

220TH Meeting**Erskineville Town Hall
Erskineville****Wednesday, 10 February 1999**

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.43 pm on Wednesday, 10 February 1999.

PRESENT

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

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

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Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Fenton:-

That the minutes of the Ordinary Meeting of Council of 9 December 1998, be taken as read and confirmed.

Carried.

Apology

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

Moved by Councillor Fowler, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

9 February 1999

**SPORTS - VICTORIA PARK POOL SENIOR'S DAY - 19 FEBRUARY 1999
(2009715)**

As part of the International Year of Older People a Senior's Day will be conducted at Victoria Park Pool on Friday 19 February 1999. A number of events have been arranged that will be of interest and benefit to older people.

To promote the use of the pool by a wider range of the community it is considered appropriate to permit free entry to the pool for Senior Card holders on the day. By waiving the fee Council would help assure the success of the event and would contribute significantly to celebrating the International Year of Older People.

Recommendation:

That as part of Council's Senior's Day event at Victoria Park Pool on Friday 19 February 1999, approval be given to the waiving of the pool entry fee for Senior Card holders on the day.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Waters, seconded by Councillor Lay:-

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

At the request of Councillor Fowler, and by consent, the motion was amended by the addition of the words "and those accompanying them on the day" after the word "holders" where appearing in the last line of the recommendation.

Carried.

MINUTE BY THE MAYOR

10 February 1999

CELEBRATIONS - MR AND MRS MOBBERLEY - 50TH WEDDING ANNIVERSARY (2012160)

It is with pleasure that I advise Council of the approaching 50th Wedding Anniversary of Mrs Betty and Mr Stephen Mobberley of Lawrence Street, Alexandria.

Betty and Stephen Mobberley will be celebrating their anniversary on 19 February 1999 and I consider it appropriate for Council to recognise this wonderful occasion.

Recommendation:

That a letter of congratulations be forwarded to Mr and Mrs Mobberley from Council and that a floral arrangement also be forwarded to them on this very special occasion.

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

10 February 1999

CELEBRATIONS - OPENING CEREMONY - REDFERN TOWN HALL (2009732)

In 1998/99 Council restored and upgraded Redfern Town Hall to provide a new multi-purpose community facility.

The Pitt Street façade of Redfern Town Hall has been reconstructed based on photographic records of the original building while the remainder of the building has been restored or adapted to meet modern requirements. Architects for the project have been Michael Davies Associates.

The inauguration of the original Redfern Town Hall occurred on Friday, 16 December 1870 by the Mayor of Redfern George Renwick. The inauguration coincided with the first meeting of the Council in the new building. To celebrate the occasion ratepayers of the borough were invited to view the building between 7.00 pm and 9.00 pm.

It is proposed to hold a ceremony to celebrate the re-opening of the newly renovated Redfern Town Hall on Saturday, 20 February 1999 from 2.00 pm to 4.00 pm to which residents of South Sydney will be invited.

Recommendation:

That Council agree to hold a ceremony to celebrate the re-opening of the newly renovated Redfern Town Hall on Saturday, 20 February 1999 from 2.00 pm to 4.00 pm to which residents of South Sydney will be invited, and for which funds of up to \$20,000 be voted.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Macken, seconded by Councillor Waters:-

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

At the request of Councillor Fenton, and by consent, the motion was amended by the deletion of the amount "\$20,000" where appearing in the last line of the recommendation and the insertion in lieu thereof of the amount "\$10,000".

Carried.

MINUTE BY THE MAYOR

10 February 1999

CELEBRATIONS - OFFICIAL OPENING OF GOODSSELL PLAYING FIELD 7 MARCH 1999 (2018595)

In 1998/99 Council upgraded the Goodsell Playing Field in Sydney Park St Peters as part of Plan of Management for the park and as part of its continuing policy to provide top quality community sports facilities in the South Sydney area.

The Goodsell Playing Field was originally named after Henry Goodsell who was the first person to make bricks on the site in the early 1800's.

The actual field was built in 1990/91 and the wicket was installed in 1997, combining two junior fields into one. In 1998 the picket fence and temporary amenities facility were established and an irrigation system is to be introduced in March 1999 at the end of the cricket season.

In view of the substantial upgrade to the Goodsell Playing Field it is proposed to officially name the oval "The Alan Davidson Oval" in honor of Alan Davidson AM MBE in recognition of his contribution at all levels to the sport of cricket.

It is proposed to hold a function to celebrate the upgrading of the Goodsell Playing Field and naming of the Alan Davidson Oval on Sunday, 7 March 1999 from Noon until 5.00 pm to which residents of South Sydney will be invited. The function is to be organised in conjunction with the South Sydney District Cricket Club.

RECOMMENDATION

That Council agree to hold a function ceremony to celebrate the upgrading of the Goodsell Playing Field and naming of the Alan Davidson Oval on Sunday, 7 March 1999 from Noon until 5.00 pm to which residents of South Sydney will be invited, and for which funds of up to \$15,000 are available in the 1998/99 Budget Estimates (FBA 0120).

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

10 February 1999

SPORTS - SAVE PRINCE ALFRED PARK POOL CAMPAIGN (S54-00057)

I have joined with residents in opposing the possibility of the closure of the Prince Alfred Park Pool swimming pool by Sydney City Council.

Many residents and workers from densely populated areas like Redfern and Surry Hills use this pool. It is a much needed recreational, health and family facility.

It is predominantly residents of South Sydney who will be affected by the loss of the pool. They are extremely concerned about the rumours and have started a strong campaign against its closure, including circulating a petition which to date contains over 3,000 signatures.

In support of these residents and users of the pool I am seeking Council's support to take to the Lord Mayor, Frank Sartor, a proposal that South Sydney Council take over the care and management of the pool.

RECOMMENDATION

That Council begin negotiations with the Sydney City Council Lord Mayor, Frank Sartor, for the handing over of the Prince Alfred Park Swimming Pool to South Sydney Council.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

At the request of Councillor Fenton, the Mayor gave an indication that he would raise the matter regarding the sharing of the cost of maintenance of the Prince Alfred Park Swimming Pool with the Lord Mayor of Sydney, Councillor Frank Sartor.

MINUTE BY THE MAYOR

9 February 1999

COMMITTEES - FORMATION OF A TAYLOR SQUARE TASKFORCE (2020343)

Construction work on the Eastern Distributor is due to be completed early in 2000. As Council knows this will have a great impact on local and state roads in our area.

One area in particular that will benefit from the new roadway is Taylor Square with significant amounts of traffic to be removed from this intersection and diverted underground. This has given rise to the plan to close off Bourke Street to through traffic at Taylor Square.

Along with work that is currently underway on the Local Area Improvement Plan, Council should also be looking at urban design and streetscape enhancement options for this site. This needs to be done now so as to maximise the opportunities of improving Taylor Square once work is completed.

It is proposed that Council co-ordinate a taskforce involving local businesses, residents and community groups to prepare options for future improvements to Taylor Square.

Recommendation:

That Council's Mainstreet Project Officer co-ordinate the forming of a Taylor Square Taskforce involving Council's Eastern Distributor Liaison Manager, the Landscape Architects Branch, local businesses, residents and community groups to prepare future options for improvements to Taylor Square. And further that a report be submitted to the Planning and Development Committee outlining the terms of reference of this project.

Councillor Vic Smith (SGD)

Mayor

Moved by the Mayor, seconded by Councillor Harcourt:-

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

At the request of Councillor Fowler, and by consent, the motion was amended by the addition of the words "and a representative from the Roads and Traffic Authority" after the word "groups" where appearing in the third line of the recommendation.

Carried.

MINUTE BY THE GENERAL MANAGER

9 February 1999

**WILLIAM STREET, NOS. 196-214, WOOLLOOMOOLOO -
APPLICATION FOR RESIDENTIAL/COMMERCIAL BUILDING -
APPEAL AGAINST COUNCIL REFUSAL (U98-00629)**

A minute by the General Manager dated 9 February 1999, was circulated to all Councillors prior to the Council Meeting.

The Council resolved that the press and the public be excluded from this Item, and further, access to the report be withheld because in the opinion of the Council, publicity of the proceedings of the Council would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

The reasons for the press and public being excluded was because the General Manager's Minute related to a legal matter.

At this stage and at 7.03 pm, it was moved by Councillor Fenton, seconded by Councillor Fowler:-

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

Carried.

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

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

At 7.16 pm the Council Meeting resumed.

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

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

That Council instruct its Solicitors to pursue an appeal under Section 56A against the judgement of the assessor in the matter of South Sydney City Council and Martin and Spork Pty Ltd L.E.C. proceeding 10606 of 1998 and that Council's Solicitors be authorised to retain Council.

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

PETITIONS

1.

The Mayor tabled a petition received by the General Manager with approximately 27 signatures appended from residents objecting to the premises at No.310 Cleveland Street, Surry Hills, being developed as a brothel.

Received.

2.

The Mayor tabled a petition received by the General Manager with approximately 101 signatures from residents appended objecting to the proposed two storey studio and bedroom with bathroom and storage area located at the rear of No.20 Devine Street, Erskineville.

Received.

3.

The Mayor tabled a petition received by the General Manager with approximately 44 signatures appended from residents objecting to the proposed Traffic Management changes to George Street, Redfern between Redfern Street and Cleveland Street.

Received.

4.

The Mayor tabled a petition received by the General Manager with approximately 78 signatures appended from residents objecting to the change of use at premises No.116, Redfern Street, Redfern, and linking it to the Tudor Hall Hotel at No.90 Pitt Street, Redfern.

Received.

5.

The Mayor tabled a petition received by the General Manager with approximately 14 signatures appended from residents objecting to the proposed demolition of buildings at No.90 Carillon Avenue, Newtown and requesting to view plans of any replacement buildings before demolition occurs.

Received.

6.

The Mayor tabled a petition received by the General Manager with approximately 89 signatures appended from residents objecting to the exclusion of Riley Street, Surry Hills from the Eastern Distributor Local Area Improvement Program.

Received.

7.

The Mayor tabled a petition received by the General Manager with approximately 56 signatures appended from residents objecting to the applicants appeals of Council's refusal in respect of premises Nos.88 - 102 and Nos. 112-114 Flinders Street, Surry Hills.

Received.

8.

The Mayor tabled a petition received by the General Manager with approximately 25 signatures appended from residents objecting to the hours of operations at the Forresters Hotel, Surry Hills.

Received.

9.

The Mayor tabled a petition received by the General Manager with approximately 14 signatures appended from residents of Baroda Hall, Birtley Place, Elizabeth Bay, complaining about the motor room installed during recent renovations to the Country Women's Association Premises at Greenknowe Avenue, Elizabeth Bay.

Received.

10.

The Mayor tabled a petition received by the General Manager with approximately 41 signatures appended from residents objecting to the proposed development at Nos. 99-133 Forbes Street, Woollahroo.

Received.

11.

The Mayor tabled a petition received by the General Manager with approximately 14 signatures appended from residents objecting to the proposed Function Centre and Terrace at the Rushcutters Bay Hotel Development Stage 2, at Nos. 96-98 Bayswater Road, Rushcutters Bay.

Received.

12.

The Mayor tabled a petition received by the General Manager with approximately 17 signatures appended from residents of Wilson Street, Newtown, between Burren Street and Watkin Street, requesting the installation of Traffic Signs, Speed Humps etc as part of Traffic Management facilities to improve safety.

Received.

13.

The Mayor tabled a petition received by the General Manager with approximately 24 signatures appended from residents requesting Council to institute Traffic Management facilities in Arthur Street, Surry Hills, between Bourke Street and South Dowling Street to slow traffic.

Received.

14.

The Mayor tabled a petition received by the General Manager with approximately 155 signatures appended from residents requesting the closure of the Waste Facility Depot at the rear of No.1A Coulson Street, Alexandria.

Received.

15.

The Mayor tabled a petition received at the Special Planning and Development Committee Meeting on 8 February 1999, by the Mayor with approximately 114 signatures appended from residents of Redfern calling for public consultation on proposals for the former ACI Glassworks site.

Received.

16.

The Mayor tabled a petition received by the General Manager with approximately 162 signatures appended from residents objecting to the proposed use of premises at No.7, Layton Street, Camperdown as a brothel.

Received.

17.

The Mayor tabled a petition received by the General Manager with approximately 55 signatures appended from residents requesting that Macleay Street, Kings Cross not be 24 hour trading and another convenience store being approved.

Received.

18.

Councillor Harcourt tabled a petition with approximately 24 signatures appended from residents requesting Council to institute Traffic Management facilities in Arthur Street, Surry Hills, between Bourke Street and South Dowling Street to slow traffic.

Received.

19.

Councillor Lay tabled two petitions, one with approximately 584 signatures and the other with approximately 82 signatures appended from residents opposing the developer's plan to demolish the Erskineville Post Office.

Received.

QUESTIONS WITHOUT NOTICE

1.

PARKS - MARY O'BRIEN RESERVE - INSTALLATION OF A NETBALL RING - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2019785)

Question:

I refer to a letter I will table from Ms. Timmis of Zetland in which she notes the closest netball court to her house is Moore Park or Redfern Primary School. I contacted Miss Timmis and she informed me that she will one day represent Australia in netball. Until then Emma said that she and her friends need a safe area in which to practice. Can Council make reference to a multipurpose ball area in the Mary O'Brien Reserve or Tilford Street similar to that recently constructed in Elizabeth Mcrea Park in Kepos Street?

Answer by the Mayor:

I will ask the Parks Manager to investigate that matter and have the ring installed.

2.

PLANNING - STANLEY STREET, BETWEEN CROWN STREET AND RILEY STREET, DARLINGHURST - REVIEW OF ZONING - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2015554)**Question:**

Under the previous LEP101 the northern side of Stanley Street, between Crown and Riley Street, was zoned Neighbourhood Business 3(b), and the southern side zoned Residential 2b. LEP 1998 did not change the situation. The north is now mixed used 10 and the south is residential 2b. This was despite the fact that 8 of the 10 properties on the southern side are used for commercial purposes probably operating under existing use rights.

Can the Director of Planning trigger the necessary mechanism that activates review, to deal with problems such as this?

Answer by the Mayor:

I will ask the Director of Planning to prepare a report for Committee.

3.

COMMUNICATIONS - ADMINISTRATION BUILDING - TELEPHONE MESSAGE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2008130)**Question:**

I tried to contact Council today and was unable to get through to anyone. I received a message that led me nowhere. Would it be possible in future to have a message or way of leaving a message so that contact can be made with Council Officers?

Answer by the General Manager:

We can look into that matter.

4.

ANTI-SOCIAL ACTIVITIES - REMOVAL OF ELECTION POSTER ON POWER POLES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (A55-00040)

Question:

Could the General Manager write to the candidates for Heffron and Bligh reminding them of their responsibilities of removing their election posters after the election.

Answer by the Mayor:

Energy Australia owns the poles and I think a lot of people see those signs as promotional material. After the promotion I think they will be removed.

5.

PROPERTIES - ADMINISTRATION BUILDING - ACCESS PROBLEMS FOR THE DISABLED - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (P56-00203)

Question:

During the recent Disability Discrimination Act training for the Planning and Building staff, the presenter raised certain access problems at our Administration Building at Joynton Avenue, the main problem is the lack of disabled parking close to the main entrance.

Could consideration be given to the provision of a disabled parking space there, possibly the space vacated by the Mayor's vehicle which now parks at No.136 Joynton Avenue?

The Accessible parking spot currently provided is unsuitable due to it being:

- (a) Too small
- (b) There are overhanging trees.
- (c) Uneven surface
- (d) It is also more than 100 metres from the visitors entrance at the front of the building and to get to the entrance you have to get over the speed humps.

Answer by the Mayor:

I will ask the Director of Public Works and Services to have a sign erected in the Mayor's former parking spot.

6.

PLANNING - THE SOUTH SYDNEY PLAN - ERROR REGARDING THE ACCESS INFORMATION OFFICER - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2015554)

Question:

In the recently published LEP "The South Sydney Plan" there is an error on page 98 which invites enquiries to "The Access Information Officer" on extension number 4150, The Director of Planning and Building to advise if it is still intended to create this position?

Answer by the Director of Planning and Building:

My recollection was that it wasn't intended to create that position, but I will provide a report to the Councillors Information Service.

7.

STREETS - CHALLIS AVENUE, POTTS POINT - REQUEST FOR PAVEMENT WIDENING - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2019961)

Question:

Large numbers of local residents who are also patrons of the small coffee shops on the southern side, eastern end of Challis Avenue are concerned at Council's lack of response to their request for pavement widening in the immediate area to accommodate footway licences.

The business owners employed architects, Conebyre Morrison, to design a scheme similar to the one in Crows Nest. Council's Planning and Development Mainstreet Officer and Public Works and Services Engineer state that the plan has merit and should proceed in a similar form.

The local businesses are prepared to fund the works which I understood were already budgeted for under Council's Streetscape amount.

I understood that community consultation would take place this week, but this does not appear to have happened.

Could this consultation take place as soon as possible?

Answer by the Mayor:

I will ask the Director of Public Works and Services to ensure the consultation takes place and to have a report prepared for Council's first Committee meeting in March.

8.

TRAFFIC - BAYSWATER ROAD, NO. 46, KINGS CROSS - REQUEST BY RESIDENTS FOR A PEDESTRIAN CROSSING - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (T52-00042)

Question:

The Residents Committee at Elizabeth Lodge Retirement Village at No. 46 Bayswater Road, have requested a pedestrian crossing be installed outside their building so elderly residents are able to cross in confidence and with safety to the southern side of the road. One resident was badly injured at Christmas time and is still in St. Vincent's Hospital as a result of an accident.

A car parking space would be lost on each side of Bayswater Road, however, this would seem a small price to ensure the safety of some 100 residents.

Could this or some alternative safety measures be investigated as a matter of urgency?

Answer by the Mayor:

I will ask the Director of Public Works and Services to have that matter referred to the next Traffic Committee and can I also ask the Director to investigate the footway conditions outside Elizabeth Lodge leading up to Ward Avenue.

9.

SALARIES AND WAGES - EXTENSION OF GENERAL MANAGER'S CONTRACT - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (S51-00010)

Question:

An item relating to an extension of the General Manager's contract appeared in our Mayoral Delegation two consecutive weeks during this last recess.

I understood the item would be deferred to this week's Council papers for discussion by the Council as a whole. Given the negative index scores for Trust and Managing People in our second Culture Assessment Study, I suggest that this matter be listed for next week's Finance Committee.

Can this be done?

Answer by the Mayor:

Not at this present time, because I have not had any negotiations with the General Manager, but as soon as I have the opportunity I will and have a report prepared for Committee.

10.

**CLEANING - REGENT STREET, REDFERN - SWEEPING OF FOOTPATHS-
QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (C56-00032)****Question:**

The street treatment at the lower end of Regent Street, Redfern, is greatly appreciated by businesses and residents, however, I have received a complaint that the footpath is only swept once a week, which is insufficient for such a busy area. Also, when the footpath is swept, little attention is paid to the base of street trees which are very untidy.

Could Council Officers ensure that sufficient attention is paid to this area?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report for the Councillors Information Service and also to consult with the Newsagent.

11.

**CLEANING - BEAUCHAMP LANE, COMMONWEALTH, ANN AND RILEY
STREETS, SURRY HILLS - DUMPING OF RUBBISH - QUESTION WITHOUT
NOTICE BY COUNCILLOR HARCOURT (C56-00003)****Question:**

I have received many complaints over the past months about rubbish left in Beauchamp Lane, Commonwealth Street and at the corner of Ann and Riley Streets, Surry Hills. The problem seems to be getting worse again and the residents appear to have lost all their rubbish and recycling bins.

Could the Waste Education Officer be able to initiate another waste management campaign in this area? It requires the distribution of new bins, re-notification of collection days and some strong enforcement. Information in community languages is essential in this area.

Answer by the Mayor:

I will ask the Director of Public Works and Services to have those matters investigated, with Council's Ordinance Inspectors enforcing in regards to rubbish and a door knock to issue Council bins and recycling bins and a report be prepared on the outcome.

12.

PROPERTIES - OPENING OF KINGS CROSS POLICE STATION - RECONFIGURATION OF ACCESS RAMP - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2010528)

Question:

At the opening of Kings Cross Police Station yesterday, Councillors noted that the access ramp on the side of the main entrance adjacent to the sculpture is very steep.

Could this area of paving be reconfigured to improve accessibility?

Answer by the Mayor:

I will ask the Director of Public Works and Services and the Director of Corporate Services to look at that matter with some urgency because it is quite dangerous and have a report prepared for the Councillors Information Service.

13.

LEASING - ALEXANDRIA TOWN HALL - ALTERNATIVE ACCOMMODATION FOR REHEARSAL ROOMS - QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (2003437)

Question:

Could Council investigate alternative accommodation for rehearsal rooms for the Australian Theatre of the Deaf and PACT Youth Theatre displaced from Alexandria Town Hall?

Answer by the Mayor:

I will ask the General Manager to investigate that matter. The reason that the action is being taken is because of the complaints received by residents on a number of occasions in Garden Street in relation to noise up until midnight. A letter has been written to them, but I will ask the General Manager to look at any other alternate accommodation.

14.

TRANSPORT - REQUEST FOR A REGULAR FERRY SERVICE TO WOOLLOOMOOLOO - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2020327)**Question:**

I have received correspondence from the Woolloomooloo Chamber of Commerce drawing attention to the need for a regular ferry service to Woolloomooloo. I believe that there is a need.

Have you been made aware of the Chamber's call and taken any steps to further this?

Answer by the Mayor:

Yes, I have had representations from the Chamber and I have also made representations to the Minister and again following those representations, I am meeting with the Minister tomorrow afternoon to pursue that cause for the people of Woolloomooloo.

15.

CELEBRATIONS - MARDI GRAS - ALTERNATE LOCATIONS FOR DIESEL GENERATORS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2016720)**Question:**

I refer to the question of maintaining residential amenity during the Mardi Gras Parade. Will Council Officers be mindful of locations of ancillary support to the parade such as generators so that there is not a repetition of diesel generators in locations adjacent to residences in the nights prior to the parade?

Answer by the Director of Health and Community Services:

We can look into the location of the generators and take it up with Mardi Gras organisers and see if we can move them to a better position. We will investigate alternative sites.

16.

PLANNING - SPECIAL USAGE ZONES - CONTROLS - POTTS POINT POST OFFICE AND OTHER HISTORICAL SITES- QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2015554)**Question:**

Special usage zones on sites note uses for State and Federal instrumentalities, as such Council rarely seeks to include these in LEP/DCP

statutory and other planning controls. As many of these Statutory Authorities have been corporatised or are redundant to future use. Can a report be placed on Committee as a matter of urgency to indicate Council's intention for controls on in the first instance, the Potts Point Post Office site and any other similar sites excluded historically from the surrounding LEP?

Answer by the Director of Planning and Building:

With respect of the Potts Point Post Office, it does have zoned, height/floor space controls in the LEP. Its not zoned special uses. There are other sites such as on Riley Street which doesn't have a height and floor space and I can prepare a report on these sites.

REPORT OF THE MANAGEMENT REVIEW COMMITTEE

4 February 1999

PRESENT

Business commenced at 5.45 pm. Those in attendance were:

The Mayor, Vic Smith and Councillors Bush, Harcourt, Fenton, Fowler and Lay.

Apologies were received from Councillors Deftereos, Macken and Waters.

Those present **recommended** the following:-

ADMINISTRATION – MANAGEMENT PLAN 1998/2001 – REPORT FOR SIX MONTHS ENDED 31 DECEMBER 1998 (2017703)

Council receives and notes the report on the Management Plan 1998/2001 for the six months ended 31 December, 1998.

(GM Minute 4.2.99)

Moved by the Mayor, seconded by Councillor Lay:-

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

Carried.

REPORT OF THE FINANCE COMMITTEE

3 February 1999

PRESENT**Councillor Sean Macken (Chairperson)****The Mayor, Councillor Vic Smith and Councillor Margaret Deftereos**

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

The Mayor and Councillors Deftereos and Macken

Apologies:

Apologies for non-attendance at the meeting were received from Councillors Fenton and Waters.

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

That the Report of the Finance Committee of its meeting of 3 February 1999, be received and the recommendations set out below for Items 1 to 9 , inclusive, 11 to 18, inclusive, 20, 22 to 25, inclusive, and 28 to 30, inclusive, be adopted.

The recommendations set out below for Items 10, 19, 21, 26, 27 and 31 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

DONATIONS - REQUEST FOR FREE USE OF PADDINGTON TOWN HALL - PADDINGTON PUBLIC SCHOOL - 7 DECEMBER 1999 (2010531)

That approval be given to Paddington Public School for free use of Paddington Town Hall on 7 December 1999, to conduct their Annual Speech Day and Infants Concert and the \$2,550 in income and \$500 in expenses be waived.

(DCS Report 11.12.98)

Carried.

2.

DONATIONS - REQUEST FOR FINANCIAL CONTRIBUTION - AUSTRALIA DAY BOTANY BAY REGATTA (2011320)

That arising from a report by the Director of Health and Community Services dated 25 January 1999, it be resolved that Council, as a member of SSROC and the Australia Day Botany Regatta, approve a donation of \$500 expenses involved with the holding of the 1999 Australia Day Botany Regatta, and that money be voted and added to Section 356 of the Revenue Estimates.

Carried.

3.

DONATIONS - PEOPLE LIVING WITH HIV/AIDS - PADDINGTON TOWN HALL - REQUEST FOR FREE USE (2014161)

That it be resolved that Council support People Living With HIV/AIDS by foregoing \$7,650 in income, and meet the expenses of \$1,030 to allow People Living With HIV/AIDS (NSW) free use of Paddington Town Hall on Wednesday 19 May 1999 to conduct a Fundraising Auction.

(DCS Report 21.1.99)

Carried.

4.

RATES - PENSIONERS - WRITING OFF AFTER FIVE YEARS - 1994 (2014303)

That arising from a report by the Director of Finance dated 18 January 1999, approval be given to an amount of \$107,822.65 that remains unpaid for rates and interest levied in the year 1994 and due by eligible pensioners being written off and abandoned under section 582 of the Local Government Act, 1993.

Carried.

5.

RATES - POSTPONEMENT OF RATES UNDER SECTION 160C OF THE LOCAL GOVERNMENT ACT 1919 - WRITING OFF - YEAR JANUARY TO JUNE 1994 (2003142)

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

That arising from a report by the Director of Finance dated 18 January 1999, approval be granted for rates and extra (interest) charges amounting to

\$6,940.45, as listed in the schedule accompanying the beforementioned report, postponed during 1994 under the provisions of Section 160C of the Local Government Act, 1919, being written out of the Postponed Rates Suspense Account under Sections 585 to 599 of the new Local Government Act, 1993 as not recoverable at law.

Carried.

6.

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DONATIONS – PLANT AND LANDSCAPE MATERIAL - HALF YEARLY REPORT – JULY TO DECEMBER 1998 (2003030)

That approval be given under the provisions of Section 356 of the Local Government Act, 1993 to donations in the form of plants and landscape materials etc. to the value of \$2,877 to the various local bodies as detailed in the report for the six month period ending 31 December 1998 and that the expenditure involved be added to the 1998/99 Revenue Estimates (Account Code LFN).

(A/DPWS Report 30.12.98)

Carried.

7.

I:\DOCS\SILVERYA\1k%01!.DOC

PROPERTIES - PADDINGTON TOWN HALL - REQUEST FOR FREE USE - AIDS TRUST OF AUSTRALIA (P56-00410)

That approval be given to the Aids Trust of Australia by forgoing \$8,725 in income, and meeting expenses of \$600 by way of allowing the Aids Trust of Australia free use of Paddington Town Hall on 2 February 1999 for a fund raising event, subject to the following conditions, namely:-

- (1) That the organisers (The Stonewall Hotel) guarantee a minimum donation of \$5,000 to the Aids Trust of Australia plus further fundraising activities on the night to increase this figure;
- (2) That all equipment, staging and peripherals are completely removed from the premises immediately following completion of the event.

(DCS Report 11.1.99)

Carried.

8.

DONATIONS - BROWN STREET HALL, NEWTOWN - REQUEST FOR FREE USE, VARIOUS DATES, JANUARY AND FEBRUARY, 1999 - THE WOMEN'S LIBRARY (P56-00437)

That approval be given to The Women's Library by foregoing \$2,697.50 in income, and meet the expenses of \$500 (from account ENG 123) and allow The Women's Library free use of Brown Street Hall, Newtown on Saturday 18 January 1999, Friday 29 January 1999, Saturday - Sunday 20-21 February 1999 and Friday 26 February 1999 to conduct their Volunteers' Social Meetings and set up and conduct a Member's Literary Event.

(DCS Report 14.1.99)

Carried.

9. LEASING - OXFORD STREET NO. 66, DARLINGHURST, SUITE 4, LEVEL 1 - PROPOSED LEASE TO SPRINGSETTER PTY LIMITED (2010525)

That approval be given to Springsetter Pty Limited being offered a lease of Council premises, Suite 4, Level 1, No. 66 Oxford Street, Darlinghurst, for a fixed term of two years commencing on a date to be determined at the initial rental of \$15,600 per annum gross, subject to Council's standard leasehold provisions and the following conditions, namely:-

- (1) That the rental is to be increased by 3% at the commencement date of the 2nd year of the Lease;
- (2) That the Lessee is to provide a Bank Guarantee, Security Deposit or Bond, equal to two month's rental;
- (3) That the Lessee is to provide Personal or Directors Guarantees for the term of the Lease;
- (4) That the premises are to be used for commercial office space;
- (5) That the Council is to grant a two week "rent free" fit out period from the commencement date of the lease;
- (6) That the Lessee is to provide Council with a Public Liability Insurance Policy in an amount of not less than Ten Million Dollars (\$10,000,000) indemnifying both the Council and the Lessee, for their respective rights and interests, against any claims that may arise during the term of the lease;
- (7) That any proposed alterations or Development Applications for the leased premises including refurbishments, fit-outs, etc, by the Sub-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;

- (8) 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;
- (9) That all relevant documents are to be executed by Council's Attorney;
- (10) That this proposed Lease Agreement is subject to a satisfactory Company Search being undertaken;
- (11) That this approval lapses in three months from the date of Council's approval to the granting of the Lease, if the Lessee has failed to provide the security deposit and/or Public Liability Insurance as required, or has failed to execute the Lease documents.

(DCS Report 25.1.99)

Carried.

10.

STREETS - REGENT LANE, REDFERN - PROPOSED RENAMING AS REGENT PLACE (2011371)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That approval be given to:-

- (1) renaming Regent Lane, north of Lawson Square, Redfern as Regent Place;
- (2) erecting street nameplates with the name Regent Place;
- (3) advertising and gazetting of the new name and notification of relevant authorities made under the policy of naming and renaming of Public Roads as adopted by Council on 14 February 1996.

(DPWS Report 21/1/99)

Carried.

11.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF 12 MOTOR VEHICLE FLEET ITEMS - RESCISSION OF COUNCIL RESOLUTION OF 27 MAY 1998 (2015532)

That approval be given to:-

- (1) rescind Item 5A (4) of the Resolution of Council dated 27 May 1998 which stated "the acceptance of the tender submitted by Manly Mitsubishi dated 21 April 1998 for one Mitsubishi Magna Executive Station Wagon in the sum of \$20,945 less a trade-in allowance of \$18,600 on Council vehicle No 5006 in the total nett sum of \$2,345" due to the inability of that dealer to supply the Station Wagon;
- (2) cancel Council's order No 348901, issued 22 June 1998, on Manly Mitsubishi which covered the above transaction;
- (3) purchase a 4 cylinder sedan, as per Council's Policy using the State Government Contract, for use as a Leaseback vehicle by the Parks Operations Manager;
- (4) sell the previously approved trade - in vehicle No 5006 at auction.

(A/DPWS Report 18.1.99)

Carried.

12.

PLANT AND ASSETS - REPLACEMENT OF STOLEN PLANT AND EQUIPMENT (2019301)

That approval be given to replace the plant and equipment, that was stolen from No. 94 Epsom Road Depot on 25 or 26 August 1998, with payment being made up of Zurich's insurance settlement accounts and additional funds provided from savings in the 1998/99 Management Plan Ref. No. 2441-032, savings will result from obtaining approval to replace existing Flocon units with trucks and trailers not Mini Flocons.

(A/DPWS Report 28.1.99)

Carried.

13.

COMMUNITY SERVICES - COMMUNITY BUS SCHEME - QUARTERLY REPORT - OCTOBER TO DECEMBER, 1998 (M56-00008)

That arising from consideration of a report by the Director Health and Community Services dated 21 December 1998, confirmatory approval be

given to the motor vehicles' use costs, as listed in the beforementioned report, being treated as donations and charged against Section 356 of the Local Government Act, 1993.

Carried.

14.

PROPERTIES – CNR ELIZABETH AND ALLEN STREETS, WATERLOO - ALTERATIONS AND ADDITIONS TO EXISTING BUILDING AT WATERLOO OVAL OCCUPIED BY SOUTH SYDNEY YOUTH SERVICES - REFURBISHMENT - ADDITIONAL FUNDS - VOTING (2006593)

That arising from consideration of a joint report from the Director of Corporate Services and the Director of Health and Community Services dated 27 November 1998, Council votes an additional allocation of \$24,000 towards the cost of refurbishment works to its premises adjacent to Waterloo Oval, currently occupied by South Sydney Youth Services, subject to the following condition, namely:-

- (1) That Council write to South Sydney Youth Services thanking them for their \$25,000 contribution and Council's Properties Branch enter into lease agreement negotiations between the two parties and that a further report be submitted to Council.

Carried.

15.

FINANCE - ACCOUNTS - RECONCILIATION WITH BANK STATEMENT FOR PERIOD ENDED 27 NOVEMBER 1998 (A52-00240)

That the report by the Director of Finance dated 28 January 1999, certifying to the Bank Reconciliation of Council's various Cash Books, be received and noted.

Carried.

16

PARKS - TRANSFER OF PROPERTIES TO COUNCIL FROM DEPARTMENT OF HOUSING - VESCEY STREET PARK, WATERLOO, BAKERY PARK, CAIN'S PLACE, WATERLOO AND NOS. 70 - 74 DOUGLAS STREET, WATERLOO (2019756)

That approval be given to:-

- (a) the dedication of Vescey Street Park, Waterloo, Bakery Park, Cain's Place, Waterloo and the park located at Nos. 70-74 Douglas Street, Waterloo to South Sydney City Council;

- (b) the Department of Housing be notified in order that they prepare and initiate all necessary documentation relating to the transfers;
- (c) a 'handing-over' ceremony on 6 March 1999 or at a date convenient to both parties;
- (d) Council Officers investigate the feasibility of implementing recommendations of the Safety Audit conducted in December 1998.

(A/DPWS Report 28.1.99)

Carried.

17.

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

That arising from a report by the Director of Health and Community Services dated 28 January 1999, it be resolved that Council vote additional funds of \$12,840 to the 1998/99 budget for the purchase and installation of a treadmill to meet the increasing demands for aerobic equipment in Council's employee gymnasium, due to the unexpected and increasing popularity of this facility.

Carried.

18.

**LICENSING - OXFORD STREET, NO. 149, DARLINGHURST - PROPOSED
FOOTWAY LICENCE (2019024)**

That approval be given to:-

- (1) the granting of a licence to Nando's Australia Pty Ltd over an area of 3.8 square metres of the footway of Oxford Street adjacent to Nando's at No. 149 Oxford Street, Darlinghurst, as shown stippled on Plan No S4-130/722 and subject to the conditions in the schedule accompanying the Director's report;
- (2) the licence being for a period of five years under Part 9 Division 1 of the Roads Act 1993 at a weekly rental per square metre (payable monthly in advance) set by the annual Scale of Fees and Charges adopted by Council;
- (3) the licence commencing only following the satisfactory compliance with conditions (7) and (8) in the schedule accompanying the Director's report, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;
- (4) the execution of all relevant documents and plans by Council's Attorney;

- (5) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the licence agreement;
- (6) this approval lapsing 12 months from the date of Council's approval to the granting of the licence if the applicant has failed to provide the security deposit and/or public risk insurance as required by conditions (7) and (8) in the schedule accompanying the Director's report, or failed to execute the licence agreement.

(DPWS Report 20/1/99)

Carried.

19.

**STREETS - ABERCROMBIE, SHEPHERD AND LANDER STREETS,
DARLINGTON - ROADWORKS - ACCEPTANCE OF TENDER (2003220)**

That approval be given to:

- (a) accepting the tender from C.P.L. Engineering in the amount of \$241,850.80 for the construction of roadworks in Abercrombie, Shepherd & Lander Streets, Darlington and that Council provide \$24,185 as a contingency sum;
- (b) accepting the offer from the University of Sydney of a contribution of \$80,000 toward the proposed works;
- (c) the works being funded as follows:
 - \$150,000 from the 1998/99 Budget allocation for the Darlington LATM;
 - \$36,035.80 from the 1998/99 Budget allocation for the Alexandria South LATM (Stage 2);
 - \$80,000 as a contribution from the University of Sydney.

(A/DPWS Report 29.1.99)

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

That the acceptance of the tender for roadworks at Abercrombie, Shepherd and Lander Streets, Darlington, as recommended by the Acting Director of Public Works and Services in the report dated 29 January 1999, be deferred to the next Finance Committee meeting of 17 February 1999.

Motion, as amended by consent, carried.

20.

**FINANCE - OUTSTANDING DEBTS - SUNDRY DEBTORS AS AT
31 DECEMBER 1998 (2019500)**

That the report by the Director of Finance dated 27 January 1999, detailing outstanding sundry debtors at 31 December 1998, be received and noted.

Carried.

21.

**PUBLIC RELATIONS - CUSTOMER SERVICE, "MYSTERY SHOPPER"
PROGRAM - IMPLEMENTATION (2019374)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Waters:-

That the matter be referred to the Joint Consultative Committee (JCC).

(DCS Report 29.1.99)

Carried.

22.

**PUBLIC RELATIONS - MARKET RESEARCH - COUNCIL'S IMAGE -
SECOND STUDY (2019374)**

That Council:-

- (1) approve a Market Research study into Council's Image, to be completed by June 1999;
- (2) approve additional funds of \$25,000 to be voted to ENE.66DO for this project. (The total cost of the project is \$45,000, funds of \$20,000 are available for the communications portion of this project from ENE.66DO.)

(DCS Report 29.1.99)

Carried.

23.

PARKS - REDFERN STREETSCAPE IMPROVEMENTS PLAN (LAWSON SQUARE) - REALLOCATION OF FUNDING TO COMPLETE STAGE 2 AND APPROVAL TO CALL TENDERS (2012926)

That approval be given to:-

- (1) complete the documentation of the Lawson Square Area Improvements at an estimated cost of \$25,000;
- (2) call tenders for the upgrading of Lawson Square area at an estimated cost of \$775,000 (which includes an 10% contingency sum for any unforeseen site problems);
- (3) the re-allocation of \$250,000 1998/99 from the Environmental Streetscape Budget (CWH 9500) - and the provision of a further \$550,000 (including TNT 's contribution of \$34,500 -2CQ.BGO) in the 1999/2000 Works Programme to fund the construction of the Lawson Square Streetscape Improvements.

(DPWS Report 21.1.99)

Carried.

24.

DONATIONS - REGINALD MURPHY HALL, POTTS POINT - REQUEST FOR FREE USE - PETER PAN OPPORTUNITY COMMITTEE (2000548)

That approval be given to the Peter Pan Opportunity Committee by foregoing \$1,200 in income, and meet the expenses of \$500 (from account ENG.123) and allow Peter Pan Opportunity Committee free use of the Reginald Murphy Hall, Potts Point, on Monday 3 May 1999 to Friday 7 May 1999 and between Monday 13 September to Friday 17 September 1999, for the purpose of a charity sale.

(DCS Report 1/2/99)

Carried.

25.

DONATIONS - 2002 GAY GAMES - SUBSIDISED ACCOMMODATION - OXFORD STREET, NO. 94, ROOM 22, DARLINGHURST (2002408)

That arising from consideration of a report by the Director of Health and Community Services dated 1 February, 1999, Council approve an additional donation of approximately \$9,000 to the Sydney 2002 Gay Games organisation to cover an extension of their lease of Council premises at No. 94 Oxford St, Darlinghurst, for the period December, 1998 to June, 1999, with

funds to cover this expenditure to be voted and added from Council's 1998/99 Section 356 Budget.

Carried.

26.

PROPERTIES - NOS. 2 - 4 STIRLING STREET, REDFERN - PROPOSED ACQUISITION FOR ROAD WIDENING PURPOSES (U98-00917)

THIS MATTER WAS DEALT WITH AS ITEM NO. 1 IN THE FINANCE CONFIDENTIAL COMMITTEE.

27.

FINANCE DEPARTMENT - RESTRUCTURE (2016734)

THIS MATTER WAS DEALT WITH AS ITEM NO. 2 IN THE FINANCE CONFIDENTIAL COMMITTEE.

28.

DONATIONS - SOUTH SYDNEY DOMESTIC VIOLENCE COMMITTEE - REDFERN/WATERLOO WOMEN'S MULTICULTURAL DAY - REQUEST FOR FINANCIAL SUPPORT (2011708)

That Council agrees to provide a donation of \$3,500 under Section 356 of the Local Government Act, 1993, to the South Sydney Domestic Violence Committee to hold the 1999 Redfern/Waterloo Women's Multicultural Day on 11 March 1999, towards the cost of the hire of equipment (chairs, trestle tables, 6 display stands and sound system), assistance with interpreters and the cost of food for the day and that funds be voted accordingly, and additionally Council agrees South Sydney Domestic Violence Committee should be advised any future applications for assistance should be made under Council's Community Development's Grants Program.

Carried.

29.

PERSONNEL - GAY AND LESBIAN LIAISON OFFICER - APPOINTMENT (2020159)

That for the reasons set out in the joint report by the General Manager and the Director of Organisational Development dated 2 February 1999, it be resolved that:-

- (1) Council give approval for the appointment of a Gay and Lesbian Liaison Officer to be located in the General Manager's Unit;

- (2) this position be appointed on a contractual basis with a further report from the Director of Organisational Development outlining terms, conditions, remuneration and position description to be submitted to the next Finance Committee Meeting to be held on Wednesday, 17 February 1999.

It was moved by Councillor Fenton, seconded by Councillor Fowler, that the motion be amended by the deletion of the words "General Manager's Unit" where appearing in the second last and last line of recommendation (1) and the insertion in lieu thereof of the following words "Health and Community Services Department".

Amendment negatived.

Motion carried.

Councillors Bush and Fowler requested that their names be recorded as voting against the foregoing motion.

30.

PARKS - VICTORIA PARK SWIMMING POOL - PROMOTIONS - FAIR DAY - FREE ENTRY 14 FEBRUARY 1999 (2013307)

That the fee entry to Victoria Park Swimming Pool be waived on Fair Day 14 February 1999, as a means of promoting the pool and its facilities and positive public relations with the community.

(DPWS Report 3.2.99)

Councillor Fowler requested that his name be recorded as voting against the motion.

31.

PARKS - VICTORIA PARK SWIMMING POOL - SPORTS MASSAGE CLINIC - SPORTS MEDICINE AND THERAPY SERVICE - PROPOSED IMPLEMENTATION (2018337)

THIS MATTER WAS DEALT WITH AS ITEM NO. 3 IN THE FINANCE CONFIDENTIAL COMMITTEE.

The Finance Committee Meeting terminated at 6.52 p.m.

REPORT OF THE FINANCE COMMITTEE (CONFIDENTIAL MATTERS)**WEDNESDAY, 3 FEBRUARY 1999 AT 6.53 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 Items, and further, access to correspondence and reports being withheld in respect of such Items because in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Apology:

An apology for non-attendance was received from Councillors Fenton and Waters.

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

Item 1 - Contractual Matter

Items 2 & 3 - Personnel Matters

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

That the Report of the Finance Committee (Confidential Matters) of its meeting of 3 February 1999, be received and the recommendations set out below for Items 1 and 2, be adopted. The recommendation set out below for Item 3 having been dealt with as shown immediately following such Item.

Carried.

The Committee **recommended** the following:-

1.

PROPERTY - PROPOSED PROPERTY ACQUISITION FOR ROAD WIDENING - NOS. 2 - 4 STIRLING STREET, REDFERN (U98-00917)

That the joint report by the Director of Public Works and Services and the Director of Corporate Services dated 2 February 1999, be approved and adopted.

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

That the offer from the owner of properties Nos. 2 - 4 Stirling Street, Redfern, for Council to purchase the beforementioned premises, be accepted.

Motion, as amended by consent, carried.

2.

ADMINISTRATION - FINANCE DEPARTMENT - RESTRUCTURE (2016734)

That the recommendation as contained in the report by the Director of Finance dated 2 February 1999, in respect of the restructure of the Finance Department, be approved and adopted.

Carried.

3.

PARKS - VICTORIA PARK SWIMMING POOL - SPORTS MASSAGE CLINIC - SPORTS MEDICINE AND THERAPY SERVICE - PROPOSED IMPLEMENTATION (2018337)

That the recommendation as contained in the report by the Acting Director of Public Works and Services dated 27 January 1999, in respect of the above, be approved and adopted.

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

That the matter be deferred for the submission of a further report on:-

- (1) Public Liability regarding the running of the service;
- (2) separation of hours.

(A/DPWS Report 27.1.99)

Motion, as amended by consent, carried.

The Finance Committee (Confidential Matters) Meeting terminated at 6.54 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

3 February 1999

PRESENT**Councillor Sean Macken (A/Chairperson)****Councillor Margaret Deftereos**

At the commencement of business at 6.56 pm those present were -

Councillors:- Deftereos and Macken

Apologies:

Apologies for non-attendance at the meeting were received from Councillors Fenton and Waters.

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

That the Report of the Community Services Committee of its meeting of 3 February 1999, be received and the recommendations set out below for Item 3, be adopted. The recommendations set out below for Items 1 and 2 having been dealt with as shown immediately following such Items.

Carried.

There was no quorum present at the meeting. Councillors Deftereos and Macken who were present, recommends the following:-

1.

**PUBLIC RELATIONS - COMMUNITY CONSULTATION PROGRAM - 1999
(P58-00295)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That the matter be deferred for further consultation with Councillors.

Carried.

2.

COMMITTEE - ACCESS COMMITTEE FOR PEOPLE WITH DISABILITIES / HEALTHY OLDER PERSONS PROGRAM STEERING COMMITTEE - MINUTES OF THE JOINT MEETING 8 DECEMBER 1998 (2017377)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That the report by the Director of Health and Community Services dated 14 December 1998, and the accompanying minutes of the Access Committee for People with Disabilities and Healthy Older Persons Program (HOPP) held on 8 December 1998, be received and that the undermentioned recommendations of the Committees, be approved and adopted:-

- (1) Support the Paralympic Games Sydney 2000 as a Patron by donating \$30,000 in 2 installments of \$15,000 and that amount of \$30,000 be included in the 1999/2000 Budget;
- (2) Investigate the feasibility of a public awareness program, similar to that conducted by Ashfield Municipal Council whereby, residents, businesses or organisations that donated \$50 to the Paralympics can have their name displayed on a temporary roll of honour.

Carried.

3.

FINANCE - GRANTS - REPORT ON THE ALEXANDRA CANAL CATCHMENT LIAISON OFFICER (2013717)

That arising from consideration of a report by the Director of Health & Community Services dated 28 January 1999, approval being given to:-

- (1) endorsement of the Coasts and Clean Seas Grant to allow for the Alexandra Canal Catchment Liaison Officer Project to proceed;
- (2) the re-allocation of \$23,270 from KW97025 and KPA0011 77fØ (as provided for in the Health and Community Services 1998/1999 budget) to allow Council to meet the dollar for dollar contribution requirements;
- (3) delegation be granted to the Director of Health & Community Services to initiate acceptance of the grant offer and take all steps necessary to initiate the project without undue delay.

Carried.

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

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

3 February 1999

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

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

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

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

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

That the Report of the Planning and Development Committee of its meeting of 3 February 1999, be received and the recommendations set out below for Items 7,20,22,28,32 to 34, 36 to 39, and 41 inclusive, be adopted. The recommendations for Items 1 to 6 inclusive, 8 to 19 inclusive, 21,23 to 26 inclusive 27, 29 to 31 inclusive 35 and 40 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

BAYSWATER ROAD, NO. 96-98, RUSHCUTTERS BAY - APPLICATION TO VARY HOURS OF BUILDING WORK (U97-00438) AND (Q98-00206)

- (A) That the application pursuant to Section 96 of the Environmental Planning and Assessment Act by Acoustic Logic Consultancy Pty Ltd to vary the approved hours of building work of Stage 1 of the hotel project, development consent No. U97-00438 dated 7 January 1998, be refused for the following reasons namely:-
- (1) That the extension of hours will result in an adverse impact on the amenity of adjoining residents by virtue of the arrival and departure of workmen and deliveries to the site and that the movement of materials around the site and building activities in general;
 - (2) That the proposal is not in the public interest.

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

Carried.

2.

MOREHEAD STREET, NO. 26, REDFERN - PROPOSED FIRST FLOOR ADDITION - BUILDING APPLICATION (Q98-00576)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by AVJ Drafting, 645 Homer Street, Kingsgrove for permission to add first floor additions at the abovementioned premises, all in accordance with the submitted plan numbered 0283/98 sheets 1/2 and 2/2 dated 29 June 1998, subject to the following conditions, namely:-
- (1) That the proposed side boundary wall with 28 Morehead Street shown on the approved plans shall not be built as a party wall but the proposed extension shall be wholly located within the boundaries of the allotment unless consent of adjoining owner is submitted to Council;
 - (2) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (3) 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;
 - (4) 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;
 - (5) 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;
 - (6) That details of the existing and proposed drainage system and stormwater certificate from an approved certifier shall be submitted to Council for approval prior to commencement of building work;

and the following adopted standard conditions, namely:

- (7) C2 - Compliance with Local Government Act 1993;
- (8) BC3 - Compliance with conditions on plan;
- (9) BC8 - Details of contractor;
- (10) BC11 - Inform Council for inspections;
- (11) BC15 - Approval relates to coloured work;
- (12) BC20 - Premises to remain as single dwelling;
- (13) BC62 - Survey Certificate for setup of building;
- (14) BC63 - Survey Certificate for finished building;
- (15) BC111 - Hours of work;
- (16) BC113 - Work to comply with noise standards;
- (17) BC114 - Existing building to be kept in stable condition;
- (18) BC116 - New work not to encroach boundaries;
- (19) BC167 - Structural details and certification to be submitted;
- (20) BC170 - Structural certificate upon completion;
- (21) BC175 - Comply with Timber Framing Code;
- (22) BC176 - Approval for permanent work only;
- (23) BC186 - No structural work until approval granted;
- (24) Protection of External Walls⁹³²³
- (25) BC352 - Glazing materials;
- (26) Smoke alarms⁹⁵²³
- (27) Protection of walls and floors in wet areas⁹⁶⁰²
- (28) Damp and weather proofing⁹⁶⁰⁵
- (29) Ceiling heights of rooms⁹⁶¹¹
- (30) Natural light and ventilation⁹⁶¹³
- (31) BC618 - Flashing to be provided;

NOTE:

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

NOTE

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

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

Carried.

3.

CHELSEA STREET, NO.37, REDFERN - ERECT TWO NEW TOWNHOUSES - DEVELOPMENT APPLICATION CONTRIBUTION INCLUDED IN CONSENT (U98-00628)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by William Karavelas., with the authority of Mr & Mrs S Kehagiadis, for permission to erect two dwellings with car parking fronting Rennie Street, subject to the following conditions, namely:-
- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$1440 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;
 - (2) 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	\$4,512	2E97001.BGY0
Open Space/Townscape/Public Domain	\$1,369	2E97002.BGY0
Accessibility And Transport	\$ 16	2E97006.BGY0
Management	\$ 68	2E97007.BGY0
Total	\$5,965	

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.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

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 being the March Quarter 97/98 (Amend as applicable)

The above amount must be paid to the Council in cash or by unendorsed bank cheque. Payment shall be made (before the release of the construction permit / before the use is commenced or the premises occupied whichever occurs first.) (Delete as applicable)

Notes:

Endorsed DA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site. 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. To support a 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. Works carried out without written approval by Council will not be off-set against any Section

94 Contribution and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement. Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind. Applicants should note that Council may have specific requirements concerning future management and will require security in the form of a bank guarantee for all approved works.

- (3) 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 – Multi-Function Administration Centre, the following monetary contribution towards the cost of providing the facility and amenities supported by that plan are required.

Contribution Category	Amount	Account
Multi-Function Administration Centre	\$1,225	2E97008.BGY0

The above payment will be adjusted according to the relative change in the Consumer Price Index using the following formula.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

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

- (4) That the development shall be generally in accordance with Drawing No 1, dated April, 1998;
- (5) That the sandstone fence and mural shall remain;
- (6) That the roof shall be redesigned to a full gable with a 30° pitch with a front dormer and a rear dormer as per marked in red on the endorsed plans;

- (7) That the rear dormer shall be setback 500mm from side walls to the boundary, 200mm below ridge line and 200mm from rear wall, as per marked in red on the endorsed plans;
- (8) That the dwellings shall be rendered;
- (9) That a solar hot water, heat pump or energy efficient natural gas hot water system shall be installed in accordance with the considered guidelines on pages E30 and E54 of South Sydney Development Control Plan 1997;
- (10) Please note that following the gazettal of the Home Building Act 1997, your application is subject to a privately obtained "Consumer Warranty Insurance". You must preserve your completed insurance documentation.
- (11) That the builder or person who is contracted to do the residential building work shall comply with the requirements of part 6 of the Home Building Act 1989 in that a person shall not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work and a certificate of insurance evidencing the contract of insurance, in a form prescribed by the regulations is attached to the contract.
- (12) That the proposed brickwork shall match the existing brickwork, to be detailed with the application for a Construction Certificate;
- (13) That before erecting any hoarding, an application must be made to the Director of Public Works and Services for a Builders Hoarding Permit (for approval under the Roads Act 1993). No excavation shall be carried out on the public way beneath or adjacent to the hoarding without the approval of the Director of Public Works and Services;
- (14) That during demolition, excavation and building work, the public way shall not be obstructed by building materials or materials from the site in any way;
- (15) That all loading and unloading of construction materials shall take place off street at all times unless the South Sydney Local Traffic Committee approves an on-street Construction Zone;
- (16) That structural drawings shall be accompanied with a compliance certificate to the certifying authority, certifying that the design is in accordance with the relevant Australian Standards and design codes;
- (17) That details of the existing and proposed drainage system shall be submitted with the application for a Construction Certificate
- (18) That all relevant sections of the BCA shall be complied with;

- (19) That the requirements of the Work Cover Authority shall be complied with;
- (20) That an application for a construction certificate, with supporting plans, specifications and details demonstrating compliance with conditions of this consent and the Building Code of Australia shall be lodged and no building or excavation work shall be commenced until that application has been approved and at least two days written notice of the intention to commence work has been given to the Council;
- (21) That no structural work shall be commenced until the construction certificate is issued by the certifying authority;
- (22) That where a structural member is subject to attack by subterranean termites provision shall be made for:-
 - (a) Physical barriers in accordance with AS 1694
 - (b) Soil treatment in accordance with B1.3 of the BCA and AS 2057
- (23) That suitable smoke alarm systems shall be provided in accordance with the requirements of Part 3.7.2 of the BCA;
- (24) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted and approved by Council or an accredited certifier before a 'Condition Certificate' is issued;
- (25) That the developer shall make an application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works, prior to work commencing (Warning – To ensure that future vehicular or pedestrian access is possible you should not fix any boundary levels, either physically or in design drawings, until the alignment levels are issued);
- (26) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer/owner. The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;
- (27) That prior to the release of the construction certificate, the developer/owner shall make an application to the Director of Public Works and Services for the provision of the necessary footway crossing and also bear the cost of the crossing and reinstatement of the footpath where any existing crossings adjacent to the site are no longer required (such approval is required under the Roads Act 1993). The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;

- (28) That during demolition, excavation and building work, the public way shall not be obstructed by building materials or materials from the site in any way;
- (29) That only refuse skips by approved suppliers who comply with Council's Code for the Placement of Waste containers on the Public Way shall be delivered and placed on the public way (contact Council's One Stop Shop for a list of approved suppliers);
- (30) That all proposed work shall be wholly within the boundaries of the site;
- (31) That any excavation, demolition and building work shall comply with Australian Standard 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites;
- (32) That all building work must be carried out in accordance with the provisions of the Building Code of Australia.

This does not apply to the extent to which an exemption is in force under clause 80H or 801 of the EPA Act Regulations 1998, subject to the terms of any condition or requirement referred to in clause 80H(6) or 801(4);

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.

4.

WYNDHAM STREET, NOS. 177-187, ALEXANDRIA - CONSTRUCT OFFICE HEADQUARTERS FOR NSW FIRE BRIGADES - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-01204)

- (A) That the Council give the Director of Planning and Building delegation to liaise with the Applicant and to determine the subject application when agreement is reached with the Applicant as to appropriate conditions of consent.
- (B) That Council endorse the following draft conditions of consent for the application submitted by the New South Wales Fire Brigades for

permission to erect a 9 level commercial building with ancillary retail, cafe, lecture and library facilities and parking:-

- (1) That the development shall be generally in accordance with drawings numbered 9825-DA01 issue A to 9825-DA05 issue A, inclusive;
- (2) 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:

Open Space Land Acquisition	\$62884
Open Space/Townscape/ and Public Domain	\$21760
Accessibility and Transport	\$403
Management	\$1990
 Total	 \$87037

The above must be paid to the Council in cash or by unendorsed bank cheque, before issuing a Construction Certificate.

Details about the contribution, including how it is determined, adjustments for CPI and works in kind can be found in the Contributions Plan (available at the Council, 140 Joynton Avenue, Zetland). No works will be offset against the required monetary contribution without the prior written consent of the Director of Planning and Building or the Director of Public Works and Services;

- (3) That the amount of parking provided for use in conjunction with the proposed building shall not exceed 70 spaces, in accordance with Development Control Plan No.11;
- (4) That the proposed foyer and internal signs, banners and graphics within the foyer shall be designed so as to highlight the existence of publicly accessible facilities within the building and to encourage public access from the street;
- (5) That the entry driveway shall be extended in width by 2m to the west (necessitating removal of the existing street tree) and shall be designed and signposted so as to prevent vehicle entry by right turn from Bourke Road;
- (6) That details of any work proposed on the existing building at the corner of Bourke Road and Wyndham Street, apart from the

proposed pedestrian bridge, shall be the subject of a separate Development Application;

- (7) That an interpretive element shall be included within the building foyer (such as a tile mosaic) making reference to the existence of the stormwater channel that runs beneath the site, and details shall be submitted for the approval of the Director of Planning and Building prior to approval of the building application/construction certificate;
- (8) That the parking areas shall be designed to comply with Development Control Plan no.11 and AS 2890.1, with particular attention to ramp grades and transitions, curve radii and parking space dimensions;
- (9) That information regarding the type of service vehicles required to service the office and retail uses and the provision of suitable loading spaces and access shall be submitted for the approval of the Director of Planning and Building prior to approval of the building application/construction certificate;
- (10) That a total of 20 bicycle storage spaces shall be provided in accordance with the requirements in Development Control Plan no.11;
- (11) That of the required car parking spaces, at least 2 shall be 3m x 5.5m minimum (with a minimum headroom of 2.5m) and shall be clearly marked and appropriately located for disabled driver's parking;
- (12) That plans and specifications showing details of: -
 - (a) all required mechanical ventilation systems;
 - (b) 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 and approved by Council or an accredited certifier before a 'Construction Certificate' is issued;
- (13) That the approval of the Federal Airports Corporation shall be separately sought if the proposed communications mast exceeds 45m in height above ground level;

and the following adopted standard conditions:

- (14) Glazing Reflectivity less than 20%¹¹⁸
- (15) Display Street Number¹²⁴

- (16) Works on Public Way Cost¹⁰⁰²
- (17) Paving¹⁰⁰³
- (18) Alignment Levels¹⁰¹⁶
- (19) Separate Application for Signs²⁰⁰¹
- (20) Loading Within Site³⁰¹⁴
- (21) Vehicles Enter/Leave in Forward Direction³⁰²⁰
- (22) Signs at Egress³⁰²²
- (23) Disabled Entry³⁰²⁴
- (24) Cost of Signposting³⁰²⁶
- (25) Consequential Roadworks³⁰²⁷
- (26) Footway Crossing³⁰²⁸
- (27) Obstruction of Public Way³⁰²⁹
- (28) On Site Detention –Stormwater⁴⁰⁰³
- (29) Landscape Plan⁵⁰⁰¹
- (30) Moving Trees⁵⁰⁰⁷
- (31) Street Trees⁵⁰⁰⁸
- (32) Construction Hours⁹¹⁵¹
- (33) Works Within Boundary⁹¹⁵²
- (34) On Slab Planting⁵⁰¹³
- (35) Final Inspection⁵⁰¹⁵
- (36) Comply With BCA⁹¹⁰⁴
- (37) Ventilation⁷⁰²³
- (38) Number of toilets to be provided⁹⁶⁰⁸
- (39) Garbage Room⁶⁰¹⁰
- (40) Commercial Garbage Contract⁶⁰⁰³

(41) Vibration and Noise⁷⁰²⁸

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.

NOTE:

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,

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

Carried.

5.

MISSENDEN ROAD, NOS. 155-179, NEWTOWN - RELEASE OF PORTION OF THE BANK GUARANTEE HELD BY COUNCIL IN LIEU OF THE PAYMENT OF THE CONTRIBUTION REQUIRED UNDER SECTION 94 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979, AS AMENDED (U94-01029)

- (A) That approval be granted for the securing from the bank guarantee the following amounts:-

\$5,937- Child Care Programme - 2EK BGY0

\$5,972 - Community Facilities Programme - 2EL - BGY0

\$22,370 - Transport Access Programme - 2EM - BGY0

\$3,528 - Environmental Improvement Programme - 2EN - BGY0

Total: \$37,807

- (B) That approval be granted for the release from the bank guarantee the amount of \$112,591 being the Section 94 contribution required under the Civic Improvement , Open Space and Recreation Programme and returnable to the applicant for providing a public benefit by way of street planting and works to the pavement around the site 155-179 Missenden Road, Newtown.

(DPB Report 29.12.98)

Carried.

6.

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

- (A) That the Council as the responsible authority grants its consent to the application submitted by SSC, with the authority of SSC, for permission to construct a residential flat building at 69-73 Myrtle Street, subject to the following conditions, namely:-
- (1) That the gable roofs on the Myrtle and Wiley Street elevations be altered to hipped roofs to improve solar access;
 - (2) That a landscaping plan be submitted for the internal court area;
 - (3) That the detailing of the balcony over-hangs ensure that the drained water is brought to within 100mm of the wall;
 - (4) That windows be recessed a minimum of 50mm and incorporate protruding sills;
 - (5) The garage door on Wiley Street is to be reduced in width to 4.5 metres and a pedestrian door included for direct access onto the street;
 - (6) That internal car parking is reduced to seven spaces and the applicant is to contribute to the provision of on-street angle parking for visitor purposes;
 - (7) That parking for four bicycles be included in accordance with DCP11 and that adequate support facilities be included as to satisfy Council an area will continue to used for this purpose;
 - (8) That the applicant contributes to the Public Domain Project to close the section of Wiley Street between Cleveland and Dangar Streets;
 - (9) That footpath reconstruction is provided around the street frontage of the proposal, which is sympathetic to the materials currently used at the intersection of Wiley and Myrtle Streets;
 - (10) 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	\$ 26,843	2E97001.BGYO
Open Space / Townscape / Public Domain	\$ 8,107	2E97002.BGYO
Accessibility and Transport	\$ 105	2E97006.BGYO
Management	\$ 404	2E97007.BGYO
<i>Total</i>	<i>\$ 35,459</i>	

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 latest valuations.

$$\text{Contributions at Time of Payment} = \frac{C}{\text{CPI 1}} \times \text{CPI 2}$$

where :

C is the original contribution amount as shown above;

CPI 2 is the Consumer Price Index. All Groups Index for Sydney available from the Australian Bureau of Statistics at the time of payment, and;

CPI 1 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.

- (11) That the balcony attached to unit 6 be extended to comply with the minimum 8m² specified in DCP97.
- (12) That the development shall be in accordance with the Building Code of Australia, and in particular with the following undermentioned conditions;
- (13) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
- (14) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
- (15) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
- (16) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
- (17) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (18) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (19) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (20) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (21) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (22) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (23) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
- (24) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;

- (25) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (26) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
- (27) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
- (28) That exit doorways from all stairways shall be protected by self-closing 100/30 fire doors;
- (29) That the doorway to the garbage room be redesigned so as not to open into the entry/exit area of the building;
- (30) That an additional exit be provided to the basement car park level that complies fully with the requirements of Part D of the B.C.A.
- (31) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (32) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (33) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the EPA and shall be submitted to Council for referral to the EPA. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use. It should be noted that Building Approval will not be issued until the Contamination Assessment has been submitted to Council and the site has been given clearance by the EPA. No works on the site shall be undertaken prior to the EPA giving clearance other than works associated with the remediation of the land;
- (34) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (35) That the car parking area be ventilated in accordance with Australian Standard 1668.1-1991 Section 7 and Australian Standard 1668.2 Section 4;

- (36) That smoke hazard management devices be provided to the building in accordance with the Building Code of Australia.
- (37) That the construction of the premises shall comply with the requirements of Material Code for the construction and fitout of food premises;
- (38) That adequate provision shall be made for the installation of a mechanical exhaust ventilation for future food premises where cooking, heating or similar food preparation is to be carried out;
- (39) That all air handling system fresh air intake and exhaust air discharge vents shall be located in positions approved by the Health and Community Services Department;
- (40) 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";
- (41) That a garbage room or garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (42) That the commercial portion of the building shall enter into a commercial contract for the removal of trade waste;

That plans and specifications showing details of all required mechanical ventilation systems and associated fire precaution features; (vii); (xix); and the smoke management system shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

- (43) 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;
- (44) 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;

- (45) That appropriate arrangements are made for the removal of rubbish to the satisfaction of Council's Public Works and Services Department, Cleansing Services Group.

NOTE:

That Council be advised that it may be liable for prosecution under the Local Government Act 1993 for breach of an approved condition, or under the Clean Waters Act of 1970 if its employees, agents, or subcontractors allow sediment, including soil, excavated material, building materials, or other materials to be pumped, drained or allowed to flow into the street, stormwater pipes, or waterways. Council is advised to ensure that all employees, agents, or subcontractors understand and maintain sediment control measures.

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 neighborhood, including adverse affects relating to the emission of noise and vibration, and would not be in the public interest.

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

Carried

7.

RENWICK STREET, NOS.39-43 AND 45-47, REDFERN - ERECTION OF 4 STOREY COMMERCIAL BUILDING - SECTION 96 AMENDMENT (Z88-00036)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council as the responsible authority grants its consent, pursuant to Section 96 of the Environmental Planning and Assessment Act, to the application dated 2 August, 1998 to amend the consent granted by resolution of Council of 9 August, 1988, for permission to demolish the existing building and to erect a four storey commercial building containing three upper floors of showroom offices and storage with car parking on the ground and basement levels, all in accordance with submitted plans Nos.865/10A,11,12 dated December 1987, subject inter alia to the following conditions, namely:-
- (1) That a minimum of 50 car spaces shall be provided on the site (25 in the basement and 25 at ground level) having minimum dimensions of 2.6m x 5.4m;

- (3) That the loading bay on the ground floor shall be moved 1m to the west and shall be lengthened southerly to a standard of 7.6m overall to enable a 6.6m small rigid truck to manoeuvre into and out of the bay without reversing onto the public way;
- (4) That a minimum headroom of 3.6m shall be provided over all areas traversed by service vehicles;

in the following manner, namely:-

- (a) deletion of the abovementioned description and insertion in lieu thereof of the following new description:
 - to erect a four storey commercial building containing three upper floors of showrooms, offices and storage, a ground level with a commercial tenancy area foyer and car parking and a basement parking level;
- (b) deletion of the abovementioned conditions (1), (3) and (4) and the insertion in lieu thereof of the new conditions, namely:
 - (1) That the development shall be generally in accordance with the submitted plans ref. 102-01A, 02B, 03C, 04B, 05C, 06B and 07B;
 - (3) That a maximum of 45 off-street car parking spaces, each measuring a minimum of 2.6x5.4m or 2.5 x 5.5m shall be provided within the building;
 - (4) That parapet height of the eastern wall shall not exceed RL 41.4.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

8.

PHILLIPS STREET, NO.16, ALEXANDRIA - STUDIO AT REAR OF PROPERTY – UNAUTHORISED WORK (2014212)

- (A) That with regard to the unauthorised structure Council, as the responsible authority, issue an order pursuant to Section 121B(13) of the EPA Act 1979 as amended July 1998 on the owners of the premises to:-

- (1) remove any opening closer than 900mm to boundary and replace by 60/60/60 fire rated wall;
 - (2) increase the fire resistance level of any wall closer than 900mm to side boundary to minimum of 60/60/60;
 - (3) submit a structural certificate from a registered structural engineer with Council certifying the unauthorised works are structurally safe and comply with Australian standards;
- (B) That subject to compliance with (A) above, no further action with regard to the unauthorised work be taken.
- (C) That Council write to the owners warning them that in future, if works are carried out without first obtaining approval, Council will enforce its full powers given under the Act.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

(A/DPB Report 13.1.99)

Carried.

9.

ROSEBERY AVENUE, NO 112, ROSEBERY - UNAUTHORISED WORK - (2016239)

- (A) That with regard to the unauthorised work/use Council as the responsible authority issue an order on the owners of the premises to:-
- (1) remove the north western corner pier down to the existing fence height;
 - (2) provide a structural certificate from a practising structural engineer registered with the Council as to the structural adequacy of the unauthorised structures;
 - (3) submit a survey certificate from a Registered Surveyor certifying the location of the unauthorised structures in relation to the boundary lines of the allotment;
 - (4) water proof the external walls of the garage to prevent rain or dampness penetrating to the inner parts of the building in accordance with requirements of B.C.A;
- (B) That the Council commence prosecution proceedings in the Local Court for breach of Section 81A(2) of the EPA Act 1979 as amended July

1998.

- (C) That Council write to the owners warning them that in future if works are carried out without first obtaining approval, Council will enforce its full powers given under the Acts.

(A/DPB Report 13.1.99)

Carried.

10.

YOUNG STREET, NO. 14, REDFERN – UNAUTHORISED WORK (2016098)

- (A) That with regard to the unauthorised satellite dish Council as the responsible authority issue an order pursuant to Section 121B(13) of EPA Act 1979 as amended July, 1998 on the owners of the premises to:-

- (1) reduce the height of the Satellite dish to a maximum height of 1.8m from the ground level;
- (2) provide a structural certificate from a registered structural engineer certifying the structure complies with the requirements of the Australian Standards;

-within 28 days from the date of the order.

- (B) That subject to compliance with (A) above Council take no further action with regard to the unauthorised work.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

(A/DPB Report 13.1.99)

Carried.

11.

CROWN STREET, NOS. 185-191, EAST SYDNEY - SECTION 96 (2) APPLICATION TO MODIFY CONSENT FOR ALTERATIONS AND ADDITIONS TO DWELLING HOUSES (U97-00729)

- (A) That the applicant be advised that Council has considered the application made pursuant to Section 96(2) of the Environmental Planning and Assessment Act, 1979, which seeks to modify the consent granted on 15 October 1997 relating to alterations and additions to the attached dwelling houses at 185-191 Crown Street, East Sydney and has decided as follows:-

- (1) That the request to modify the layout, internal arrangement, façade setback and detailing in accordance with the application dated 9 November, 1998 is supported;
- (2) That the consent be modified in the following manner:
 - (i) That drawings referred to in the consent be amended to read:

"the submitted plans numbered 9820-02.1 and 9820-02.2 and dated 30 October, 1998"
 - (ii) That condition (4) be amended to read:
 - (4) That details, shall be submitted, including materials and finishes proposed and colours of same for the approval of the Director of Planning and Building prior to the issuing of a construction certificate, in respect of the following:
 - (a) external masonry walls and parapets, which are to match existing work;
 - (b) door and window frames and glazing;
 - (c) privacy screening between the proposed roof terraces;
 - (d) privacy screening between the proposed roof terraces and the adjoining properties to the west;
 - (e) metal framing and glazing of the western façade and their reflectivity values;
 - (f) window fenestration to the Liverpool Street façade;
 - (g) walls to the northern and southern ends of the stair, (which shall be of solid material) and the adjacent soldier coursing and parapet detailing;
 - (h) glazed entry door (which shall be recessed back from the Liverpool Street façade as much as possible);
 - (iii) That condition 6 be amended to read:
 - (6) That new windows shall be incorporated into the Liverpool Street façade on each floor; and such windows, their spacings and levels, wall opening proportions and sizes, framings and masonry detailing shall match those proposed on the Crown Street façade;
 - (iv) That condition 10 be amended to read:
 - (10) That a suitable automatic fire detection and alarm system shall be installed to comply with E2.2 of the BCA;
 - (v) That condition 17 be amended to read:

- (17) That all excavation, demolition and building work in connection with the proposed development shall only be carried out between the hours of 7.00am and 5.00pm on Mondays to Fridays, and 7.00am and 3.00pm on Saturdays and not work shall be carried out on Sundays or public holidays (where applicable, these restrictions do not apply to the maintenance of site cranes nor 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);
- (vi) That the following conditions be added:
- (24) That the proposed western wall of the premises shall be redesigned to comply fully with the requirements of clauses C.3.2 and C.3.4 of the BCA with specific attention directed to clause 3.2(b)(c);
- (25) That the ceiling beneath the first floor of the premises shall be constructed of material having resistance to the incipient spread of fire of one hour;
- (26) That natural light and ventilation shall be provided to all habitable rooms in accordance with the requirements of Part F4 of the BCA;
- and the following adopted conditions:
- (27) Structural Design Certificate⁹⁰⁰⁶
- (28) Drainage Details with Construction Certificate⁹⁰¹³
- (29) Comply With BCA⁹¹⁰⁴
- (30) Comply With the WorkCover Authority⁹¹⁰⁵
- (31) Works Within Boundary⁹¹⁵²
- (32) Construction Certificate Required⁹¹⁵⁵
- (33) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (34) Commencement of Structural Works⁹²⁰²
- (35) Type of Construction⁹³¹⁹
- (36) Glazing Provisions⁹³³⁰
- (37) Private Stairs and Balustrade Requirements⁹⁴²⁰

- (38) Clothes washing and drying facilities⁹⁶⁰³
- (39) Ceiling heights of rooms or spaces⁹⁶¹²
- (40) Certification of Electrical Installation⁹⁸⁵³

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.

12.

PROSPECT STREET, NO. 35, ERSKINEVILLE - ERECTION OF TWO NEW TWO STOREY DWELLINGS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-00192)

- (A) That further to the report of the Director of Planning and Building of 30 September 1998 the Council as the responsible authority, grants its consent to the application submitted by Tom Maldessi with the authority of Mrs B Harrington (owner) for permission to substantially demolish the existing terrace house and erect 2 x 2 bedroom terrace houses in 2 storey construction and subdivide the site into 2 lots, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with plans reference A01d to A03d inclusive;
 - (2) 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	\$3159	2E97001.BGY0
Open Space/Townscape/Public Domain	\$ 954	2E97002.BGY0
Accessibility And Transport Management	\$ 12	2E97006.BGY0
	\$ 48	2E97007.BGY0

Total**\$4173**

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.

$$\text{Contributions at Time of Payment} = \frac{\text{CPI2}}{\text{CPI1}} \times \text{C}$$

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 being the March Quarter 97/98 (Amend as applicable)

The above amount must be paid to the Council in cash or by unendorsed bank cheque. Payment shall be made (before the release of the construction permit / before the use is commenced or the premises occupied whichever occurs first.) (Delete as applicable)

Notes: Endorsed DA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site. 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. To support a 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. Works carried out without written approval by Council will not be off-set against any Section 94 Contribution and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement. Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind. Applicants should note that Council may have specific requirements concerning future management and will require security in the form of a bank guarantee for all approved works.

- (3) That the development shall be amended in the following manner to the satisfaction of the Director of Planning and Building, namely:-

- (a) the southern building shall be set back a minimum of 900mm from the southern boundary to match the site boundary setback on No 39 Prospect Street;
- (b) the front parapet shall be raised by at least 200mm to produce a better proportioned façade;

details to be submitted in the Building Application;

- (4) 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;
- (5) That the excavated material construction supplies and on-site debris be stockpiled within the property and not encroach upon the footpath, nature strip or road.

and the following adopted standard conditions:-

- (6) LDA12 - Applicant to liaise with Sydney Water;
- (7) LDA152 - Schedule of finishes;
- (8) LDA153 - Reflectivity of external glazing;
- (9) LDA155 - Windows and doors to be of timber joinery;
- (10) LDA158 - Treatment of exposed walls;
- (11) LDA160 - Provide service ducts within building;
- (12) BC26 - Comply with BCA;
- (13) LDA367 - Timing device on alarms;
- (14) LDA368 - Display of street numbers;
- (15) LDA369 - Allocation of street numbers;
- (16) LDA376 - Hours of building work;
- (17) LDA377 - Construction noise regulation;
- (18) LDA384 - New alignment levels;
- (19) LDA387 - Footway crossings;
- (20) LDA389 - Stormwater disposal requirements;

- (21) LDA391 - Builder's Hoarding Permits;
- (22) LDA392 - No obstruction to public way;
- (23) LDA393 - Delivery of refuse skips;
- (24) HSC500 - Premises to be ventilated.

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

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

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

Carried.

13.

COPE STREET, NOS. 51-53, REDFERN - TO USE THE PREMISES FOR THE FABRICATION OF ARCHITECTURAL METAL WORK FOR WINDOWS AND DOORS - DEVELOPMENT APPLICATION (U98-01074)

- (A) That the Council as the responsible authority grants its deferred commencement consent pursuant to Section 80(3) of the Environmental Planning and Assessment Amendment Act, 1997 consent to the development application submitted by Shaw Fanian, with the authority of S L Fashion Accessories Pty Ltd, for permission to carry out alterations and additions to use the premises for the fabrication of architectural metal work for windows and doors., subject to the following conditions, namely:-
 - (1) That the consent shall not operate until the applicant has satisfied Council as to all the matters in (a) below and that details as to how the applicant proposes to satisfy Council as to those

matters shall be submitted within three months of the date of this deferred commencement:

- (a) An acoustical investigation of the proposed development is to be undertaken by a suitably qualified acoustical consultant describing and assessing the impact of noise emissions from the proposal. The investigation shall include but not be necessarily limited to the following:
- The identification of sensitive noise receivers potentially impacted by the proposal;
 - The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and EPA requirements);
 - The formulation of a suitable assessment criteria having regard to the guidelines contained in the NSW, EPA, Environmental Noise Control Manual or the NSW, EPA Draft Stationary Noise Source Policy;
 - The identification of operational noise producing facets of the development and the subsequent prediction of resultant noise at the identified sensitive receiver locations from the operation of the premises. Where appropriate the prediction procedures shall be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
 - A statement indicating that the development is capable of complying with the criteria together and details of acoustic control measures that will be incorporated into the development.
Note: control measures that alter the built form of the proposal may require incorporation into the development plans and statement of environmental effects.
- (2) That the development shall be generally in accordance with plans date stamped 23 October, 1998;
- (3) That the hours of operation shall be restricted to between 8.00am to 5.00pm Monday to Friday, 8.00am to 1.00pm Saturday;
- (4) That the proposed signage shall:

- a) not flash, move, be animated, scintillate or be decorated with rotating flashing lights at any time without the consent of the Council;
 - b) not have attached apparatus to provide any sound;
 - c) be neatly affixed to the building (any damage caused shall be promptly repaired with matching materials);
 - d) not cover any architectural features or windows;
 - e) not carry a message(s) which is offensive;
- (5) That the existing loading dock shall be maintained for use in connection with the proposed development;
- (6) That all loading and unloading operations shall be carried out within the confines of the site, at all times (and shall not obstruct other properties or the footway);
- (7) That at no time shall the premises be serviced by articulated vehicles or vehicles bearing containers;
- (8) That the size of trucks servicing the premises shall be a maximum length of 6m;
- (9) That appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress, compelling vehicles to stop before proceeding onto the public way;
- (10) That the applicant shall enter into a commercial contract for the daily collection of trade waste;
- (11) 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";
- (12) That any discharge to the atmosphere from the development shall comply with the requirements of the Clean Air Act and Regulations;
- (13) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, dust or other impurities which are a nuisance, injurious, dangerous or prejudicial to health;
- (14) 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;

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.

14.

WILSON STREET, NO. 50, NEWTOWN - RE-ESTABLISH FORMER DWELLING HOUSE USE - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-01185)

- (A) That the Council as the responsible authority grants its consent to the application submitted by South Sydney Council, for permission to re-establish the use of the site at No. 50 Wilson Street, Newtown for a dwelling house, involving no demolition or building works, subject to the following conditions, namely:-
- (1) As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

Contribution Category	Amount	Account
Open Space Land Acquisition	\$3,159	2E97001.BGY0
Open Space/Townscape/ Public Domain	\$ 958	2E97002.BGY0
Accessibility And Transport Management	\$ 12 <u>\$ 48</u>	2E97006.BGY0 2E97007.BGY0
Total	\$4,177	

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.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

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 being the September Quarter 98.

The above amount must be paid to the Council in cash or by unendorsed bank cheque. Payment shall be made before the use is commenced or the premises occupied whichever occurs first.

Notes: Endorsed DA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site. 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. To support a 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. Works carried out without written approval by Council will not be off-set against any Section 94 Contribution and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement. Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind.

Applicants should note that Council may have specific requirements concerning future management and will require security in the form of a bank guarantee for all approved works.

- (2) 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 – Multi-Function Administration Centre, the following monetary contribution towards the cost of providing the facility and amenities supported by that plan are required.

Contribution Category	Amount	Account
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Multi-Function Administration Centre \$858 2E97008.BGY0

The above payment will be adjusted according to the relative change in the Consumer Price Index using the following formula.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

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. Payment shall be made before the use is commenced or the premises occupied whichever occurs first.

- (3) That the development shall be generally in accordance with the development application lodged on 18 November 1998 and the accompanying Statement of Environmental Effects prepared by Nick Angelini Planning Services and dated October 1998;
- (4) That subsequent to this consent any demolition or building works shall be the subject of a separate development application;

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

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

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

Carried.

15.

REDFERN STREET, NO. 116, REDFERN - ALTERATION AND ADDITIONS TO EXTEND HOTEL AND ERECT FIRST FLOOR TIMBER DECK - DEVELOPMENT APPLICATION (U98-01128)

That consideration of the application submitted by John Greenwood & Associates, with the authority of Greek Orthodox Archdiocese of Australia, for permission to carry out alterations and additions to hotel to create a gaming room and meeting room in No.116 Redfern Street, be deferred for further discussions between the applicant and the Director of Planning and Building.

Carried.

16.

CLEVELAND STREET, NO. 376, SURRY HILLS - ENCLOSURE OF VERANDAH - DEVELOPMENT APPLICATION (U98-01082)

- (A) That the Council resolves to refuse the application submitted by Razo Rocco with the authority of Mr and Mrs Calderon for permission to enclose the first floor terrace balcony be refused for the following reasons, namely:-
- (1) The proposal is contrary to controls relating to front verandahs and balconies within Council's Development Control Plan 1997, which states that "the infill of existing balconies is not permitted".
 - (2) The proposal would set an undesirable precedent for similar balcony enclosures
 - (3) The proposed enclosure is not in keeping with the architectural style of the Victorian terrace
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

17.

CHELSEA STREET, NO. 15, REDFERN - DEMOLISH EXISTING PREMISES AND ERECT FOUR NEW DWELLINGS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-00483)

- (A) That the Council, as the responsible authority, its consent to the application submitted by Meridan Development and Co., with the authority of J N McLennan (owner), for permission to demolish the existing dwelling house and to erect 4 x 3 bedroom townhouses in two storey plus attic level construction, with north facing dormer windows

and with basement level parking accessed by ramp from Chelsea Street, subject to the following conditions, namely:-

- (1) That amended plans that incorporate the requirements in (a) to (h) inclusive to the satisfaction of the Director of Planning and Building shall be submitted in the Building Application:
 - a) the northern building shall be relocated towards the front boundary so that the proposed ridgeline shall align with the ridge line of No. 13 Chelsea Street;
 - b) the height of the roof ridge shall match the height of the adjoining No. 13 Chelsea Street;
 - c) the Chelsea Street façade of the building shall be amended so that the floor levels and key architectural elements reflect the horizontal control lines determined by the main elements in the façade of the adjoining No. 13 Chelsea Street;
 - d) the front first floor balconies shall be continued across the frontage and the central emphasis of the design softened so that the front elevation reflects the rhythm of the prevailing lot pattern;
 - e) the height of the driveway opening shall be reduced to minimize its visual impact in the streetscape;
 - f) the driveway ramp gradient shall be reduced to provide adequate sight distance at the front boundary when exiting the car park;
 - g) the height of the front fence shall not exceed 1200mm;
 - h) solar collectors totaling 4m² per dwelling are provided;
- (2) That the development shall be generally in accordance with plans reference A01B to A08B inclusive dated 16 October 1998 as amended to comply with Condition (1) of this consent;
- (3) That 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	\$9,477	2E97001.BGY0
Open Space/Townscape/Public Domain	\$2,823	2E97002.BGY0
Accessibility And Transport	\$36	2E97006.BGY0
Management	\$144	2E97007.BGY0
Total	\$12,480	

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.

$$\text{Contributions at Time of Payment} = C \quad \times \quad \frac{\text{CPI2}}{\text{CPI1}}$$

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 being the March Quarter 97/98.

The above amount must be paid to the Council in cash or by unendorsed bank cheque. Payment shall be made (before the release of the building application or construction certificate.

Notes: Endorsed DA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site. 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. To support a 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. Works carried out without written approval by Council will not be off-set against any Section 94 Contribution and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement. Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind. Applicants should note that Council may have specific requirements concerning future management and will require security in the form of a bank guarantee for all approved works;

- (4) That the building shall be photographed by a person suitably qualified in heritage/conservation methods during its demolition to properly record the construction methods and copies shall be submitted in a report to Council for archival purposes;
- (5) That a maximum of four 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, with a minimum headroom of 2.5m and the layout of the parking area and ramps shall comply with the relevant Australian Standards and Council's Development Control Plan No 11;
- (6) That the Developer shall provide street trees (new and infill) in accordance with the Council's Street Tree Masterplan (1996). Trees shall be sized and planted according to Appendix C of the Street Tree Master Plan which in this case indicates Bottlebrush and Golden Rain Tree (*Callistemon* sp. and *Kolreutaria paniculata*);
- (7) That plans and specifications showing details of:-
- (a) all proposed mechanical ventilation systems;
 - (b) the garbage room;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (8) That the car park shall be ventilated in accordance with Australian Standard 1668-1991.1 Specification 7 and Australian Standard 1668.2 Section 4;
- (9) That only one common television aerial for each building shall be installed;
- (10) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
- (a) external finishes to walls;
 - (b) roofing finishes;
 - (c) balcony balustrade treatment;
 - (d) proposed fences;
 - (e) size and proportion of windows and doors;

and the following adopted conditions:

- (11) Glazing Reflectivity less than 20%¹¹⁸
- (12) Display Street Number¹²⁴

- (13) Builders Hoarding Permit¹⁰⁰⁸
- (14) Alignment Levels¹⁰¹⁶
- (15) Resident Parking Access³⁰⁰¹
- (16) Signal System³⁰⁰⁶
- (17) Vehicles Enter/Leave in Forward Direction³⁰²⁰
- (18) Vehicular Crossing³⁰²¹
- (19) Cost of Signposting³⁰²⁶
- (20) Consequential Roadworks³⁰²⁷
- (21) Footway Crossing³⁰²⁸
- (22) Obstruction of Public Way³⁰²⁹
- (23) Stormwater Standard⁴⁰⁰¹
- (24) Clean Water Discharge⁴⁰⁰²
- (25) Landscape Plan⁵⁰⁰¹
- (26) On Slab Planting⁵⁰¹³
- (27) Maintenance of Landscaping⁵⁰¹⁴
- (28) Final Inspection⁵⁰¹⁵
- (29) LDA393 - Delivery of refuse skips;
- (30) Storage/Garbage⁶⁰⁰⁹
- (31) Garbage Room/Receptacle⁶⁰¹¹
- (32) Construction Noise⁷⁰⁰⁸
- (33) Ventilation⁷⁰²³
- (34) Vibration and Noise⁷⁰²⁸
- (35) Water Board Certificate (s73)⁸⁰⁰¹
- (36) Drainage Details with Construction Certificate⁹⁰¹³
- (37) Hours of Work and Use of Cranes⁹¹⁵³

- (38) Building/Demolition Noise Control⁹¹⁵⁶
- (39) Demolition to Comply With Aust Standard⁹¹⁶³
- (40) HSC706 - Storage of recyclables;

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 the applicant is advised to address garbage service details to Cleansing Services for comment.

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.

DRAFT LOCAL ENVIRONMENTAL PLAN 1998 - AMENDMENT NO. 1 (201554)

That consideration of the report dated 27 November 1998, dealing with Draft Local Environmental Plan 1998 Amendment No. 1 be deferred for a further report including the issues raised at the Planning and Development Committee.

Carried.

19.

CROWN STREET, NO.529, SURRY HILLS - ALTERATIONS AND ADDITIONS TO EXISTING TWO STOREY BUILDING - DEVELOPMENT APPLICATION (U983-00093)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Mr M Sideris, with the authority of Mr A & Mrs E Sideris, for permission to carry out alterations and ground, first and second floor additions to the existing shop and dwelling, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with amended plans numbered DA-01a dated 30 November, 1998;
 - (2) That the proposed attic level balcony shall be reduced in depth to extend no further than 300 mm from the rear wall and shall be reduced in width to match the width of sliding door opening of bedroom 2;
 - (3) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
 - (4) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
 - (5) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
 - (6) 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;
 - (7) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (8) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;

- (9) That either an application for a construction certificate or building application with supporting plans, specifications and details demonstrating compliance with conditions of this consent and the Building Code of Australia shall be submitted and no building or excavation work shall be commenced until that application has been approved and at least two days written notice of the intention to commence work has been given to the Council. The Building Application would need to be lodged prior to 1 July, 1999;
- (10) That a plan for the landscaping of the site, including details of any subsoil drainage where landscaping is provided on a slab and any proposed security fencing, shall be lodged with the Director of Planning and Building for approval and the site shall be landscaped in accordance with the plan as so approved and be maintained at all times to the satisfaction of the Director of Planning and Building and the Director of Public Works and Services;
- (11) That all metal deck roof shall not be trafficable;
- (12) That no windows or ventilation systems shall be installed onto the southern boundary;

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

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

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

Carried.

20.

MITCHELL ROAD, NO. 7, ALEXANDRIA - PROPOSED ALTERATIONS AND ADDITIONS TO DWELLING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U98-00770)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr D Litinetsky, with the authority of Ms A Bakovic and Mr D Litinetsky, to undertake alterations and additions to the existing dwelling, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with amended plans dated 16 December 1998;

- (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$600 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;
- (3) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$200, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
- (4) As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan, 1997, the following monetary contributions towards the cost of providing facilities and amenities are required.

Contribution Category	Amount	Account
Open Space Land Acquisition	\$3,159	2E97001.BGY0
Open Space/Townscape/Public Domain	\$ 958	2E97002.BGY0
Accessibility And Transport	\$ 12	2E97006.BGY0
Management	\$ 48	2E97007.BGY0
Total	\$4,177	

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.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

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 being the September Quarter 99

The above amount must be paid to the Council in cash or by unendorsed bank cheque. Payment shall be made before the release of the construction permit .

Notes:

Endorsed DA plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site. 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. To support a 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. Works carried out without written approval by Council will not be off-set against any Section 94 Contribution and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement. Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind. Applicants should note that Council may have specific requirements concerning future management and will require security in the form of a bank guarantee for all approved works.

- (5) 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 – Multi-Function Administration Centre, the following monetary contribution towards the cost of providing the facility and amenities supported by that plan are required.

Contribution Category	Amount	Account
Multi-Function Administration Centre	\$858	2E97008.BGY0

-the above payment will be adjusted according to the relative change in the Consumer Price Index using the following formula.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

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. Payment shall be made before the release of the construction permit.

- (6) That a solar hot water heater is provided to the roof of the proposed new section, to meet the hot water requirements of the proposed dwelling, unless it is demonstrated that this is not technically feasible;

and the following adopted standard conditions:-

- (7) Walls Not to be Built as Party Walls Unless Consent Obtained⁹¹⁰⁸
- (8) Single Dwelling Occupation Only⁹¹⁰³
- (9) Compliance with Building Code of Australia⁸⁵⁰¹
- (10) Residential Building Work⁸⁵⁰³
- (11) Protection of Public Places⁸⁵⁰⁷
- (12) Ventilation⁷⁰²³
- (13) Storage/Garbage⁶⁰⁰⁹
- (14) Vibration and Noise⁷⁰²⁸
- (15) Comply With BCA⁹¹⁰⁴
- (16) Construction Certificate Required⁹¹⁵⁵
- (17) Construction Noise⁷⁰⁰⁸
- (18) Footway Crossing³⁰²⁸
- (19) Obstruction of Public Way³⁰²⁹
- (20) Refuse Skips⁶⁰⁰²
- (21) Loading/Parking kept clear³⁰¹⁶

- (22) That the plan and other necessary additional information showing that the proposal is entirely within the property boundaries of 7 Mitchell Road, showing that there are no encroachments onto any other property without the consent of the owners of such other properties, and showing that the proposal does not contravene any covenants, easements or right-of-way, is submitted to Council prior to the commencement of building work.;
- (23) That a dilapidation report is prepared in relation to 9 Mitchell Road prior to the commencement of demolition or building work;

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

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

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

Carried

21.

BOURKE STREET, NOS. 697-699, SURRY HILLS - EXISTING TERRACE TO BE USED AS RUG GALLERY - DEVELOPMENT APPLICATION (U98-01008)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr M Farzandian for permission to use part of the ground floor of the existing dwelling house as a shop for the sale of carpets subject to the following conditions, namely:-
- (1) That the use of the site for sale of carpets shall cease and shall not recommence until the work required by conditions (8) to (13) has been completed;
 - (2) That the shop use shall only apply to the front part of the ground floor, the remainder of the building to be used only for residential purposes, in conjunction with the shop;
 - (3) That the development shall be generally in accordance with the plans submitted with the application;
 - (4) That the shop part of the ground floor shall not be used for the sale of goods other than carpets except with the consent of the

Council;

- (5) That no signage shall be displayed other than a sign 60 cm x 40 cm on the façade of the building, except with the consent of the Council, and that the existing banner shall be removed;
- (6) That the hours of operation shall be restricted to between 9.00 a.m. and 6.00 p.m. Mondays to Saturdays only;
- (7) That no alterations shall be made to the external appearance of the building;
- (8) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (9) That a suitable automatic fire detection and alarm system shall be installed to comply with E2.2 of the BCA;
- (10) That all relevant sections of the BCA shall be complied with;
- (11) That an application for a construction certificate, with supporting plans, specifications and details demonstrating compliance with conditions of this consent and the Building Code of Australia shall be lodged and no building or excavation work shall be commenced until that application has been approved and at least two days written notice of the intention to commence work has been given to the Council;
- (12) That the stairway shall be separated from the ground floor area by construction having a minimum fire resistance level of 60/60/60;
- (13) That the ceiling beneath the first floor of the premises shall be constructed of material having resistance to the incipient spread of fire of one hour;
- (14) That a separate Development Application shall be submitted at the appropriate time for any proposed signs other than the sign 60cm by 40cm attached to the façade;
- (15) That at no time shall any signs, amplification equipment, goods or the like be placed on public areas or the footpath adjacent or near the premises;
- (16) That all loading and unloading shall take place within the site;
- (17) 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;

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

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

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

Carried.

22.

WILSON STREET, NOS. 466-470, DARLINGTON - TO CARRY OUT INTERNAL ALTERATIONS TO "TIN SHED" APPROVED CONVERSION - DEVELOPMENT APPLICATION (U98-01152)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Travis McEwen Group Pty Ltd, with the authority of Lawniron Pty Ltd, for permission to carry out internal alterations and additions to the existing building, subject to the following conditions, namely:-
 - (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$2010 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;
 - (2) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$268, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;

- (3) Please note that following the gazettal of the Home Building Act 1997, your application is subject to a privately obtained "Consumer Warranty Insurance". You must preserve your completed insurance documentation.

That the builder or person who is contracted to do the residential building work shall comply with the requirements of part 6 of the Home Building Act 1989 in that a person shall not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work and a certificate of insurance evidencing the contract of insurance, in a form prescribed by the regulations is attached to the contract.

- (4) That the development shall be generally in accordance with plans numbered BA003 & BA006, dated 12 November 1998;
- (5) That as per the submitted Landscape Master Plan the developer shall provide street trees (new and infill) along the property frontages in accordance with the Council's Street Tree Masterplan (1996). Trees shall be 75 litre container size, 2.5 metres high, 75mm calliper and planted at maximum 10 metre centres.

Street	Tree Species	Common Name	Min No.Trees to be Provided
Shepherd Street	Pitacia chinensis	Pistacio	2
Wilson Street	Fraxinus grifithii	Evergreen Ash	2

and the following adopted standard conditions:-

- (6) Alteration of Public Services¹⁰⁰⁶
- (7) Builders Hoarding Permit¹⁰⁰⁸
- (8) Alignment Levels¹⁰¹⁶
- (9) Resident Parking Access³⁰⁰¹
- (10) Disabled Entry³⁰²⁴
- (11) Cost of Signposting³⁰²⁶
- (12) Footway Crossing³⁰²⁸
- (13) Obstruction of Public Way³⁰²⁹
- (14) Delivery of Construction Materials³⁰³²

- (15) Stormwater Standard⁴⁰⁰¹
- (16) Refuse Skips⁶⁰⁰²
- (17) Construction Noise⁷⁰⁰⁸
- (18) Works Within Boundary⁹¹⁵²
- (19) Hours of Work and Use of Cranes⁹¹⁵³
- (20) Landscape Plan⁵⁰⁰¹
- (21) Final Inspection⁵⁰¹⁵
- (22) Performance Certificates - Ventilation⁷⁰³⁶
- (23) Comply With BCA⁹¹⁰⁴

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.

23.

DICK STREET, NO. 17-27, CHIPPENDALE - DEMOLISH EXISTING INDUSTRIAL BUILDING AND ERECT 5 TERRACE STYLE UNITS (U98-00606)

- (A) That the Council, as the responsible authority, refuses its consent to the application submitted by Philip Drew for permission to demolish the existing building and erect 5 terrace style units and strata subdivide at the abovementioned premises for the following reasons, namely:-
 - (1) That the proposal exceeds the maximum Floor Space Ratio of 1.5:1 for the site;
 - (2) That no common open space is provided in accordance with Council requirements set out in DCP 1997;

- (3) That the form and situation of the building on the site will impact on the amenity of surrounding properties and the development itself, particularly in terms of solar access and privacy;
- (4) That the design of the building does not reinforce the character and continuity of the streetscape.

-and accordingly the granting of consent would not be in the public interest.

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

Carried.

24.

VICTORIA STREET, NO.75, POTTS POINT - REINSTATE DIVIDING PARTITIONING WALL TO FORM ORIGINAL TWO SHOPS - DEVELOPMENT APPLICATION (U98-01109)

- (A) That the Council as the responsible authority grants its consent to the application submitted by John Blondin of Ozcorp Promotions & Merchandising Pty Ltd with the authority of Ms MacSween for permission to reinstate the original divide in the abovementioned shop to make into two separate tenancies, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with plans numbered A01A dated 4 August 1998;
 - (2) That a separate Development Application shall be lodged for the specific use of the office in shop 2;
 - (3) That plans and specifications showing details of all proposed and altered mechanical ventilation systems shall be submitted and approved by Council or an accredited certifier before a 'Construction Certificate' is issued;

and the following adopted standard conditions:

- (4) Sanitary Facilities⁷⁰¹⁶
- (5) Ventilation⁷⁰²³
- (6) Vibration and Noise⁷⁰²⁸
- (7) Obstruction of Public Way³⁰²⁹
- (8) Works Within Boundary⁹¹⁵²

- (9) Garbage on Public Way⁶⁰⁰¹
- (10) Separate Application for Signs²⁰⁰¹
- (11) Storage/Garbage⁶⁰⁰⁹
- (12) Comply With BCA⁹¹⁰⁴
- (13) Construction Hours⁹¹⁵¹

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

Carried.

25.

CROWN STREET, NO. 356, SURRY HILLS - USE OF SCHOOL ON SUNDAYS BY CHINESE PRESBYTERIAN CHURCH TO CONDUCT CHURCH ACTIVITIES AND LANGUAGE TUITION - DEVELOPMENT APPLICATION (U98-01068)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Crown Street Public School, with the authority of the Minister of Education, Training and Youth Affairs for the permission to use the school premises on Sundays for Church purposes, subject to the following conditions, namely:
 - (1) That the school premises shall be used for the purposes of the Chinese Presbyterian Church on Sundays only between 10.00am and 5.00pm only;
 - (2) That there shall be no use of amplification equipment on the premises;
 - (3) That all singing shall be restricted to the main building in the school - marked "B" on the submitted plan;
 - (4) That any group singing shall be restricted to between 11am and 1.00 p.m. on Sundays;
 - (5) 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;
- (6) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried

26.

NEWMAN STREET, NO.40, NEWTOWN - ALTERATIONS AND ADDITIONS TO EXISTING TERRACE INCLUDING DEMOLITION OF REAR PORTION - DEVELOPMENT APPLICATION (U98-00990)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Cracknell & Lonergan Architects, with the authority of Bon Jour Holiday Resort Co Pty Ltd, for permission to demolish the rear portion of the existing terrace, construct a new single storey addition at the rear of the site and carry out alterations to the existing terrace including a first floor addition at 40 Newman Street, Newtown, subject to the following conditions, namely:-
- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$600 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit.
 - (2) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the

first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$140 or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment.

- (3) That the development shall be generally in accordance with plans numbered Rev C dated 12 January 1998, except where amended by conditions of consent;
- (4) That the proposed additions shall be constructed of materials which match the existing terrace by way of brickwork, roofing and finishes. Details shall be submitted for approval prior to release of the Construction Certificate;
- (5) That the western boundary wall of the proposed courtyard shall not be less than 1.8 metres in height when measured from natural ground level on the adjoining property at No.38 Newman Street.;
- (6) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted and approved by Council or an accredited certifier before a 'Condition Certificate' is issued;

-and the following adopted standard conditions:

- (7) Structural Design Certificate⁹⁰⁰⁶
- (8) Drainage Details with Construction Certificate⁹⁰¹³
- (9) Comply With BCA⁹¹⁰⁴
- (10) Construction Certificate Required⁹¹⁵⁵
- (11) Single Dwelling Occupation Only⁹¹⁰³
- (12) Comply With the WorkCover Authority⁹¹⁰⁵
- (13) Construction Hours⁹¹⁵¹
- (14) Works Within Boundary⁹¹⁵²
- (15) Building/Demolition Noise Control⁹¹⁵⁶
- (16) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (17) Guarding of Excavations⁹¹⁶²

- (18) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (19) Commencement of Structural Works⁹²⁰²
- (20) Protection from Termites⁹²⁰³
- (21) Glazing Provisions⁹³³⁰
- (22) Damp and weather proofing⁹⁶⁰⁵
- (23) Ceiling heights of rooms⁹⁶¹¹
- (24) Natural light and ventilation⁹⁶¹⁴
- (25) Smoke alarms⁹⁵²³
- (26) Residential Building Work⁸⁵⁰³
- (27) Retaining Walls and Drainage⁸⁵⁰⁵
- (28) Support for Neighbouring Buildings⁸⁵⁰⁶
- (29) Vibration and Noise⁷⁰²⁸
- (30) Obstruction of Public Way³⁰²⁹
- (31) Stormwater Standard⁴⁰⁰¹
- (32) Refuse Skips⁶⁰⁰²
- (33) Construction Noise⁷⁰⁰⁸
- (34) Hours of Work and Use of Cranes⁹¹⁵³

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.

27.

**VICTORIA STREET, NO. 128, SURRY HILLS - APPLICATION TO AMEND
CONSENT UNDER SECTION 96 (U95-00931)**

(A) That the Council as the responsible authority grants its consent to the application submitted by Marchese & Partners Architects Pty Ltd for permission to modify development consent No. U95-00931 dated 12 June 1996 pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979 in the following manner, namely:-

(1) The description of the proposal being amended to read the following:

to carry out alterations and additions to the existing terrace for conversion into a residential flat building containing 6 units, with roof deck and strata subdivide.

(2) Condition (1) being amended to read the following:

(1) That the development shall be generally in accordance with the plans numbered A1:00 issue G and A2:00 issue E dated 13 January 1999;

(3) Condition (5) being amended to read the following:

(5) 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, 1993, the following monetary contributions towards the cost of providing facilities and amenities are required.

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$4,346	2 EJ-BGY 0
Child Care	\$ 228	2 EK-BGY 0
Community Facilities	\$ 225	2 EL-BGY 0
Transport and Access	\$ 846	2 EM-BGY 0
Environmental Improvements	\$ 137	2 EN-BGY 0
TOTAL	\$5,782	

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

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

Applications for the payment of contributions by dedicating land, carrying out works-in-kind will be considered on their merits. In the case of Works Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of 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 and future management agreed. Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (4) Insert the following new conditions:
- (22) That the height of the garbage enclosure shall not be any higher than the existing front palisade fence and the proposed gates shall match the existing palisade fence in terms of design, materials and height;
- (23) That the new first floor windows on the southern elevation shall have a protruding window sill below each window matching the size and design of other windows on that elevation;

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 notified of Council's decision.

Carried.

28.

REGENT STREET, NOS. 111-113, CHIPPENDALE, DAY CLUB HOTEL (FORMERLY BLACKMARKET CAFE) - INCREASE PATRONAGE OF CLUB FROM 209 TO 370 - DEVELOPMENT APPLICATION (U98-01006)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Minjara Investments Pty Ltd for permission to

increase the number of patrons at 111-113 Regent Street Chippendale subject to the following conditions, namely:-

- (1) That a minimum of 30 free-of-charge car spaces shall be provided at all times at Go Gas Chippendale located at Nos. 66-70 Regent Street and, except where elsewhere stipulated, each space shall be a minimum of 5.6 x 2.4m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building. The applicant shall submit evidence of a formal arrangement for the provision of these spaces. In the event that these spaces are no longer available, the use shall cease unless alternative off-street parking is provided to the satisfaction of Council;
- (2) That the number of persons in the premises shall not be greater than 290 including entertainers and staff;
- (3) That a prominent sign shall be erected within the premises alerting staff and customers that 30 car spaces are available at Go Gas Chippendale during opening hours of the Blackmarket Nightclub;
- (4) That licensed uniformed security personnel shall be employed by the applicant to patrol the area in the vicinity of the premises to ensure that patrons do not loiter or linger in the area or cause nuisance or annoyance to the neighbourhood when the premises are open. The patrol outside the premises will be full-time, not intermittent, while the premises are open;
- (5) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (6) That the use of the premises shall not give rise to:
 - (a) transmission of vibration to any place of different occupancy, or
 - (b) an "offensive noise" as defined in the Noise Control Act 1975
- (7) That the operation of all plant, equipment and/or building services shall not give rise to a sound level at any point on a residential or commercial boundary greater than 5dB(A) above the existing background level in any octave band with centre frequencies from 63Hz to 8KHz inclusive;
- (8) That L_{A10} noise level emitted from the licenses premises shall not exceed the background noise in any Octave Bank Centre Frequency (31.5Hz - 8KHz inclusive) by more than 5dB between 7.00am and 11.00pm at the boundary of any affective residence. The L_{A10} noise level emitted from the licenses premises shall not

exceed the background noise in any Octave Bank Centre Frequency (31.5Hz - 8KHz inclusive) between 11.00pm and 7.00am at the boundary of any affective residence.

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 11.00pm and 7.00am;

- (9) That an appropriate sign shall be maintained within the building in a well illuminated position near the points of egress from the building, requesting patrons to cooperate in minimising noise after leaving the premises;
- (10) That a separate application shall be submitted for any proposed signs;
- (11) That the existing loading dock shall be maintained for use in connection with the proposed development;
- (12) That at no time shall pinball machines, amusement machines or the like be installed in the premises;
- (13) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
- (14) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;
- (15) That the premises shall at all times comply with the egress and fire-safety requirements of the Building Code of Australia;
- (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 details of any alterations to the existing air handling system shall be submitted to the Health and Community Services Department for approval prior to the commencement of work;
- (18) That Certificates of Performance in accordance with Section 5 of Council's Ventilation Code, accompanied by details of the test carried out in respect of ventilation being forwarded to the Director, Health and Community Services at completion and commissioning of the mechanical ventilation systems;

- (19) That internal noise levels within the premises are to be "limited" or controlled to cause compliance with the following noise assessment criteria:
- (a) Notwithstanding compliance with the above clauses, the noise from the licensed premises shall not be audible within any habitable room in any residential premises
 - (b) That no persons (such as those commonly known as spruikers) shall operate either with or without sound amplification equipment for the purpose of advertising the use of the premises, the sale and availability of goods or services or entertainment

Note 1:

Where this condition is inconsistent with the requirements imposed by the Liquor Administration Board or Liquor Licensing Court the more stringent conditions shall prevail.

Note 2:

The application should be referred to the Liquor Administration Board for comment.

Note 3:

With regard to noise from patron activities external to the premises (ie patrons arriving and leaving) it is essential that suitable site management practices be adopted by the licensee to ensure that surrounding amenity is not reduced or impacted.

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.

At the request of the Mayor and by consent the motion was amended by the addition of condition (20), namely:-

- (20) That people counters shall be used by staff admitting patrons in order to keep an accurate record of patron numbers.

Motion, as amended by consent, carried.

29.

EDWARD STREET, NO.57, DARLINGTON - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING - DEVELOPMENT APPLICATION (U98-01038)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr P C Francis for permission to carry out alterations and additions to the existing dwelling at 57 Edward Street, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans dated September 1998;
 - (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$1,350 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit.
 - (4) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the first instalment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$180 or first instalment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (4) That the carport roof shall be deleted;
 - (5) That the boundary wall enclosing the courtyard and carspace along the north and south elevations shall not be more than 1.8m above the adjoining rear yard;
 - (6) That the first floor window facing onto the lightwell shall be obscured at the lower level;
 - (7) That any paving shall be of a permeable nature;
 - (8) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted and approved by Council or an accredited certifier before a 'Condition Certificate' is issued;

and the following adopted standard conditions:

- (9) Noise and Vibration⁷⁰²⁶

- (10) Refuse Skips⁶⁰⁰²
- (11) Cost of Signposting³⁰²⁶
- (12) Footway Crossing³⁰²⁸
- (13) Obstruction of Public Way³⁰²⁹
- (14) Construction Noise⁷⁰⁰⁸
- (15) Works Within Boundary⁹¹⁵²
- (16) Survey Certificate at Completion⁹⁰⁰²
- (17) Stormwater Design Certificate⁹⁰¹⁵
- (18) Stormwater Certificate at Completion⁹⁰¹⁷
- (19) Construction Hours⁹¹⁵¹
- (20) Building/Demolition Noise Control⁹¹⁵⁶
- (21) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (22) Protection from Termites⁹²⁰⁴
- (23) Protection of External Walls⁹³²³
- (24) Sarking Material Flammability Index⁹³²⁵
- (25) Glazing Provisions⁹³³⁰
- (26) Private Stairs and Balustrade Requirements⁹⁴²⁰
- (27) Smoke alarms⁹⁵²³
- (28) Protection of walls and floors in wet areas⁹⁶⁰²
- (29) Clothes washing and drying facilities⁹⁶⁰³
- (30) Damp and weather proofing⁹⁶⁰⁵
- (31) Ceiling heights of rooms⁹⁶¹¹
- (32) Natural light and ventilation⁹⁶¹⁴
- (33) Construction of External Walls for Dampness⁹⁶²⁴

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.

30.

CLEVELAND STREET, NO. 433, REDFERN - CLEVELAND INN HOTEL - EXTENSION OF HOURS - DEVELOPMENT APPLICATION (U98-01040)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr C Bousgas, with the authority of Ms S Bousgas, for permission to operate the first floor of No.433 Cleveland Street, Surry Hills, as a function room, lounge area and bar, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans stamped 1040-98;
 - (2) That the first floor shall remain as a lounge, bar and function area;
 - (3) That the hours of operation of the first floor shall be limited to 10.00 a.m. to 2.00 a.m. the following day on Thursday to Saturday nights (and public holidays) and 10.00 a.m. to midnight on all other days;
 - (4) That noise and vibration emanating from the premises shall not give rise to an offensive noise" as defined under the provision of the Noise Control Act, 1975 or give rise to a sound level at any point a residential or commercial boundary greater than 5dB(A) above the existing background level in any octave band with centre frequencies from 63Hz to 8KHz, inclusive;
 - (5) That the first floor shall not be used as a dance floor (any such provision including on the ground floor, requires Council consent);
 - (6) That no live entertainment shall be provided at the premises;
 - (7) 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;
- (8) The L_{A10} noise level emitted from the licensed premises shall not exceed 5dB above the background (L_{A90}) noise level in any Octave Band Centre Frequency (31.5 Hz to 8 KHz inclusive) between the hours of 7.00am to 12.00 midnight when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises;
- (9) The L_{A10} noise level emitted from the licensed premises shall not exceed the background (L_{A90}) noise level in any Octave Band Centre Frequency (63Hz to 8 KHz inclusive) between the hours of 12.00 midnight to 7.00am when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
- (10) That notwithstanding compliance with the above clauses, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours 12.00 midnight to 7.00am;
- (11) That a Management Plan shall be submitted to Council and implemented within 2 months. The plan shall ensure:
- Two security personnel patrol the area on evenings when the first floor is operating for 30 minutes after closing time to minimise the disruption to residential amenity.
 - First floor windows remain closed during hours of operation.
 - Hours of operation are complied with.
 - Storage of garbage and bottles within the building until collection.

NOTE: Where this condition is inconsistent with the requirements imposed by the Liquor Administration Board or Liquor Licensing Court the more stringent condition shall prevail.

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

Carried.

31.

ROSE STREET, NOS. 72-74, CHIPPENDALE - DUCK AND SWAN HOTEL - TO OBTAIN PERMANENT TRADING HOURS FROM 11.00 AM TO 12.00 MIDNIGHT MONDAYS TO SATURDAYS AND 12.00 NOON TO 10.00 PM SUNDAYS - DEVELOPMENT APPLICATION (U98-01051)

At the Council Meeting, Councillor Macken declared an interest and did not take part in discussion or voting in the matter.

That the Council as the responsible authority refuses its consent to the Development Application submitted by Ms E Hawkins, with the authority of Watora Holdings Pty Ltd, for permission to obtain permanent trading hours from 11.00am. to 12.00 midnight Mondays to Saturdays and 12.00 noon to 10.00 p.m. Sundays, on the grounds that it does not comply with the objective of the Residential 2(b) Zone and also not in the public interest.

Carried.

32.

SUMMERSET HOUSE, KINGS CROSS ROAD, NOS. 30-32, POTTS POINT - RENOVATE EXISTING BUILDING AND ADD SEVEN LEVEL EXTENSION AT REAR - DEVELOPMENT APPLICATION (U98-01070)

- (A) That the application be deferred to allow the applicant to provide information to Council regarding the suggested amendments in the recommendation of the Director of Planning and Building in report dated 29 January 1999.
- (B) That after the above information in clause (A) has been received by the Director of Planning and Building, the Application be re-advertised to all affected residents and that the matter be resubmitted to the Planning and Development Committee.

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

- (A) That the Council as the relevant authority refuses its consent to the Development Application submitted by JD Holdings Pty Ltd., for permission to refurbish the existing building and erect a seven level rear addition to provide a total of 24 residential units for the following reasons, namely:-
- (1) That the proposed rear extension would, by reason of its excessive height and bulk, over-dominate and detract from the appearance and setting of the host building which forms part of a streetscape of consistent scale and character;
 - (2) That the proposed rear extension would be incompatible with, and have an undesirable impact on, the appearance and setting of the host building within the Kings Cross Conservation Area as identified in the Draft Heritage and Conservation Local Environmental Plan 1996;
 - (3) That the proposed rear extension would set an undesirable precedent for extensions of excessive height and bulk along that part of Kings Cross Road which displays a consistency of streetscape scale and character;
 - (4) That insufficient private and communal amenity space has been provided for the existing and proposed units as required by Part F of the South Sydney Development Control Plan 1996;
 - (5) That the proposed rear extension would adversely affect outlook from, and solar access to, existing adjoining dwellings;
 - (6) That the circumstances of the case suggest that approval of the application is not warranted and that the public interest would not be served if the application were approved.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Motion, as amended by consent, carried.

Carried.

33.

ROSE STREET, NOS. 291-303, DARLINGTON - DEMOLISH DWELLING HOUSE AND EXTEND MATERIALS STORAGE YARD - DEVELOPMENT APPLICATION (U98-01158)

At the Committee and Council Meetings, Councillor Lay declared an interest and did not take part in discussions or voting in the matter.

That Council write to the Minister for Planning, the Hon. Craig Knowles, requesting his consideration of refusal of the application based on Council's concern for the further loss of low-cost housing and that the demolition of this residence will impact severely on current residents, and also residents from surrounding properties.

Carried.

34.

**KINGS CROSS CROSS ROAD, NOS. 2B-14 AND NOS. 82-94
DARLINGHURST ROAD, POTTS POINT - LASER PROJECTION ON THE
WEST WALL OF BUILDING "B" OF THE MILLENIUM HOTEL FOR
GENERAL ADVERTISING PURPOSES - DEVELOPMENT APPLICATION
(U98-00422)**

- (A) That the application be deferred to allow the residents of the Elan Building to be notified and that this notification take place once details of the non-reflective louvres proposed for the eastern wall of the building known as Tower A, have been received as well as certification regarding compliance with the Australian Standard and NH&MRC Code for the safe use of lasers in the entertainment industry, and further, that comments be received from the Wilson Street Taskforce.
- (B) That the applicant provide a further display of the lasers for Councillors and residents.

At the request of Councillor Lay, and by consent, the motion was amended by the deletion of the word "Wilson" where appearing in the last line of Clause (A) and the insertion in lieu thereof, of the word "William".

Motion, as amended by consent, carried.

35.

**PLANNING - EXHIBITION OF SAFER DESIGN AMENDMENTS TO
DEVELOPMENT CONTROL PLAN 1997 (2013745)**

- (A) That Council amend Development Control Plan 1997 as set out in appendix (b), accompanying the Director's report;
- (B) That Council establish a Safety Committee to investigate the recommended strategies in the South Sydney Safer Design Draft Policy and in this regard Council invite nominations from the community, NSW Police Department, Department of Education and Area Health Services and that a further report be submitted on the membership of the Committee.

(DPB Report 29.1.99)

Carried.

36.

DRIVER AVENUE, NO.5A, CENTENNIAL PARK - FOX STUDIOS - USE OF COOK ROAD ENTRANCE (2014005)

That the Director General of the Department of Urban Affairs and Planning and the Minister for Planning be advised that Council does not oppose the temporary use of the Cook Road gates, and that Council considers:-

- (1) that the use of the Cook Road entrance would be contrary to the Minister's Master Plan consent;
- (2) that the current proposal would create an unacceptable precedent for future use of the Cook Road gate in light of the Eastern Distributor traffic.

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

That the Director General of the Department of Urban Affairs and Planning and the Minister for Planning be advised that Council does oppose the temporary use of the Cook Road gates at any time and that Council considers:-

- (1) that the use of the Cook Road entrance would be contrary to the Minister's Master Plan consent,
- (2) that the current proposal would create an unacceptable precedent for future use of the Cook Road gates in light of the Eastern Distributor traffic.

Carried.

37.

KING STREET, NOS. 224-226, NEWTOWN - TO USE THE PREMISES AS REFRESHMENT ROOM AND TO ERECT TWO NEW SIGNS - DEVELOPMENT APPLICATION (U98-001234)

- (A) That the Council, as the responsible authority grants its consent to the application submitted by Mr A Hui, with the authority of Mr T & Mrs A Zahos, for permission to use the ground floor as refreshment rooms, involving replacement of the existing shopfront with a new facade, and

the erection of two advertising signs, subject to the following conditions, namely:

- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$600 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit.
- (2) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$220.00. or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment.
- (3) That the development shall be generally in accordance with plans 101, 102 and 103 dated 21 November 1998 and Drawing Number R.C.031 dated 1 September 1997 and details submitted with Development Application No. U98-01234, except where amended by conditions of this consent;
- (4) That the use of neon tubing or similar shall not be incorporated on any signage to be erected on the property;
- (5) That the hours of operation shall be restricted to between 10.00am to 12.00 midnight Monday to Sunday;
- (6) That all loading and unloading operations shall be carried out via the entrance in Brown Lane;
- (7) That the hours for loading and unloading of goods shall be restricted to 10.00 a.m. to 6.00 p.m., Mondays to Sundays;
- (8) That no live entertainment shall be provided on the premises;
- (9) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (10) That all exhaust vents shall be designed to discharge the effluent air in a vertical direction above the roof in accordance with Australian Standard 1668-Part 2, 1991;

- (11) That a system of filtered mechanical exhaust ventilation shall be provided to the kitchen with hoods over all cooking and heating appliances in accordance with Australian Standard 1668-Parts 1 and 2 1991;
- (12) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, odours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health;
- (13) That the construction of the premises shall comply with the requirements of the Food (General) Regulation, 1997 and the National Code for the Construction and Fitout of Food Premises;
- (14) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (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 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";
- (17) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste Minimisation Fact Sheets;
- (18) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (19) 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;
- (20) That the use of the premises shall not give rise to:
 - (a) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055 "Acoustic - Description and Measurement of Environmental Noise, or
 - (b) an "offensive noise" as defined in the Noise Control Act, 1975;
- (21) That plans and specifications showing details of:-

- (a) all required mechanical ventilation systems;
- (b) the garbage room;
- (c) the recycling storage area;
- (d) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;

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

- (22) A Certificate of Performance in accordance with Section 5 of Council's Ventilation code, accompanied by details of the test carried out in respect to ventilation being forwarded to the Director, Health and Community Services at completion and commissioning of the mechanical ventilation systems.
- (23) That access for people with disabilities shall be provided in accordance with D.3.2 of the BCA;
- (24) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;

and the following adopted standard conditions:

- (25) Obstruction of Public Way³⁰²⁹
- (26) Refuse Skips⁶⁰⁰²
- (27) Works Within Boundary⁹¹⁵²
- (28) Building/Demolition Noise Control⁹¹⁵⁶
- (29) Construction Certificate Granted Subject to Further Action Being Taken⁹¹⁰²
- (30) Comply With BCA⁹¹⁰⁴
- (31) Demolition to Comply With Aust Standard⁹¹⁶³
- (32) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (33) Commencement of Structural Works⁹²⁰²
- (34) Material and Lining Fire Hazard Properties⁹³²⁷
- (35) Glazing Provisions⁹³³⁰

- (36) Height of Travel Path in Exit⁹⁴⁰³
- (37) Discharge From Exits⁹⁴⁰⁷
- (38) Installations in the Path of Travel to an Exit⁹⁴¹⁴
- (39) Storage Cupboards Under Required Non-Fire Isolated Stairs⁹⁴¹⁵
- (40) Exit Doors Installed in a Path of Travel to an Exit⁹⁴²¹
- (41) Maintaining Unobstructed Access to Exits⁹⁴²⁶
- (42) Entry to Refrigerator or Cooling Chamber⁹⁴³¹
- (43) Portable Fire Extinguishers be Installed⁹⁵⁰²
- (44) Fire Blanket be Installed⁹⁵⁰³
- (45) Exit signs⁹⁵¹⁹
- (46) Directional signs⁹⁵²⁰
- (47) Protection of walls and floors in wet areas⁹⁶⁰¹
- (48) Number of toilets to be provided⁹⁶⁰⁸
- (49) Mechanical ventilation to internal bathrooms and laundries⁹⁶¹⁶
- (50) Construction Certificate Required⁹¹⁵⁵

NOTE

You are advised that any requirements of Sydney Water Corporation Ltd for grease arrestors shall be complied with.

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

Carried.

38.

HENDERSON ROAD, NO. 120, ALEXANDRIA - ALTERATIONS AND ADDITIONS TO TERRACE - DEVELOPMENT APPLICATION (U98-01097)

To Council without recommendation.

Moved by Councillor Fowler, seconded by Councillor Bush

That consideration of the application the Council as the responsible authority grants its consent to the development application submitted by Jacqueline Arias for permission to erect 2 storey additions to the rear of the site be deferred to the next Planning and Building Committee Meeting to be held on 17 February 1999, to allow for a further Visit of Inspection to be carried out.

Carried.

39.

OXFORD STREET, NOS. 124-128, DARLINGHURST - PROPOSED USE OF BASEMENT AS A NIGHT CLUB - DEVELOPMENT APPLICATION (U98-00807)

That the recommendation attached to the report of the Director of Planning and Building dated 28 October 1998, be adopted, subject to the replacement of proposed condition (12) with the following new condition, namely:-

- (12) That the number of patrons shall be restricted to 115 persons including staff and entertainers;

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

That the matter be deferred and the Director of Planning and Building prepare a new report to be submitted to the Planning and Development Committee, having regard to the Anti-Violence Project and any information received from the Police.

Carried.

40.

OXFORD STREET, NOS. 191-195, DARLINGHURST - INSTALL NEON SIGN ON EXISTING ADVERT STRUCTURE - DEVELOPMENT APPLICATION (U98-001314)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Tollest Pty Ltd, for replacement of advertisement and retention of sign face and structure for a period of one year from the date of this consent, subject to the following conditions, namely:-

- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$600 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon

the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;

- (2) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$80, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
- (3) That the development shall be generally in accordance with plans numbered 13837/S1B;
- (4) That the sign and all associated supporting structures including any pre existing structures, on the roof be fully removed and the roof made good and cleared of all debris associated in any way with advertising immediately upon expiry of this consent;
- (5) That no flashing, moving or intermittent lighting shall be installed on the premises or on any external sign associated with the development;
- (6) That the sign shall not include any external spotlights;
- (7) That the sign shall not exceed 13.411 metres in length x 3.962 metres in height;
- (8) That the intensity, period of intermittency and hours of illumination of the sign shall be varied if, at any time in the opinion of Council, injury is being caused to the amenity of the neighbourhood.

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

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

- (B) That Council advise the applicant, that prior to the end of 1999 the applicant shall assist in the preparation of an agreed urban design strategy for a new integrated contemporary structure. This may in turn lead on to the submission of a development application for a new advertising structure, which may incorporate LED or LCD displays, and should include provisions for community messages/broadcasts. This

resolution should in no way be taken as an indication that any structure in this location would necessarily be approved.

Carried.

41.

ERSKINEVILLE ROAD, NO. 65, ERSKINEVILLE - DEMOLISH EXISTING POST OFFICE BUILDING AND ERECT A NEW BUILDING CONTAINING 3 SHOPS, 10 RESIDENTIAL UNITS AND PARKING - DEVELOPMENT APPLICATION (U98-00601)

- (A) That Council resolve to defend the appeal on the following grounds, namely;
- (1) That the proposal exceeds the floor space ratio control in DCP 1997;
 - (2) That the proposal exceeds the height control in DCP 1997;
 - (3) That the proposal does not provide open space for residents in accordance with DCP 1997;
 - (4) That the proposal does not satisfy the solar access requirements for adjoining property in DCP 1997;
 - (5) That the parking area does not satisfy the requirements in DCP 11;
 - (6) That the proposal would have an adverse impact on the value of McCartney Square to the local community;
 - (7) That the proposal is not consistent with DCP 1997 in regard to bulk, scale, façade design, use of materials and compatibility with the streetscape;
 - (8) That the proposal is not in the public interest and not consistent with community expectations;
 - (9) The proposal is not consistent with the unit mix requirements in DCP 1997;
 - (10) That the proposal would have a detrimental impact on the amenity of the area;
 - (11) The development does not provide residential units accessible to people with a disability.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

The Planning and Development Committee Meeting terminated at 11.00. p.m.

REPORT OF THE SPECIAL PLANNING AND DEVELOPMENT COMMITTEE

8 February 1999

PRESENT

The Deputy Mayor Councillor Jill Lay (Chairperson)

Councillors:- John Bush, John Fowler and Christine Harcourt

At the commencement of business at 6.45 pm, those present were -

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

Apology:

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

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

That the Report of the Special Planning and Development Committee of its meeting of 8 February 1999, be received and the recommendations set out below for Items 1 & 3 inclusive, be adopted. The recommendations for Items 2,4 & 5 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

PLANNING - SECTION 94 CONTRIBUTIONS PLAN 1998 - REVIEW INCORPORATING GREEN SQUARE, 1996 CENSUS DATA AND MINOR AMENDMENTS (2016904)

That:-

- (1) the works programme be amended to reduce the road reservation for the East-West corridor to 36 metres from Bourke Street to Link Road/South Dowling Street and the contribution rates be amended accordingly;

- (2) the works programme be amended to reduce the road reservation for the North-South Corridor to 20 metres and the contribution rates be amended accordingly;
- (3) following these amendments, the Section 94 Contributions Plan 1998 be adopted and its adoption be advertised in the Sydney Morning Herald and Daily Telegraph of the first Saturday following the Council Meeting;
- (4) submissions be made to the Minister to attempt to secure support for the Section 94 Contributions Plan as it is proposed.

(DPB Report 30.11.98)

Carried.

2.

PLANNING - GREEN SQUARE DRAFT LEP AND DCP - POST EXHIBITION REPORT (2019521)

That the report by the Director of Planning and Building dated 30 November 1998 concerning Daft Green Square LEP and DCP be noted and that Council:-

- (A) Adopt the Draft South Sydney Local Environmental Plan 1998 (Amendment No. 2) – Green Square, dated FEBRUARY 1999, subject to deferral from the plan under Section 68(5) of the EPA Act of the block bounded by O’Dea Avenue, Bourke, Lachlan and South Dowling Streets, and that the document be referred to the Secretary of the Department of Urban Affairs and Planning in accordance with Section 68(4) of the Environmental Planning and Assessment Act 1979;
- (B) Adopt the Draft Green Square Development Control Plan – Amendment to South Sydney DCP 1997: Urban Design, dated FEBRUARY 1999, subject to deferral from the plan of the block bounded by O’Dea Avenue, Bourke, Lachlan and South Dowling Streets;
- (C) Adopt the Draft Green Square Affordable Housing Development Control Plan – February 1999;

- (D) Give public notice and advise the Secretary of the Department of Urban Affairs and Planning of the decision to adopt the Draft Development Control Plans in (B) and (C) above, in accordance with Part 3 of the Environmental Planning and Assessment Regulation 1994;
- (E) Advise those persons who made submissions of Council's decision;
- (F) Once the further work and investigation highlighted in this report is in place, proceed with the preparation of Stage 2 Green Square LEP, being the remainder of the Green Square Structural Masterplan area, generally to the south of Epsom Road, and including an examination of the "related areas" of the Structural Masterplan, and the block bounded by O'Dea Avenue, Bourke, Lachlan and South Dowling Streets.

(DPB Report 5.2.99)

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

That Item 2,4 and 5 of the Special Planning Committee be deferred for continued consultation with the residents.

Amended negatived.

Motion, carried.

Councillors Bush and Fowler requested that their names be recorded as voting against the foregoing motion.

3.

BOTANY ROAD, NOS. 252 - 274, ALEXANDRIA - MASTERPLAN FOR AND MAJOR REDEVELOPMENT OF FORMER ALCATEL SITE INCLUDING MASTERPLAN AND DEVELOPMENT PROPOSAL FOR 259 RESIDENTIAL STRATA UNITS, COMMERCIAL/RETAIL FLOOR SPACE WITH ANCILLARY CAR PARKING (U98-00748)

- (A) That the Council as the responsible authority (and subject to the formal adoption of the Green Square S.94 Contributions and DCP allowing a maximum FSR of 2.5:1 for this site) favours the granting of consent to the application and masterplan submitted by Mascot Investment to redevelop the former Alcatel Site to include the construction of 259 strata units, commercial/retail floor space ancillary car parking and private and public open space, subject to the following conditions and subject to a condition requiring the payment of Section 94 conditions in accordance with the Green Square Section 94 Plan, namely:-

- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$81,000 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;
- (2) That prior to issuing the development consent, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$50,000, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
- (3) That the development shall be generally in accordance with plans numbered DA01 dated August 1998, DA02 dated November 1998, DA 03 dated November 1998, DA 04 to DA 30 inclusive all dated August 1998. The palette of colours and materials submitted with the application;
- (4) That a separate development application shall be lodged for the specific use of the commercial/retail tenancies;
- (5) That the developer/owner shall accept responsibility for all costs associated with the design and construction of any works on the public way (including kerb, gutter, pavement, footpath paving, landscaping, drainage and alteration of public utility services), with such works to be carried out by Council's workforce (unless otherwise agreed in writing by the Director of Public Works and Services);
- (6) That before erecting any hoarding, an application must be made to the Director of Public Works and Services for a Builders Hoarding Permit (for approval under the Roads Act 1993). No excavation shall be carried out on the public way beneath or adjacent to the hoarding without the approval of the Director of Public Works and Services;
- (7) That any excavation below the footpath level adjacent to the street alignment shall require shoring in accordance with Council's Shoring Policy;
- (8) That the developer shall make an application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site

works, prior to work commencing (Warning – To ensure that future vehicular or pedestrian access is possible you should not fix any boundary levels, either physically or in design drawings, until the alignment levels are issued);

- (9) That a separate development application shall be submitted at the appropriate time for any proposed signs;
- (10) That the developer/registered proprietor shall advise any initial purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to new residential flat developments located in Resident Parking Scheme areas;
- (11) That of the required car parking spaces, at least 5 shall be 3m x 5.5m minimum (with a minimum headroom of 2.5m) and shall be clearly marked and appropriately located for disabled driver's parking;
- (12) That of the required car spaces, at least 3 measuring a minimum of 3.5m x 5.5m shall be provided as a car wash bay for the development and shall be provided with water connection and drainage, detailed in the application for a construction certificate. All wash bay discharges are to be disposed of according to the standard requirements of the Director of Public Works and Services;
- (13) That a sign, legible from the street, shall be permanently displayed to indicate the availability of visitor parking, and visitor parking shall be clearly marked as such prior to occupation;
- (14) That all loading and unloading operations shall be carried out within the confines of the site, at all times (and shall not obstruct other properties/units);
- (15) That at all times the loading docks, car parking spaces and access driveways shall be kept clear of goods and shall not be used for storage purposes, including garbage storage;
- (16) That all vehicles shall always be driven onto and off the site in a forward direction;
- (17) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer/owner. The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;
- (18) That the developer shall accept responsibility for the cost of construction of any consequential roadworks in the nature of

kerbing, guttering, drainage etc. The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;

- (19) That prior to the release of the construction certificate, the developer/owner shall make an application to the Director of Public Works and Services for the provision of the necessary footway crossing and also bear the cost of the crossing and reinstatement of the footpath where any existing crossings adjacent to the site are no longer required (such approval is required under the Roads Act 1993). The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;
- (20) That during demolition, excavation and building work, the public way shall not be obstructed by building materials or materials from the site in any way;
- (21) That the developer shall supply a plan for construction traffic for access to and from the site, which shall be approved by the Director of Public Works and Services prior to the release of the Construction Certificate;
- (22) That all loading and unloading of construction materials shall take place off street at all times unless the South Sydney Local Traffic Committee approves an on-street Construction Zone;
- (23) That the developer/owner shall provide a system of on-site detention of stormwater in accordance with Council's standard requirements for stormwater discharge. All details of on-site detention and discharge shall be approved by a Council-registered certifier prior to the approval of the construction certificate;
- (24) That only clean and unpolluted water shall be permitted to discharge from the subject development/site into Council's stormwater drainage system, in accordance with Council's requirements;
- (25) That the owner/developer shall dedicate to the Council, free of cost to the Council, the following land:

a 3m splay at the intersection of Mandible Street and Botany;

limited if so desired in height and/or depth to 5m above and/or 2m below the adjacent footway level, to be detailed in a plan for consolidation of the land, to be approved by the Director of Public Works and Services, prior to issuing an Occupation Certificate;
- (26) That at least one main entry without steps and useable by people in wheelchairs shall be provided from the public way to the lift

lobby in accordance with the design requirements of the relevant Australian Standards;

- (27) That a landscape plan for the site prepared by a qualified Landscape Architect or designer shall be submitted to the Director of Public Works and Services for approval. The detail plan shall be based on the submitted Landscape Master Plan and shall include the principals contained in Section 4.9 Landscaping and Open Space of the Statement and Environmental Effects Report. The plan shall nominate hard works and softworks including decorative paving types, garden bed edging, existing and proposed critical levels, planting types and species, locations, plant numbers and sizes (container size and height) and irrigation. Minimum plant sizes are to be 75 litres for trees and 5 litres for shrubs;
- (28) That an application shall be submitted to the Director of Public Works and Services and approved before any existing tree on the site, covered by Council's Tree Preservation Order, is removed or lopped;
- (29) That all existing trees on the site shall be protected from construction activities by the erection of a safety fence or barricade around the drip line (canopy edge) around each tree. No materials or equipment shall be stored or placed within the fenced area;
- (30) That the developer/owner shall provide street trees (new and infill) in accordance with the Council's Street Tree Masterplan (1996). The trees shall be a minimum of 75 litre container size, a minimum of 75mm caliper and shall be planted 10m apart, and shall be planted prior to issuing an occupation certificate;
- (31) That trees are to be planted within the car parking area(s) at a minimum rate of 1 tree per 10 car parking spaces for double rows of parking and 1 tree per 5 car spaces for single rows of parking and around the car park perimeter in accordance with Councils Development Control Plan No. 11. Under storey planting is to accompany the tree planting. The landscaping works are to be separately approved by the Director of Public Works and Services or detailed in the application for a construction certificate, and all planted prior to issuing an occupation certificate;
- (32) That the minimum soil depth for planting on any slab shall be 1000mm for trees, 600mm for shrubs and 300mm for grass. These dimensions shall include 75mm depth for mulch and a suitable waterproofing and drainage layer;

- (33) 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;
- (34) That the landscaping works shall be to the satisfaction of the Parks Development Branch (ring to arrange a final inspection), prior to issuing an occupation certificate;
- (35) That no garbage or industrial waste shall be placed on the public way (eg footpaths, roadways, plazas, reserves etc) at any time;
- (36) That only refuse skips by approved suppliers who comply with Council's Code for the Placement of Waste containers on the Public Way shall be delivered and placed on the public way (contact Council's One Stop Shop for a list of approved suppliers);
- (37) That the garbage/recycling areas shall make provision for containerisation requirements set by Council's Waste Services Section;
- (38) 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";
- (39) That the breakdown of demolition material, except as necessary to remove the material from the site, shall not be carried out from the site;
- (40) That any discharge to the atmosphere from the development shall comply with the requirements of the Clean Air Act and Regulations;
- (41) That any excavation, demolition and building work shall comply with Australian Standard 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites;
- (42) That to eliminate concrete and other wastes entering the drainage system, all concrete trucks and trucks used for the disposal of spoil shall be washed down before leaving the site. Washing down must always take place in suitable off-street areas, and no wash water is to flow onto the public way;
- (43) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (44) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the EPA or an accredited auditor and shall be

submitted to Council for referral to the EPA or an accredited auditor. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use. It should be noted that the 'Construction Certificate' will not be issued until the Contamination Assessment has been submitted to Council and the site has been given clearance by the EPA or an accredited auditor. No works on the site shall be undertaken prior to the EPA or an accredited auditor giving clearance other than works associated with the remediation of the land;

- (45) 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;
- (46) 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;

That the car park shall be ventilated in accordance with Australian Standard 1668 - 1991.1 Specification 7 and Australian Standard 1668.2 Section 4;

- (47) That all air handling, evaporative cooling, hot water, humidifying, warm water and water cooling systems installed on the premises shall comply with the Public Health Act 1991 and Public Health Regulations 1991;
- (48) 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 issuing a construction certificate. Sydney Water may require you to construct works and/or pay developer charges. Accordingly, you shall make immediate application to avoid problems in servicing your development;
- (49) That the owner shall dedicate to Sydney Electricity (or equivalent), free of cost, an area of land adjoining the street alignment to enable an electricity substation to be established, if required, of a size and location to be in accordance with the

requirements of Sydney Electricity (and shall not to intrude on the public way and shall be integrated into the landscaping of the site);

- (50) 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;
- (51) That all building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (52) Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be carried out unless the principal certifying authority for the development to which the work relates:
 - (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act,

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which the EPA Act 1998 Regulation was gazetted, that amount was \$3,000. As those regulations are amended from time to time, so that amount may vary;

- (53) That a certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a

person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part;

- (54) That if the soil conditions require it:
- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided;
 - (b) adequate provision must be made for drainage;
- (55) That if an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in an approved manner, and
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (56) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- (57) In this condition, allotment of land includes a public road and any other public place;

If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient;
- (b) building involves the enclosure of a public place;

a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

any such hoarding, fence or awning is to be removed when the work has been completed;

- (58) That a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited, and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

any such sign is to be removed when the work has been completed.

This clause does not apply to:

- (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out;
- (59) That toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- (a) must be a standard flushing toilet, and
- (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

In this condition:

accredited sewage management facility means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan, the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

approved by the Council means the subject of an approval in force under Division 1 of Part 3 of the Local Government (Approvals) Regulation 1993.

public sewer has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

Sewage management facility has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

- (60) That stormwater shall not be connected to the sewerage system and shall be disposed from the site in accordance with Council's standard requirements for stormwater discharge. Stormwater shall not be connected to the sewerage system. All details of stormwater discharge shall be approved by a Council-registered stormwater certifier prior to the approval of the construction certificate;
- (61) That the applicant/owner shall fully meet the cost of any alteration or adjustment to existing public services affected by the proposed work, including the relocation of electric light poles or other services and the cost of Council's subsequent restoration of the pavement (unless other arrangements are made with the Director of Public Works and Services);
- (62) The developer shall be to the satisfaction of Director of Public Works and Services, widen the footway on the northern side of Mandible Street from 1.8 metres to 3.0 metres, from land within the site dedicate the widened area to Council, and meet the cost of the roadworks required for the widening;
- (63) The main vehicular access at Mandible Street shall comprise a 6 metres entry, a 4 metre exit and a separation of 2 metres, so as to improve turning movements and to protect pedestrians;
- (64) The developer must satisfy the requirements of Council's DCP No. 11 "Transport Guidelines for Development", in particular:-

- the main ramps should not be steeper than 1 in 6 and must have transitions at either end;
 - Sharp bends in circulation aisles are to be eliminated by reducing the number of parking spaces;
 - Attends the aisle should be widened to at least 6.6m;
 - Approach to the main exit ramp shall not be a sharp right-angle bend;
- (65) There shall be a clear area above the stormwater channel to act as a floodway through the site and to prevent flooding of Botany Road;
- (66) That traffic signals are to be installed at the intersection of Mandible Street and Wyndham Street, and the developer shall meet 75% of the cost of installation;
- (67) That all car wash bays, shall be graded and drained to the sewer in accordance with the requirements of Sydney Water;
- (68) That all new dwellings shall satisfy the requirements of AS 2107;
- (69) That all relevant sections of the BCA shall be complied with;
- (70) That an application for a construction certificate, with supporting plans, specifications and details demonstrating compliance with conditions of this consent and the Building Code of Australia shall be lodged and no building or excavation work shall be commenced until that application has been approved and at least two days written notice of the intention to commence work has been given to the Council;
- (B) That authority be delegated to the Director of Planning and Building to determine the application following the Green Square DCP and Section 94 Planning coming into force.

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

Carried.

4.

SOUTH DOWLING STREET, NOS. 807 - 851 (AKA. 782-822 BOURKE STREET, WATERLOO) - THE MERITONS (FORMER ACI) SITE - PROPOSED MASTERPLAN (2010853)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council endorses in principle the Masterplan submitted by Meriton Apartments for the site at 807-851 South Dowling Street (the ACI site) Waterloo as a framework for development, establishing the general location of new roads, pedestrian and cycleway linkages, public and semi-public open space areas, drainage and other public domain improvements together with building heights and envelopes subject to comments made in the reports in Item 1 - Planning and Development Committee, 8 February 1999 concerning the Draft Green Square LEP and DCP, and provided that:-
- (1) the plan is recognised as being indicative only and that this endorsement does not imply approval to detailed building design, residential dwelling numbers or specific land uses;
 - (2) further documentation be submitted once details of the proposed road and open space network are resolved, and in particular the Danks Street extension to South Dowling Street and the proposed Bruce Street extension;
 - (3) further documentation including plans need to be submitted detailing the areas to be dedicated to Council, areas which will be private but will be covered by public access covenants, areas of soft and hard landscaping, proposed car parking located below ground and arrangements to screen parking located above ground;
 - (4) the amount of Section 94 contribution payable will need to be determined having regard to the final composition of the development.
 - (5) detailed valuation of the public domain improvements provided over and above the Section 94 contribution plan to qualify for the bonus floor space ratio need to be resolved prior to any development consent for buildings or works.
 - (6) proposed car parking provision above the maximum rates in DCP No. 11 as applying at the time of determination of future development applications are not supported;
 - (7) the final configuration of building should incorporate a redistribution of building height to reduce the scale of the

Crescent Street mid-block buildings and separating these buildings to provide a pedestrian extension of Amelia Street; to reduce the scale of the South Dowling Street tower block and provide a continuous 4-6 storey high podium along South Dowling Street; to accentuate corners, in particular the potential landmark site in Precinct A; and to reduce the scale of the building adjoining the heritage AGM building.

- (8) In order to facilitate the continued operation of those industrial enterprises on the block bounded by South Dowling, Lachlan, Bourke Streets and O'Dea Avenue, future development on the site is to recognise the presence of these activities and their impact on more sensitive uses, and incorporate design measures to address these potential impacts".

Carried.

Councillors Bush and Fowler requested that their names be recorded as voting against the foregoing motion.

5.

JOYNTON AVENUE, NOS. 52 - 112, ZETLAND - VICTORIA PARK (FORMER NAVY SITE) - PROPOSED MASTERPLAN (2011178)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council endorses in principle the Masterplan submitted by Landcom for the site at Nos. 52-112 Joynton Avenue, Zetland (the Navy site) as a framework for development, establishing the general location of new roads, pedestrian and cycleway linkages, public and semi-public open space areas, drainage and other public domain improvements together with building heights and envelopes subject to comments made in the reports in Item 1 - Planning and Development Committee, 8 February 1999 concerning the Draft Green Square LEP and DCP, and provided that:-
 - (1) the plan is recognised as being indicative only and that this endorsement does not imply approval to detailed building design, residential dwelling numbers or specific land uses;
 - (2) further documentation be submitted once refinement details of the proposed open space and road network are resolved, and in particular the proposed extension to Bruce Street;
 - (3) further documentation including plans need to be submitted detailing the areas to be dedicated to Council, areas which will be private but will be covered by public access covenants, areas

of soft and hard landscaping, proposed car parking located below ground and arrangements to screen parking located above ground;

- (4) the amount of Section 94 contribution payable will need to be determined having regard to the final composition of the development.
- (5) detailed valuation of the public domain improvements provided over and above the Section 94 contribution plan to qualify for the bonus floor space ratio need to be resolved prior to any development consent for buildings or works.
- (6) further discussion be undertaken with the State Transit Authority (STA), Department of Transport and Council, in light of the STA developing a transport servicing strategy.
- (7) further consideration be given to the design and location of the residential towers to ensure separation between them is consistent with urban design and environment objectives of the Draft Green Square DCP, as amended.
- (8) the proposed parking provision as previously reported be clarified as based on walking distance from the station. A map will be included in the future amendment to DCP to clarify the areas affected.
- (9) in order to facilitate the continued operation of those industrial enterprises on the block bounded by South Dowling, Lachlan, Bourke Streets and O'Dea Avenue, future development on the site is to recognise the presence of these activities and their impact on more sensitive uses, and incorporate design measures to address these potential impacts.

Carried.

Councillors Bush and Fowler requested that their names be recorded as voting against the foregoing motion.

The Special Planning and Development Committee meeting terminated at 8.10 p.m.

The Council Meeting terminated at 8.23 p.m.

Confirmed at a meeting of South Sydney City Council
held on1998

CHAIRPERSON

GENERAL MANAGER