the development consent by South Sydney Council, its conditions, any stamped plans etc.
 - (b) A completed "Application for Construction of Waterside Structures" and
 - (c) Full calculations which verify all structural aspects of the works, including the ability of existing structures to satisfactorily sustain the design loads to which they will now be subjected by the proposed works;
- (30) That the Authority reserves the right to require further details, verifying calculations, etc, following submission and examination of the foregoing.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

It was moved as further amendment by Councillor Fowler, seconded by Councillor Deftereos, that the matter be deferred, so that the applicant can further submit information.

Amendment negatived.

Motion, as amended by Councillor Harcourt, carried.

13.

BUCKLAND STREET, NOS. 77-79, CHIPPENDALE - PARTIAL DEMOLITION AND CONVERSION OF EXISTING WAREHOUSE BUILDING INTO RESIDENTIAL UNITS WITH GROUND LEVEL SHOWROOM - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-00482)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Peter Duffield and Associates, with the authority of Michel Leather Pty Ltd, for permission to convert an existing warehouse building into residential units with ground level showrooms in

accordance with submitted plans, subject to the following conditions, namely:-

- (1) That the development shall generally be in accordance with plans dated May 1998;
- (2) That the parking provisions shall be reduced to 7 spaces;
- (3) That the original facade and glazing at the first and second floors on the Buckland Street and Pine Street elevations shall be retained;
- (4) That the existing Pine Street facade and glazing at the first and second floors shall be extended to the southern boundary;
- (5) That part of the roofscape above the second floor balconies fronting Buckland Street and Pine Street shall be of transparent material which allows the transmission of light, details which shall be provided to the Director of Planning and Building;
- (6) That the second floor balconies fronting Buckland Street and Pine Street shall be set back 0.75m from the edge of the building;
- (7) That a 28 sqm commercial space shall be provided at the ground floor fronting Pine Street;
- (8) That all new external doors and windows shall be timber framed;
- (9) That the hours of operation of the show rooms shall be restricted to between 9.00a.m. and 5.00p.m. Mondays to Fridays and 9.00a.m. and 10.00p.m. on Saturdays;
- (10) (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	\$18,046	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$ 5,417	2E97002.BGYO
Accessibility And Transport	\$ 72	2E97006.BGYO
Management	\$ 272	2E97007.BGYO

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Total **\$23,807**

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.

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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.

- (11) That ceilings beneath any floors of the building shall be constructed of material having resistance to the incipient spread of fire of one hour;
- (12) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
- (13) That the premises including all internal rooms not provided with adequate natural ventilation shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (14) That the car park shall be ventilated in accordance with the requirements of AS 1668.1 Section 7.6 and AS 1668.2-1991 Section 4.4;
- (15) That plans and specifications showing details of:-
 - (a) all required mechanical ventilation systems;
 - (b) the garbage room;
 - (c) the recycling storage area;

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

- (16) 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;
- (17) That the developer shall provide street trees (new and infill) in accordance with the Council's Street Tree Masterplan (1966). Trees shall be 75litre container size, 2.5 metres high, 75mm caliper and planted at 10 metre centres.

Buckland Street: *Sapium sebiferum* (Chinese Tallow Wood)

- (18) That the minimum soil depth for on slab planting shall be 1000mm for trees, 600mm for shrubs and 300mm for grass. These dimensions shall include 75mm depth of mulch and a suitable waterproofing and drainage layer;
- (19) That the developer shall submit with the landscape plan an annual maintenance programme for landscaping on the site which is to be supplied to the body corporate or building owner for ongoing maintenance of the site;
- (20) 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;
- (21) That the developer shall reinstate any damaged kerb and gutters in materials similar to those existing;
- (22) That the developer shall accept the responsibility for the cost of any alteration or adjustment to the existing public utility services affected by roads and drainage works associated with the development;
- (23) That the developer shall provide off street parking for workers constructing the development;

and the following adopted standard conditions:

- (24) LDA21 - No resident parking for residential flat developments;
- (25) LDA152 - Schedule of finishes;
- (26) LDA351 - Building Application required;
- (27) LDA252 - Discharge to atmosphere to comply;
- (28) LDA376 - Hours of building work;
- (29) LDA384 - New alignment levels;
- (30) LDA387 - Footway crossings;
- (31) LDA389 - Stormwater disposal requirements;
- (32) LDA391 - Builder's Hoarding Permits;
- (33) LDA392 - No obstruction to public way;
- (34) LDA393 - Delivery of refuse skips;
- (35) LDA394 - Cost of alteration to signposting;
- (36) LDA396 - Works within boundaries;
- (37) LDA399 - Cost of consequential roadworks;
- (38) LDA414 - Costs for alterations to public services;
- (39) BC318 - Fire entrance doors to units;
- (40) BC420 - Construction of stairways and ramps;
- (41) BC426 - Exit doors, shutters and grilles;
- (42) BC501 - Fire extinguisher;
- (43) BC507 - Hose reels;
- (44) BC508 - Hydrants;
- (45) BC524 - Emergency lighting;
- (46) BC525 - Exit signs;
- (47) BC528 - Fire detectors and alarm system;
- (48) BC609 - Natural light and ventilation;

- (49) BC611 - Ventilation of bathrooms/laundries;
- (50) BC612 - Wall sound transmissions;
- (51) BC614 - Floor sound transmissions;
- (52) HSC103 - Environmental site assessment being carried out;
- (53) HSC516 - Discharge vents;
- (54) HSC111 - Liquid wastes to sewer;
- (55) HSC700 - Compliance with code for Garbage Handling System;
- (56) HSC709 - Garbage room;
- (57) HSC711 - Commercial contract (trade waste);
- (58) HSC800 - Use of appliances emitting intrusive noise;
- (59) HSC801 - Noise from premises;

NOTE 1:

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, descent, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways. The applicant shall ensure that its employees, agents, or sub-contractors provide and maintain sediment control measures.

NOTE 2:

That proposed location of waste collection area (Drawing DH01) should be referred to the Public Works and Services Department, Cleansing Services Branch, for approval.

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

Carried.

14.

VICTORIA STREET, NOS. 384-392, DARLINGHURST - CAR PARK GARVAN INSTITUTE - DEVELOPMENT APPLICATION (U97-1115)

- (A) That the Council as the responsible authority grants its consent to the application submitted by St Vincents Hospital, for permission to erect a private car park at the abovementioned premises subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans C08 Revision 1 dated 19 February 1998 and landscape plans L01 dated June 1988;
 - (2) That the part of the proposal identified as "Stage 2" on the approved plans shall be used as a private car park by the Garvan Institute for a temporary period of three years from the implementation of this consent. The use shall cease upon expiration of this period and further development consent will be required for any use of the land;
 - (3) That details shall be submitted to Council prior to the expiration of three years following implementation of this consent regarding the intended use of the part of the proposal within the area identified as "Stage 2" on the approved plans which has already been constructed and is currently in use. This area is intrinsically linked with the area identified as "Stage 1" and details will be required, in the form of a development application, as necessary, as to how it is intended to permanently provide the parking spaces required by condition (15) of DA 93-00571 dated 29 September, 1993;
 - (4) That, prior to submission of the Building Application, the applicants shall surrender that part of Development consent U93-00051 dated 29 September, 1993 relating to a second tier of parking in accordance with the provision in the act. This shall not be built and the total number of parking spaces shall not exceed 80;
 - (5) That all landscaped areas shall be maintained to the full satisfaction of Council, throughout the duration of this consent. In this regard a plan of management for the car park and landscaped areas, to the satisfaction of the Director of Planning and Building shall be submitted to Council prior to commencement of the use;
 - (6) That minimum plant sizes are to be 75 litres for trees and 5 litres for shrubs. Minimum soil depths shall be 1000mm for trees, 600mm for shrubs and 300mm for grass. These dimensions shall include 75mm depth of mulch;

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- (7) That all existing trees on site covered by Council's Tree Preservation Order shall be preserved and protected during construction and the methods of protection shall be submitted for approval with the Building Application to the satisfaction of the Director of Public Works and Services;
- (8) 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 calliper and planted at 10 metre centres. Street trees are to be *Lophostemon confertus* commonly known as Brush box. Trees are to be planted between existing street trees on Liverpool Street;
- (9) 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;
- (10) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (11) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (12) 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;
- (13) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;

and the following adopted standard conditions:

- (14) LDA43 - Parking space and aisle sizes;
- (15) LDA44 - Driving in forward direction only;
- (16) LDA52 - Provide barriers at front of site;
- (17) LDA28 - Off-street parking not to be public;
- (18) LDA22 - Parking spaces required;
- (19) LDA392 - No obstruction to public way;

- (20) LDA393 - Delivery of refuse skips;
- (21) LDA389 - Stormwater disposal requirements:
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

15.

BAY STREET, NO.66, ULTIMO - CHANGE EXISTING CAR PARKING TO OFFICE USE - DEVELOPMENT APPLICATION (U98-00534)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Liskoustr Assoc , with the authority of Advertising Partner Australia, for permission to convert part of the car park into office area, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with plans 9853 DA01A - DA05A dated June 1998;
 - (2) That the removal of the roller door shall be replaced with two vertical portioned windows to match the existing windows on the building and details to be submitted with any Building Application;
 - (3) That all loading and unloading operations shall be carried out wholly within the confines of the subject building at all times and shall not obstruct access to other units;
 - (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) windows and doors;
 - (5) That the proposed new brickwork shall match the existing;
 - (6) That the garbage storage area shall be adequately screened to the satisfaction of the Director of Planning and Building;
 - (7) That no garbage or industrial waste shall be placed on the public way, eg. footpaths, roadways, plazas, reserves, at any time;

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- (8) That the applicant shall enter into a commercial contract for the daily collection of trade waste;
- (9) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (10) 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;
- (11) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (12) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (13) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (14) That 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;
- (15) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (16) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (17) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (18) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building 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;

(19) That all relevant sections of the BCA shall be complied with.

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

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

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

Carried.

16.

MYRTLE STREET, NOS. 69-73, CHIPPENDALE - ERECT A RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-00384)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That consideration of the application submitted by South Sydney City Council be deferred for further discussions between the Council's Properties Section, the Architects and interested Councillors on amendments to the scheme.

Carried.

17.

PROSPECT STREET, NO.38, SURRY HILLS - FIRST FLOOR BRICK EXTENSION TO DWELLING - DEVELOPMENT APPLICATION (U98-00044)

(A) That the Council as the responsible authority grants its consent to the application submitted by Mr S Jalinec (owner) for permission to carry out alterations and additions to the abovementioned dwelling, subject to the following conditions, namely:-

(1) That the development shall be generally in accordance with plans numbered 0002, 00203, 0004, 0005 and dated 28 May 1998;

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- (2) That the parapet of the second floor extension shall not extend above the parapet of the adjoining terrace to the west by more than 500 mm and that details shall be submitted with the Building Application;
- (3) That the roof line (excluding the skylights) shall be amended so that it wholly below the front parapet; details shall be submitted with the Building Application;
- (4) That details showing the treatment of the parapet on the side elevations of the dwelling shall be submitted with the Building Application;
- (5) That the minimum dimensions of the proposed second floor window shall be generally in accordance with the existing window at ground level, and that details of these dimensions shall be submitted with the Building Application;
- (6) That ornamentation, such as string courses, rendered surrounds to the first and second floor windows, corbels and window sills and lintels shall be applied to the facade, and that details of this treatment shall be submitted with the Building Application;
- (7) That the new windows and doors in the front elevation shall be constructed in timber joinery;

and the following adopted standard conditions:

- (8) LDA 152- Details of materials and colours;
- (9) LDA 351- Building Application required;
- (10) LDA 376- Hours of building work;
- (11) LDA 377- Construction noise;
- (12) LDA 389- Stormwater disposal requirements;
- (13) LDA 391- Builder's Hoarding Permits;
- (14) LDA 392- No obstruction of public way;
- (15) LDA 393- Delivery of refuse skips;
- (16) HSC 500- Premises to be ventilated;
- (17) HSC 800- Use of appliances emitting intrusive noise.

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

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

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

Carried.

18.

TRAFFIC - KING CROSS TOURIST BUS CODE OF CONDUCT (2013597)

That Council give formal endorsement to the Draft Kings Cross Tourist Bus Code of Conduct prepared by the Kings Cross State Place Manager.

(DPWS Report 17.8.98)

Carried.

19.

PARRAMATTA ROAD, NOS. 112-122, CAMPERDOWN - CONSTRUCT 38 RESIDENTIAL UNITS AND 6 COMMERCIAL TENANCIES WITH BASEMENT PARKING - CONTRIBUTION INCLUDED IN CONSENT DEVELOPMENT APPLICATION (U98-00429)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Bayni Armstrong Development, with the authority Mexican Hammock Company, for permission to demolish the existing buildings and erect a new building containing 38 residential units, 6 retail/commercial tenancies and basement parking, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with drawings numbered DA000 to DA007 Revision A dated 18 June 1998;
- (2) (A) Section 94 Contributions

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

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Contribution Category	Amount	Account
Open Space Land Acquisition	\$ 69,771	2E97001.BGYO
Open Space/Townscape/ Public Domain	\$ 21,061	2E97002.BGYO
Accessibility And Transport Management	\$ 277	2E97006.BGYO
Multi function Admin Centre	\$ 1,049	2E97007.BGYO
	\$18,904	
Total	\$111,062	

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

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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 the floor space ratio of the building shall not exceed 2.25:1 and computer generated shaded plans verifying compliance with this condition shall be submitted with the building application/ construction certificate;
- (4) That a maximum of 37 off street parking spaces shall be provided, comprised of 25 resident spaces, 6 visitor spaces and 6 spaces for the commercial tenancies, to the satisfaction of the Director of Planning and Building;
- (5) That visitor parking spaces shall be located such that they are not within the secure parking area or are accessible via an intercom system to each unit;

- (6) That 13 secure bicycle parking spaces for residents shall be provided and at least 4 bicycle spaces for visitors, located to the satisfaction of the Director of Planning and Building;
- (7) That all aspects of the car park (eg ramps, aisles, parking spaces, etc) shall be designed in accordance with the requirements of DCP 11b and AS2890.1 and details shall be submitted with a building application/construction certificate, to the satisfaction of the Director of Planning and Building;
- (8) That the large panels on the Parramatta Road elevation and the blank walls on the eastern and western elevations shall be architecturally detailed and finished to provide a more visually interesting streetscape, to the satisfaction of the Director of Planning and Building;
- (9) That the developer shall carry out (or meet to entire cost of design, construction and supervision of) upgrading of the park on the corner of Parramatta Road and Lyons Road and tree planting and paving works around the entire street block (ie Parramatta Road, Lyons Road, Purkis Street and Layton Street) generally in accordance with the treatment shown on plan number DA101 Revision B, with final details being agreed and the work being to the satisfaction of the Director of Public Works and Services and the Director of Planning and Building (Note: These works are in addition to Section 94 contributions and will not be considered to offset the Section 94 Contribution as works in kind);
- (10) That a landscape plan for the site prepared by a suitably qualified person shall be submitted showing hard and soft works, decorative paving, garden edging, furniture, pergolas, fencing, existing and proposed critical levels, planting types and species, plant number and sizes (container size and height), irrigation and subsoil drainage where landscaping is to be provided on a slab shall be submitted for approval by the Director of Public Works and Services;
- (11) That where landscaping is to be provided on a slab, minimum soil depth shall be 1000mm for trees, 600mm for shrubs and 300mm for grass, including a suitable layer of waterproofing and drainage and a 75mm layer of mulch for gardens;
- (12) That the developer shall arrange with the Parks Development Branch for a final inspection of the landscape works to ensure that work has been carried out in accordance with the approved landscape plan;
- (13) That the developer shall provide a maintenance schedule for landscape works for the first 12 months with evidence of a

contract to carry out such maintenance after practical completion;

- (14) That the developer shall provide a construction management plan for approval prior to commencement of work detailing showing how construction materials will be delivered to the site and how noise, dust, vibration, waste, demolition, excavation, construction worker parking and the like will be managed and coordinated to minimise the impact on existing residents to the satisfaction of the Directors of Public Works and Services, Health and Community Services and Planning and Building;
- (15) That the garbage room shall be constructed in accordance with the requirements of Council's Code for the construction of Garbage Handling Systems;
- (16) That the proposed garbage/recycling storage area be large enough to accommodate the containerisation requirements set by the Waste Services Manager;
- (17) That the garbage/recycling area be accessible from Purkis Street to satisfy the needs of Council's kerbside collection service;
- (18) 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 use to consider these levels;
- (19) That the developer to reinstate any damaged kerb and gutter in materials similar to those existing;
- (20) That plans and specifications showing details of:-
 - (a) car park 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;
- (21) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal:-
 - (a) external finishes to walls;
 - (b) roofing finishes;
 - (c) balcony balustrade treatment;
 - (d) proposed fences;

- (e) size and proportion of windows and doors;
- (22) That a separate application shall be submitted at the appropriate time for the specific use of non-residential tenancies;
- (23) 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;

and the following adopted standard conditions:

- (24) LDA21 - No resident parking for residential flat developments;
- (25) LDA376 - Hours of building work;
- (26) LDA387 - Footway crossings;
- (27) LDA389 - Stormwater disposal requirements;
- (28) LDA391 - Builder's Hoarding Permits;
- (29) LDA392 - No obstruction to public way;
- (30) LDA394 - Cost of alteration to signposting;
- (31) LDA396 - Works within boundaries;
- (32) LDA397 - Energy Australia dedication;
- (33) LDA399 - Cost of consequential roadworks;
- (34) LDA401 - No work in realignment;
- (35) LDA414 - Costs for alterations to public services;
- (36) hsc706 - Storage of recyclables;
- (37) hsc711 - Commercial contract (trade waste);
- (38) hsc800 - Use of appliances emitting intrusive noise;
- (39) hsc500 - Premises to be ventilated;
- (40) hsc103 - Environmental site assessment being carried out;
- (41) hsc018 - Sanitary facilities;
- (42) hsc700 - Compliance with code for Garbage Handling System;

- (43) LDA153 - Reflectivity of external glazing;
 - (44) LDA377 - Construction noise regulation;
 - (45) LDA393 - Delivery of refuse skips;
 - (46) LDA408 - Cost of special paving;
 - (47) LDA106 - Preserve existing trees;
 - (48) BC5 - Consolidate all lots;
 - (49) LDA12 - Applicant to liaise with Sydney Water;
 - (50) LDA37 - Loading within confines of building;
 - (51) LDA47 - Loading, parking and access to be kept clear;
 - (52) LDA201 - Make separate application for sign.
- (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 stairways to units shall be redesigned to comply fully with the requirements of Part D of the BCA;
 - (2) That proposed fire isolated exists shall comply fully with the requirements of Clause D1.7 of the BCA with specific attention directed to the proposed western stairway;
 - (3) That natural light and ventilation shall be provided to all habitable rooms in accordance with the requirements of Part F.4 of the BCA with specific attention directed to proposed bedrooms;
 - (4) That proposed ceiling heights comply fully with the requirements of Clause F3.1 of the BCA with specific attention directed to Level 7 bedrooms.
- The reason for Council granting consent, subject to the above conditions, is:-
- Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood and would not be in the public interest.
- (C) That the applicant be advised that the applicant may be liable for prosecution under the Local Government Act 1993 for breach of an approved condition or under the Clean Waters Act 1970 if its employees, agents, or sub-contractors allow sediment, including soil, excavated

material, building materials or other materials to be pumped, drained or allowed to flow to the street, stormwater pipes, or waterways. That applicant is advised to ensure that its employees, agents, or sub-contractors understand and maintain sediment control measures.

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

Carried.

20.

TRAFFIC - LOCAL ROADS IN SOUTH SYDNEY - PROPOSED 50KM/HR SPEED LIMIT (T52-00167)

That approval be given to:-

- (1) the introduction of a 50 km/hr speed limit on all local roads that do not already have 40 km/hr speed limit or operate as a shared zone;
- (2) the introduction of these zones as outlined in the Guidelines accompanying the Director's report;
- (3) the conduct a community education campaign, utilizing RTA resources, to educate the community about the benefits of reduced speed limits.

(DPWS Report 12/8/98)

Carried.

The Planning and Development Committee Meeting terminated at 8.25 p.m.

The Council Meeting terminated at 7.47 p.m.

Confirmed at a meeting of South Sydney City Council
held on1998

CHAIRPERSON

GENERAL MANAGER

A/GENERAL MANAGER