

233rd Meeting

**Erskineville Town Hall
Erskineville**

Wednesday, 11 August 1999

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.53 p.m. on Wednesday, 11 August 1999.

PRESENT

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

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

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Welcome to Representative of Randwick City Council

At this stage the Mayor welcomed Mr Mark Hummerston, Manager, Governance from Randwick City Council, who was in attendance at the meeting on behalf of the Mayor, Councillor Dominic Sullivan.

Confirmation of Minutes

Moved by Councillor Macken, seconded by Councillor Harcourt:-

That the minutes of the Ordinary Meeting of Council of 28 July 1999, be taken as read and confirmed.

Carried.

At this stage it was moved by Councillor Harcourt, seconded by Councillor Lay, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, that Council put forward the following motion at the Local Government Association Conference.

Carried.

The following motion was put and the decision indicated made:-

CONFERENCES - LOCAL GOVERNMENT AND SHIRES ASSOCIATION CONFERENCE, 28 NOVEMBER TO 1 DECEMBER 1999 - SUBMISSION OF MOTION (5203027)

That the Local Government Association develops policy regarding support for the social and cultural needs of the Gay and Lesbian Community in N.S.W.

Carried.

At this stage it was moved by the Mayor, seconded by Councillor Macken, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, In relation to the article on the front page of the Bulletin Newspaper of 11 August 1999, entitled "Mac Attack on Moore Park".

Carried.

The following motion was put and the decision indicated made:-

DEVELOPMENT - PROPOSED Mc DONALDS IN MOORE PARK - ARTICLE BY BULLETIN NEWSPAPER 11 AUGUST 1999.

That it be noted:-

- (1) that the article was unbalanced and sensational in its reporting of South Sydney Council's role in determining an application for a McDonalds in Moore Park and that contact should have been made with Council regarding the matter;
- (2) the Bulletin should also note that the Council was not the only responsible authority and the Local Member should inform the community to direct their concerns also to the Centennial and Moore Park Trust and the Government who will make the final decision;
- (3) that contact has been sought with the Premier by the Mayor with his concerns over the development and at this stage is still awaiting a response.

Carried.

MINUTE BY THE MAYOR

11 August 1999

BOUNDARIES - AMALGAMATIONS - CONSULTANCY (2014956)

Council at its meeting of 9 June 1999 resolved that South Sydney City Council agree to pursue amalgamation with Botany Bay City Council and other interested surrounding Councils, with the intention of developing a firm proposal by 31 March, 2000.

In order to pursue this Resolution, it is imperative that all issues - both positive and negative - be given due consideration. Detailed discussions with all participants, including Councils, staff and the community, are required.

To assist in the dispassionate study of all the issue's merits, the services of an external consultant should be engaged. This would allow for an "arms-length" overview and control of the process of discussions and negotiations.

Enquiries concerning consultants experienced in this field have indicated that the Office of Environmental Mediation and Inquiry has a well-established reputation and track record. Mr John Woodward of the Office of Environmental Mediation and Inquiry has indicated that he is available.

Mr Woodward's fee would be fourteen hundred dollars per day. Whilst the extent of the appointment is difficult to assess at this point, it should be noted that costs may be apportioned between the parties. In any event, the task should commence as soon as possible to allow Council to make an informed and expeditious decision.

It is recommended that Mr John Woodward be appointed as Council's Inquiry Commissioner. The appointment should be made under the terms of reference attached to the Mayoral Minute of 11 August 1999 at a fee of \$1400 per day, requiring a detailed report containing firm proposals and options for Council's consideration well before the deadline of 31 March 2000.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

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

MINUTE BY THE MAYOR

3 August 1999

DONATIONS - STATE HERITAGE REGISTER LISTING OF THE YIU MING TEMPLE CHINESE COMMUNITY CELEBRATION (2021515)

Council has received a letter from the New South Wales Heritage Office seeking Council's involvement in conjunction with the Yiu Ming Society and the New South Wales Heritage Office in organising a community event to celebrate the State heritage listing of the Yiu Ming Temple in Alexandria. This listing is part of the NSW Heritage Office's Ethnic Communities Consultation Program.

The NSW Heritage Office's Ethnic Communities Consultation Program aims to create greater awareness within ethnic communities of the importance of heritage conservation and seeks community advice in identifying ethnic heritage items of state significance for inclusion in the State Heritage Register.

The Yiu Ming Temple in Retreat Street, Alexandria will be the first item nominated by the Chinese community to be listed on the State Heritage Register. The Temple is of historical, architectural, religious and social significance. The Chinese community has continuously occupied the site since 1870. The temple is one of only a small number

of Chinese temples remaining in Australia and is of immense importance to the Yiu Ming Society, one of the oldest and largest Chinese societies.

The community celebration is scheduled for Saturday, 25 September 1999 at 11.00 am. Speakers on the day will include either the Premier, the Hon Bob Carr or the Hon Andrew Refshauge, Minister for Urban Affairs representing state government, Mr Harry Choy and Mr James Soo representing the Yiu Ming Society and the Chinese community and the Deputy Mayor, Cr Jill Lay, representing South Sydney and local government.

Council has been asked to provide the following assistance: a plaque to be placed in Retreat Street, setting out the history of the site and the Yiu Ming Society; a sound system; 200 chairs; a lectern; and a stage and tentage if the weather is inclement. The NSW Heritage Office will provide assistance with the plaque commemorating the heritage listing of the temple, the invitation and the mailing of the invitation. The Yiu Ming Society will provide assistance with the Lion Dance, the fireworks and the food.

The maximum cost of the equipment needed is \$3,500, made up in the following way: plaque (\$600); sound system (\$500); chairs (\$300); and if the weather is inclement stage (\$300) and tentage (\$1,800).

RECOMMENDATION:

That Council agree to provide assistance in conjunction with the NSW State Heritage Office and the Yiu Ming Society for a community function on Saturday, 25 September 1999 at 11.00 am to celebrate the State heritage listing of the Yiu Ming Temple in Alexandria by providing financial support of up to \$3,500 for a plaque, sound system, chairs, stage and tentage and that funds be voted in the 1999/2000 Revenue Estimates.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

MINUTE BY THE MAYOR

11 August 1999

PUBLIC RELATIONS - DEATH OF MR JOHN O'NEILL (2004380)

It is with sadness that I advise Council of the recent death of John O'Neill, the former great South Sydney and Australian Rugby League player.

"Lurch" as John was affectionately known to his friends, died on Monday 9 August 1999, after a long battle with cancer which lasted five years.

During his long playing career, John played with both the South Sydney and Manly Rugby League Clubs between the years 1965 and 1976, which included eight grand finals, winning six and losing two. He also represented Australia between 1970 and 1975, in Tests and World Cup matches.

John's death will be a sad loss to our community and it is recommended that a letter under the signature of the Mayor, expressing the condolences of Council and a floral arrangement be forwarded to his wife Claire and members of his family.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Macken:-

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

Carried.

MINUTE BY THE MAYOR

11 August 1999

**PUBLIC RELATIONS - DEATH OF MRS LILLIAN
MILDRED RICHARDSON (2004380)**

It is with regret that I advise Council of the recent death of Mrs. Lillian Mildred Richardson, mother of Ray Richardson. Ray, from time to time acts in the position of Mayors Orderly.

Lillian was a long time resident of Chippendale, and passed away on Friday 6 August 1999.

It is recommended that a letter under the signature of the Mayor be forwarded to Ray and his family expressing the condolences of 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.

MINUTE BY THE MAYOR

11 August 1999

PUBLIC RELATIONS - PRESENTATION OF PLAQUE TO JOHN FRANKS (2021516)

The Woolloomooloo Chamber of Commerce is holding a farewell for John Franks, a long time business owner in the Woolloomooloo area. It is proposed to hold the farewell in the early evening of Monday, 23 August 1999, at the Frisco Hotel, Woolloomooloo.

Together with South Sydney Council, the Chamber would like to present John with a plaque in recognition of his work and overall support for the community and businesses of Woolloomooloo.

RECOMMENDATION:

That approval be given for Council, together with the Woolloomooloo Chamber of Commerce, presenting a plaque to John Franks in recognition of his work and overall support for the community and businesses in the Woolloomooloo area.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Waters, seconded by Councillor Macken:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

9 August 1999

**STREETS - STREET FURNITURE CONTRACT - INSTALLATION OF
BUS SHELTERS/ADVERTISING PANELS IN CITY AND
PARRAMATTA ROADS AND BROADWAY (2014501)**

Due to the narrow width of footpath at certain sections of City and Parramatta Roads a recommendation was submitted to Council on 23 June 1999 for the acceptance to install bus shelters without advertising panels and install relevant advertising panels separately at alternative sites as listed in the attached report by the Director of Public Works and Services dated 11 June 1999.

Council resolved as follows:

“That the matter be deferred and referred to the Parramatta Road Steering Committee for a comment, following which the matter be submitted to the next Finance Committee Meeting to be held on 21 July 1999.”

The subject comments were received by faxed letter dated 4 August 1999 (copy attached), also accompanied by copies of comments from representatives of Parramatta and Leichhardt Councils. On behalf of the Parramatta Road Steering Committee the Executive Officer, Ms Susan McHattie requests that stand alone advertising panels are not erected along the edge of Victoria Park. Leichhardt Council's representative on the Committee confirms similar solution proposed by J C Decaux for South Sydney will be one of the options implemented in Leichhardt Council as well, in the event of narrow footpath.

The proposed stand alone advertising panels along the edge of Victoria Park are reasonably spread apart at excessively wide sections of footpaths, one in City Road, one in Parramatta Road near intersection with City Road where an advertising panel was up to recently existing under the expired contract with Adshel, another near the western end of the park and the third one in Parramatta Road is opposite Glebe Point Road, about half way along the Park.

It is considered that these advertising panels along the edge of the Park, particularly in Parramatta Road will be very much disguised by the heavy presence of the overgrown row of trees and as a result will have little impact on Victoria Park. This will also be consistent with Leichhardt Council's proposed approach.

Accordingly, it is **recommended** that Council adopt the recommendation by the Director of Public Works and Services in his report of 11 June 1999.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Bush, seconded by Councillor Harcourt:-

That the minute by the General Manager dated 9 August 1999, be deferred to the Planning and Development Committee so that comments can be made on the area surrounding the street furniture.

Carried.

MINUTE BY THE GENERAL MANAGER

11 August 1999

PERSONNEL - CUSTOMER SERVICE DISPUTE ABOUT APPOINTMENTS - APPEAL PROCEDURES (2020160)

A minute by the General Manager dated 11 August 1999, was circulated to all Councillors prior to the Council Meeting.

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

J. W. Bourke (SGD)
General Manager

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

PETITION

1. The Mayor tabled a petition received by the General Manager with approximately 12 signatures appended from residents of Dunning Avenue,

Rosebery, objecting to the proposal to re-route the 343 bus service through Dunning Avenue, Rosebery.

Received.

QUESTIONS WITHOUT NOTICE

1.

ERSKINEVILLE ROAD, NO. 65, ERSKINEVILLE - POST OFFICE SITE - REQUEST FOR PUBLIC MEETING RE DEVELOPMENT APPLICATION - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (U98-00601)

Question:

I have had a request from residents in Erskineville that Council hold a public meeting in relation to the new design submitted for the Erskineville Post Office.

Answer by the Mayor:

I will ask the Director of Planning and Building to arrange a public meeting in respect of the proposed Development Application for the Erskineville Post Office when the report is ready for Council's Committee and have a public meeting prior to the Committee Meeting.

2.

PUBLIC RELATIONS - SYDNEY SWANS - LETTER TO TONY LOCKETT FOR LAST HOME GAME - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2013336)

Question:

This Sunday is the last home game for the greatest goal kicker of all in a sport which is fairly new to Sydney and I am speaking of Tony Lockett and the contribution that he has made. Given the fact that the Sydney Swans are based in South Sydney and there are a lot of kids in South Sydney who will miss him playing, I ask that the Mayor send a letter to Mr Lockett congratulating him on behalf of South Sydney for the games he has played and the promotion support he has given to the young people of the community?

Answer by the Mayor:

Yes, I will write to Mr Lockett on behalf of the Council.

3.

CLEANING - GARBAGE IN STREETS OF SURRY HILLS - INTRODUCTION OF SCHEME TO COMBAT PROBLEM - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2000996)

Question:

I have received a copy of a letter from a new resident of Surry Hills complaining of the way in which garbage is left on the streets in plastic bags.

This is an ongoing problem in our city and is particularly bad in some areas, such as parts of Surry Hills.

Could the Officer responsible for Waste Management investigate and report on the introduction of a scheme similar to that employed by Leichhardt Council where domestic garbage and recycling which is not correctly placed in a bin is labelled as "unacceptable" and not picked up until properly placed in a bin? Information on how to obtain a bin from Council should be included on the label.

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter with the Waste Services Manager and have a report come back to this Committee. As to the throwing of rubbish over balconies, I do not know how we can overcome that problem, but I will certainly ask the Waste Services Manager to look at this problem as well.

4.

BROADWAY, NOS. 147-179, BROADWAY - PROPOSED REDEVELOPMENT - LIABILITY OF G.S.T. COST - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (P56-00048)

Question:

Regarding the proposed redevelopment of Nos. 147 - 179 Broadway, Nos. 46 - 60 Mountain Street and No. 3 Owen Street, Ultimo - On Page 3 of the report to Finance Committee dated 20 July 1999, condition (17), Walker will be liable for all leasing GST costs.

In a floating sheet in the Council Papers "Council is liable for GST cost".

Could a report be prepared for the Councillors Information Service in consultation with a tax expert clearly setting out Council's liability regarding GST and Walker's liability regarding GST on proposed developments?

Answer by the Director of Corporate Services:

In regards to the information you are referring to, Council will be responsible for the GST and that was prepared by our Solicitors.

5.

BROADWAY, NOS. 147-179 BROADWAY - COUNCIL OWNERSHIP OF LAND - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREO (P56-00048)**Question:**

Some Councillors are of the opinion that the Broadway Site will revert to Council ownership after 30 years. Yet in clause 3.4 (B) "Walker gets the land on which it develops a student accommodation and retail complex", and Document Phase (6) around April 2000 until perpetuity.

Could Council please clarify for the Councillors who are in doubt whether any or all land on the Broadway site will revert to Council after 30 years?

Answer by the Director of Corporate Services:

The only land that Council will retain will be that with the educational facilities on it.

6.

PLANNING - ACCESS PROVISION FOR COMMERCIAL PREMISES IN MAIN STREETS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (P54-00125)**Question:**

I note the response in the Councillors Information Service of 11 June 1999, to a Question Without Notice asked by Councillor Lay concerning equitable access provision for commercial premises, particularly shops in main streets such as King Street.

I understand that irrespective of whether a commercial building can be argued to comply with the access provisions of the Building Code of Australia, the Disability Discrimination Act potentially makes Council as liable as the developer to a complaint of discrimination should access for people with disabilities not be made at shop entrances in an equitable fashion.

I have been made aware of a new residential/commercial development at Nos. 53 - 57 King Street which does not appear to be built with wheelchair accessible entrances at each of its five shops. What action can be taken by Council to ensure that rectification of inadequate wheelchair access to new commercial premises is made for this and other buildings-in-progress?

Answer by the Mayor:

I will ask the Director of Planning and Building to prepare a report for Committee in response to your question.

7.

STREETS - PUBLIC TELEPHONES - ACCESS FOR THE DISABLED - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2014501)**Question:**

Telecom, J.C. Decaux and Sydney City Council have been taken to the Human Rights Commission as the public phones installed in the City do not comply with access provisions of the Disability Discrimination Act. How can we ensure that the phones to be installed in South Sydney by the same contractor comply?

Answer by the Director of Public Works and Services:

It is really an issue between Telstra and the Disability Organisations. As I understand it, Telstra have opposed the view of the Disability Organisation and are of the view that if they were to lower the phone to the height proposed, many normal users would find it impossible to use and consequently the argument between Telstra and the Disability Groups, from our discussions with J.C. Decaux, the cabinets once installed will allow the phone to be lowered or raised.

Answer by the Mayor:

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

8.

COMMUNITY FACILITIES - RED CROSS CREATIVE SKILLS CENTRE - OCCUPATION BY INTERESTED ORGANISATIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (C59-00106)**Question:**

The Red Cross Creative Skills Centre in Surry Hills is scheduled to close on October 1st. At yesterday's Access Committee Meeting, it was suggested that if a new group could be found to auspice the centre, the service could continue. Could Council write to Reclink and other similar organisations who may be interested?

Answer by the Mayor:

I had a meeting with the Director of Health and Community Services and representatives of the Centre and the users of the Centre and they were after funding because the Red Cross had cut the funding. It is alright to auspice the operation and the functions, but who is going to supply the funds? That is the crucial point and Council will not be funding it.

9.

DEVELOPMENT - "FREE TO AIR TELEVISION"- IMPROVEMENT IN THE QUALITY OF BROADCAST TRANSMISSION - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2003286)**Question:**

Could the Mayor write to the "free to air" television companies requesting they endeavour to improve the quality of broadcast transmission? Many residents have complained about the lack of access to "free to air" television.

Answer by the Mayor:

Yes, I will write a letter in regards to that question.

10.

DALMENY AVENUE, NOS. 83-93, ROSEBERY - PARKING PROBLEMS AND SECURITY ARRANGEMENTS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (U98-00853)**Question:**

The parking crisis in the Kimberley Grove, Rosebery development has reached a point where internal security is possibly being directed to issue \$700 tickets and tow away cars. There are also serious questions regarding security doors being left open contrary to Development Application consent?

Answer by the Director of Planning and Building:

I am more than happy to carry out investigations to see whether the level of off-street parking provided is coping with the demand. But the security arrangement and whether the building has security systems is really a matter for the building owners themselves. In regards to the \$700 parking tickets, it is on private land and it is a matter between the building owners and the people who have received the fines. It is not a matter for Council, although under the current Local Government Act, a private land owner may contract with the Council to run parking enforcement on that land, but that is not the case on that estate.

11.

PUBLIC RELATIONS - RECOGNITION OF THE FIRST INDIGENOUS AUSTRALIAN - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2015549)**Question:**

Could the Mayor write to Mr. Howard and the Federal Government congratulating him on the new preamble and in particular, the inclusion and recognition of the first indigenous Australians?

Answer by the Mayor:

No.

12.

KINGS CROSS ROAD, NO.1, KINGS CROSS - INSTALLATION OF A TELEVISION BOOSTER STATION - QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (2019482)**Question:**

From memory, a Development Approval was granted to place a television booster station on top of the Elan. Has this work been carried out?

Answer by the Mayor:

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

REPORT OF THE FINANCE COMMITTEE

4 August 1999

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

At the commencement of business at 6.37 pm those present were -

Councillors:- Deftereos, Fenton and Macken.

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

That the Report of the Finance Committee of its meeting of 4 August 1999, be received and the recommendations set out below for Items 1 to 4 inclusive, 7 to 11 inclusive, 13 to 15 inclusive, 18 to 21 inclusive, 23 to 26 inclusive and 28, be adopted. The recommendations set out below for Items 5,6,12,16,17 to 18 inclusive, 22 to 27 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

PARKS - ERSKINEVILLE OVAL GRANDSTAND - HAIL DAMAGE RESTORATION WORK (2021338)

That confirmatory approval be given to the expenditure of \$20,225 to complete reinstatement works to Erskineville Oval Grandstand involving the cleaning down and repainting of structural steelwork and the use of corrugated colorbond metal soffit lining in lieu of fibre cement for which funds are to be transferred from the Works Programme, Parks Work to be specified FWP 9141 \$100,000.

(DPWS Report 21.7.99)

Carried.

2.

FINANCE - REVIEW OF FEES PAID TO COUNCIL FOR COLLECTING THE BUILDING LONG SERVICE LEVY ON BEHALF OF THE BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS CORPORATION (2020900)

That for the reasons set out in the report by the Director of Planning and Building dated 23 July 1999, it be resolved that:-

- (1) Council accepts the offer made by the Building and Construction Industry Long Service Payments Corporation to act as agent on their behalf for the collection of long service levies on building work requiring Council approval at a flat fee of \$18 for each levy payment collected.
- (2) the General Manager be authorised to sign, on behalf of Council the Acceptance Form, in accordance with the Agency Arrangement Document dated 18 June 1999.

Carried.

3.

FINANCE - ACCOUNTS - INVESTMENTS - MONTHLY REPORT - PERIOD ENDING 30 JUNE 1999 (2015594)

That the Investment Report by the Director of Finance dated 23 July 1999, be received and noted.

Carried.

4.

DONATIONS - COMMUNITY AID ABROAD - 1999 TASTE OF A NATION EVENT (2015944)

That arising from the joint report by the Director of Public Works and Services and the Director of Health and Community Services dated 9 July 1999, approval be given to:-

- (1) the use of Fitzroy Gardens, Kings Cross by Community Aid Abroad to conduct the 1999 Taste to the Nation fundraising event on Saturday, 16 October 1999, subject to the conditions stated in the report.
- (2) a donation (in kind support only, as outlined in the beforementioned report) of \$1,670 to Community Aid Abroad to support the event, with funds totalling \$1,670 to cover this expenditure to be allocated from Council's 1999/2000 Section 356 Account.

Carried.

5.

DONATIONS - LOCAL GOVERNMENT ASSOCIATION OF NSW - REQUEST FOR ASSISTANCE WITH FEDERAL COURT ACTIONS RE CHARGES UNDER SECTION 611 - (2002879)

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

- (A) That Council contribute \$3,850 towards the legal costs of the Local Government and Shires Association for defending the actions brought by Optus and Telstra regarding Section 611 Charges.
- (B) That the Director of Planning and Building prepare a report on the resumption of the rolling out of cables for Pay TV for residents in the South Sydney Area for circulation in the Councillors Information Service.

(DF Report 16.7.1999)

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 clarification of the Contract, Council has with Optus.

Motion, as amended by consent, Carried.

6.

**INSURANCES - COMPULSORY THIRD PARTY INSURANCE - TENDER
(151-00030)**

That Council accepts the Compulsory Third Party Insurance tender offered by MMI Insurance, as submitted to the SSROC Tender Panel on 29 June 1999, and the execution of all relevant documents under Power of Attorney.

(DCS Report 23.7.99)

At the request of Councillor Macken and by consent the motion was amended by the addition of the following words to the recommendation namely "and that \$20,000 be added to the Budget".

Motion, as amended by consent, carried.

7.

**TREES - FORBES STREET, WOOLLOOMOOLOO - TREE REMOVAL
(2005246)**

That Council:-

- (1) carry out the 5 year removal program as advertised;
- (2) carry out stage 1 to remove the initial 3 Poplar (*Populus nigra* 'Italica') trees as advertised, in September 1999, as no objection or public comment has been received;
- (3) remove the 3 She Oak (*Casuraina glauca*) trees near Harmer Street in September 1999 to allow the reconstruction of the retaining walls, as no objection or public comment has been received.

(DPWS Report 20 July 1999)

Carried.

8.

COMMUNICATIONS - MOBILE TELEPHONES - ENGAGEMENT OF CONSULTANT TO PROJECT MANAGE TENDER/ EVALUATION OF MOBILE SERVICE PROVIDERS (85177)

That approval be given to the engagement of PABX Advisory Services to Project Manage the Tender/Evaluation of the Council mobile phone system in accordance with their submission dated 15 July 1999, at a cost of \$9,280 and that such expenditure be added to the 1999/2000 Revenue Estimates.

(CAM/PO 20.7.99)

Carried.

9.

DONATIONS - LESBIAN SPACE INC - REQUEST FOR FREE USE OF BROWN STREET COMMUNITY HALL - 12 SEPTEMBER 1999 (2011180)

That Council support Lesbian Space Inc by forgoing \$280 in income, subject to the organisation meeting the expenses of \$50, this approval will allow Lesbian Space Inc free use of the Brown Street Community Hall on Sunday, 12 September 1999, to conduct a Public Forum.

(DCS Report 27.7.99)

Carried.

10.

LEASING - OXFORD STREET, NO.66, DARLINGHURST SUITE 3, LEVEL 2 - APPLICATION BY BOUTIQUE HOTELS PTY. LTD. (2008986)

That approval be given to Boutique Hotels Pty Limited being offered a 2 year Lease of Council premises, Suite 3, Level 2, No. 66 Oxford Street, Darlinghurst, at a rental of \$1,650 per month, (\$19,800 per annum) gross, commencing on 16 August, 1999, subject to the following conditions, namely:-

- (1) That the rental be reviewed at the commencement of the 2nd year by the Consumer Price Index (CPI);
- (2) That the Lessee is to provide a Bank Guarantee equivalent to 2 months rental;
- (3) That the Lessee is to provide Personal Guarantees for the term of the Lease;
- (4) That any proposed alterations or Development Applications for the leased premises, including refurbishment's, fit-outs, etc by the Lessee during the term of the Lease period, must first be submitted to the

Property Branch Manager prior to any submissions of plans, etc to Council's Planning and Building Department for Statutory approvals;

- (5) That the Lessee is to provide Council with a Public Liability Insurance Policy in an amount of indemnity of Ten Million Dollars indemnifying both Council and the Lessee against any claims that may arise during the term of the Lease;
- (6) 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;
- (7) That all relevant documents are to be executed by Council's Attorney;
- (8) That this approval lapses 3 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 failed to execute the Lease document.

(DCS Report 26.7.99)

Carried.

11.

DONATIONS - THE WOMEN'S LIBRARY - REQUEST FOR FREE USE OF REDFERN TOWN HALL - 4 SEPTEMBER 1999 (2001967)

That Council support The Women's Library by forgoing \$900 in income, and meet the expenses of \$120, this approval will allow The Women's Library free use of Redfern Town Hall on 4 September 1999, to conduct a Birthday Fundraising event.

Carried.

12.

COMMUNITY SERVICES - SOCIAL PLAN - GAY AND LESBIAN COMMUNITIES (W51-00086)

That arising from consideration of a joint report by the Director of Health and Community Services and Civic Affairs Manager/Public Officer dated 27 July 1999, Council resolve not to allocate funds for the preparation of a separate Gay and Lesbian Demographic Profile on the basis that until the Social Planning Unit has completed its preparation of Community Profiles, the Desk Research Project and target group Issues Papers, and an evaluation has been undertaken of the information gathered, it is not possible to assess whether any additional research or documents are required.

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 and a briefing of all Councillors be held prior the next Finance Committee meeting.

Motion, as amended by consent, carried.

13.

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

That arising from consideration of a report by the Director of Finance dated 22 July 1999, approval be given for an amount of \$206,834.12 that remains unpaid for rates and interest levied in the year 1994/95 and due by eligible pensioners being written off and abandoned under Section 582 of the Local Government Act, 1993.

Carried.

14.

RATES - POSTPONEMENT OF RATES UNDER SECTION 585 OF THE LOCAL GOVERNMENT ACT, 1993 - WRITING OFF - YEAR 1994/95 (2003142)

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

That arising from consideration of a report by the Director of Finance dated 22 July 1999, approval be given for rates and extra (interest) charges amounting to \$8,094.50, as listed in the schedule accompanying the Director's report, postponed during 1994/95 under the provisions of Section 585 of the Local Government Act, 1993, being written out of the Postponed Rates Suspense Account under Sections 585 to 599 of the Local Government Act, 1993 as not recoverable at law.

Carried.

15.

FINANCE - OUTSTANDING DEBTS - SUNDRY DEBTORS AS AT 25 JUNE 1999 (2019500)

That the report by the Director of Finance dated 21 July 1999, detailing outstanding sundry debtors at 25 June 1999, be received and noted.

Carried.

16.

CONFERENCES - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (1999) ATTENDANCE OF COUNCIL'S REPRESENTATIVES - CANBERRA 28 NOVEMBER TO 1 DECEMBER 1999 SUBMISSION OF MOTIONS (5203027)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay.

- (A) That the Mayor and interested Councillors and the General Manager be nominated as Council's representatives to attend the 1999 National General Assembly of Local Government to be held in Canberra from 28 November to 1 December 1999 and that any registration fees, accommodation and out of pocket expenses for conveyance and subsistence in travelling be borne by the Council, for which funds are available in the 1999/2000 Revenue Estimates (EBE,77LO and 77MO);
- (B) That the Mayor or his nominee be the Council's voting delegate at the Assembly;
- (C) That the question of submitting motions to the assembly is submitted for consideration.

(CAM/PO 30.7.99)

Carried.

17.

PLANNING - TAYLOR SQUARE URBAN DESIGN PROJECT - APPOINTMENT OF CONSULTANT TEAM AND ALLOCATION OF ADDITIONAL PROJECT FUNDS (2020343)

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

That to facilitate the start of the Taylor Square Urban Design Project as a matter of urgency, Council:-

- (1) engage EDAW Pty Ltd for the quotation price of \$79,470 to manage the charette process and produce the Draft Taylor Square Special Precinct Development Control Plan and Taylor Square Urban Design Concept Plan; in accordance with the Project Brief and the methodology submitted by the consultants;
- (2) vote an additional \$37,470 to the 1999/2000 estimates, to be allocated to Accto(2)unt GW 99003 (Mainstreet Program);

- (3) approve a submission being made to the Roads and Traffic Authority to contribute an additional \$29,470 to the Taylor Square Urban Design Project. This contribution will be sought on the basis for the need to prepare a Taylor Square Urban Design Concept Plan, which will be used to inform the preparation of detailed design and documentation for the Taylor Square component of the Eastern Distributor LAIP scheme. Any funds received from the RTA for this project will be used to part reimburse Council's contribution to the project.

(GM Report 26.7.99)

At the request of Councillor Macken, and by consent, the motion was amended by the addition of a clause (4) to the recommendation namely:-

- (4) Revote the amount of \$50,000 approved by Council on 9 June 1999 to the 1999/2000 Budget.

Motion, as amended by consent, carried.

18.

STREETS - ARNOLD PLACE, DARLINGHURST - PROPOSED CLOSURE AND SALE OF PART (2021521)

That approval be given for advertising and action to be taken for the proposed closure and sale of part of Arnold Place, Darlinghurst as shown stippled on Plan No. S6-280/247 in accordance with the revised policy for the proposed closure and sale or lease of laneways and sale of vacant Council owned land as adopted by Council on 12 June 1996, and that a further report be submitted to Council after this process is completed.

(DPWS Report 29.7.99)

At the request of Councillor Fowler, 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 and referred to the Planning and Development Committee for the Director of Planning and Building to prepare a report on the proposal.

Motion, as amended by consent, carried.

19.

**DONATIONS - REDFERN HOME AND COMMUNITY CARE CENTRE -
CONSTRUCTION OF VEHICULAR CROSSING IN OGDEN LANE, REDFERN
(2020738)**

That approval be given under the provision of Section 356 of the Local Government Act, 1993 for Council staff to construct a vehicular crossing in Ogden Lane, Redfern to the new Centre for the Redfern Home and Community Care at a cost of \$654 and that the expenditure involved be added to the 1999/2000 Revenue Estimates (Account Code LFH).

(DPWS Report 28.07.99)

Carried.

20.

**LEASING - OXFORD STREET NO.90, DARLINGHURST - SHOPFRONT -
RENEWAL OF LEASE TO VIDEOGRAMA PTY LIMITED (L52-00168)**

That approval be given to Videodrama Pty Ltd being offered a 10 year lease of Council premises, Shopfront, No. 90 Oxford Street, Darlinghurst, at a rental of \$75,000 per annum gross, commencing on 1 June 1999, under the same terms and conditions as the existing lease and subject to the following terms and conditions, namely:-

- (1) That the existing Bank Guarantee be increased to an amount equivalent to 3 months of the increased rental;
- (2) That the Lessee is to provide Personal Guarantees for the term of the Lease;
- (3) That the rent for the period be as follows:

Year One	\$ 75,000 per annum gross	25% increase	
Year Two	\$ 85,000 per annum gross	12% increase	
Year Three	\$ 89,250 per annum gross	increase	5%
Year Four	\$ 94,605 per annum gross	increase	6%
Year Five	\$101,230 per annum gross	increase	7%
Year Six	The rent is to be reviewed to Market		
Years inclusive	7-10	Increased Annually by 5%	

- (4) That the Lessee is to provide Council with a Public Liability Insurance Policy in an amount of not less than Ten Million Dollars indemnifying both the Council and the Sub-Lessee for their respective rights and interests against any claims that may arise during the term of the Lease;
- (5) That any proposed alterations to the leased premises, including refurbishment's, fit-outs, etc. by the Lessee's during the term of the lease period, must be submitted to the Property Branch Manager prior to any submission of plans etc. to Council's Planning and Building Department for Statutory approvals;
- (6) That 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;
- (7) That all relevant documents are to be executed by Council's Attorney, if required;
- (8) That this approval lapses 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 risk insurance as required, or failed to execute the Lease document.

(DCS Report 29.7.99)

Carried.

21.

DONATION - ST. VINCENT DE PAUL SOCIETY - REQUEST FOR FREE USE OF REG BARTLEY OVAL, RUSHCUTTERS BAY (2015127)

That approval be given to the free use of Reg Bartley Oval, Rushcutters Bay by the Matthew Talbot Hostel Cricket Club for cricket training on Tuesday mornings between 10 a.m. and 12.00 noon from 10 August 1999 to 24 March 2000, on occasions when the Oval is not required for other sports and excluding maintenance periods and the he availability of the Oval to be determined by the Director of Public Works and Services.

(DPWS Report 29.7.99)

Carried.

22.

STREETS - BOTANY LANE, ALEXANDRIA - PROPOSED CLOSURE AND SALE OF PART (201753)

That approval be given to:-

- (1) the closure under Part 4 Division 1 of the Roads Act 1993 of part of Botany Lane, Alexandria as shown stippled on Plan No S6-280/240A and its subsequent sale to adjoining owners or their successors in title and subject to the conditions in schedule the accompanying the Director's report;
- (2) all public utility authorities being advised of Council's decision;
- (3) all relevant documents and plans being executed under The Common Seal of Council or by Council's Attorney;
- (4) all adjoining owners being advised of Council's decision.

(DPWS Report 2.8.99)

At the request of Councillor Fowler, 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 and referred to the Planning and Development Committee for the Director of Planning and Building to prepare a report on the proposal.

Carried.

23.

FINANCE - BUDGETS - SUMMARY OF ADDITIONS TO THE ADOPTED BUDGET 1999/2000 (2011566)

That the report by the Director of Finance dated 2 August 1999, regarding the summary of additions to the Adopted Budget 1999/2000, be received and noted.

Carried.

24.

RATES - ARREARS AS AT 25 JUNE 1999 (2004815)

That the report by the Director of Finance dated 21 July 1999, concerning arrears of rates and interest charges at 25 June 1999, be received and noted.

Carried.

25.

COUNCIL - RECESS TO FEBRUARY 2000 - ADOPTION OF SCHEDULE AND DELEGATION OF AUTHORITY TO MAYOR (C63-00019)

That arising from consideration of a report by the Civic Affairs Manager/Public Officer dated 2 August 1999, it be resolved that:-

- (a) approval be given to the schedule accompanying the Officers report of Standing Committee meetings and Council meeting dates to February 2000;
- (b) Council recess on the undermentioned dates namely:

From midnight on Thursday 16 Sept to Wednesday 13 October 1999

From midnight on Wednesday 20 Oct to Wednesday 3 November 1999

From midnight on Wed 8 December 1999 to Wednesday 2 February 2000.

- and that in order to carry out the services and obligations of the Council approval be given to delegate to:

- (1) the Mayor its powers, authorities, duties and functions other than those reserved for the Council itself by Section 377, and other than any regulatory functions under Chapter 7 of the Local Government Act, 1993;
- (2) the General Manager any regulatory functions under Chapter 7 of the Local Government Act. 1993 not previously delegated;

- during the periods referred to above and that all matters normally requiring decision by Council be circulated to Councillors two full working days prior to resolution by the Mayor and any written objections by four Councillors on any one item, stating the reason for objection, be enough to defer a decision until the next relevant Standing Committee meeting of Council, and that any decision of the Mayor or General Manager pursuant to such delegations be reported to members of the Council.

Carried.

26.

PROPERTIES - REDFERN TOWN HALL - NSW POLICE SERVICE, REDFERN LOCAL AREA COMMAND - REQUEST FOR FREE USE - 11 AND 25 AUGUST 1999 (P56-00410)

That Council grants confirmatory approval for the free use of Redfern Town Hall on the 11 and 25 August 1999, by the NSW Police Service. Under Section 356, of the Local Government Act, 1993 and agrees to forgo \$520 in revenue and the organisation meet the expenses of \$100 which will allow the

NSW Police Services free use of Redfern Town Hall on 11 and 25 August 1999, to conduct Police training.

(ADCS Report 2.8.99)

Carried.

27.

CONFERENCES - INDUSTRIAL RELATIONS SOCIETY OF AUSTRALIA - 1999 NATIONAL CONVENTION FREMANTLE, WESTERN AUSTRALIA 21 - 23 OCTOBER 1999 (5263043)

That arising from consideration of a report by the Director of Organisational Development dated 3 August 1999, it be resolved that:-

- (1) the Director of Organisational Development and the Industrial Manager attending the Industrial Relations Society of Australia 1999 national Convention to be held in Fremantle, WA on 21 - 23 October 1999;
- (2) leave with pay to Mr P Chaffe, Director of Organisational Development and Mr J Partridge, Industrial Manager, from Thursday, 21 October to Friday, 22 October 1999 (inclusive);
- (3) associated costs in relation to travel, accommodation and conference fees for the above staff, for an approximate total cost of \$5,000, funds for which are available in the 1999/2000 budget.

At the request of Councillor Macken, and by consent, the motion was amended by the addition of a clause (4) namely:-

- (4) That the Mayor and any interested Councillors wishing to attend the Conference, nominate themselves.

Motion, as amended by consent, carried.

28.

CELEBRATIONS - WALK TO WORK DAY - OCTOBER 1999 PARTICIPATION BY COUNCIL (2018797)

That Council:

- (1) agree to allow staff to take part in the 1999 Walk to Work Day;
- (2) provide funds of \$1,000 for the provision of breakfast to be held in Bourke's Backyard;
- (3) determine if they wish to also provide sponsorship funds.

(Report DOD 3.8.99)

Carried.

The Finance Committee Meeting terminated at 7.07 p.m.

REPORT OF THE FINANCE COMMITTEE (CONFIDENTIAL MATTERS)

WEDNESDAY, 4 AUGUST 1999 AT 7.08 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.

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

Item 1 - Personnel

Item 2 - Contractual Matter

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

That the Report of the Finance Committee (Confidential Matters) of its meeting of 4 August 1999, be received and the recommendation set out below for Item 2 be adopted. The recommendation set out below for Item 1 having been dealt with as shown immediately following such Item.

Carried.

The Committee **recommended** the following:-

1.

EVENTS - SYDNEY 2000 OLYMPIC GAMES - NOMINATIONS FOR JUDGING PANEL FOR SELECTION OF TORCH BEARERS (2019159)

That the report by the Director of Public Works and Services dated 28 July 1999, in respect of the selection of members for judging panel 103 for Olympic Torch Bearers, be received and noted.

(DPWS Report 28.7.99)

Carried.

2.

**ADMINISTRATION - OPERATIONS - HAIL DAMAGE RESTORATION WORK
(2021116)**

That the recommendations as contained in the joint report by the Director of Finance and the Director of Corporate Services dated 4 August 1999, be approved and adopted.

Carried.

The Finance Committee (Confidential Matters) Meeting terminated at 7.14 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

4 August 1999

PRESENT

Councillor Sonia Fenton (Chairperson)

Councillors – Margaret Deftereos, Sean Macken and Greg Waters

At the commencement of business at 7.15 pm those present were -

Councillors:- Deftereos, Fenton, Macken and Waters.

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

That the Report of the Community Services Committee of its meeting of 4 August 1999, be received and the recommendations set out below for Items 1-6 inclusive, be adopted.

Carried.

The Committee **recommended** the following:-

1.

**DONATIONS - KING CROSS ROTARY CLUB - 'KIDS HOME AND AWAY
FROM THE CROSS' PROJECT (2021190)**

That arising from consideration of a report by the Director of Health and Community Services dated 30 July 1999, Council defer consideration of the provision of funding to the Rotary Club of Kings Cross Inc. for the new 'Kids

Home and Away from the Cross' Project until detailed discussions have occurred and a further report is submitted to Council.

Carried.

2.

DONATIONS - PACT YOUTH THEATRE NESB THEATRE PROJECT - APPLICATION FOR FINANCIAL ASSISTANCE (2020961)

That arising from consideration of a report by the Director of Health and Community Services dated 29 July 1999, approval be given to the donation in the amount of \$4,000 to the Youth Performance Access Project to be conducted by PACT Youth Theatre, for which there are sufficient funds in the Health and Community Services 1999/2000 Budget (KHL).

Carried.

3.

COMMUNITY FACILITIES - EDWARD EAGER LODGE AND DARLINGHURST THEATRE - PROPOSED THEATRE FOR HOMELESS AND DISADVANTAGED IN THE SOUTH SYDNEY AREA (C5900006)

That arising from consideration of a report by the Director of Health and Community Services dated 29 July 1999, approval be given to the conduct of a Theatre Project for Homeless and Disadvantaged people in South Sydney, in partnership with Edward Eager Lodge and Darlinghurst Theatre, with funds to cover this expenditure (\$4,840) available in the Health and Community Services 1999/2000 Budget (KHL & KEW 77FO).

Carried.

4.

CELEBRATIONS - 1999 NATIONAL AUSTRALIA DAY COUNCILS - YOUNG AUSTRALIAN OF THE YEAR AWARD - NOMINATION OF KATE FARNE (C52-00117)

That arising from consideration of a report by the Director of Health and Community Services dated 30 July 1999, approval be given for Kate Farne, recipient of Young Citizen of the Year for Council's Australia Day Community Awards being nominated for the National Australia Day Council's Young Australian of the Year Awards for 1999.

Carried.

5.

COMMUNITY SERVICES - YOUTH HOMELESSNESS, EARLY INTERVENTION PROGRAMME - QUESTION OF INVOLVEMENT OF COUNCIL

- (A) That Council receive and note the report dated 3 August 1999, from the Civic Affairs Manager/Public Officer regarding the Youth Homelessness Early Intervention Program - Request for Applications for Funding, Information Session 2 August 1999.
- (B) That Council invites representatives from the 2010 Family Support Service to participate in the forthcoming Taylor Square Urban Design Project charette.
- (C) That Council, if requested, consider writing letters in support of tenders by those agencies currently conducting pilot projects for funding in this next stage of the Youth Homelessness Early Intervention Program.

(CAM/PO Report 3.8.99)

Carried.

6.

PARKS - SYDNEY PARK - REQUEST FOR INFORMATION REGARDING DRAINAGE PROBLEMS - PROPOSED RECTIFICATION (2014535)

- (A) That the report by the Director of Public Works and services dated 30 July 1999, addressing the drainage Problems in Sydney Park and the proposed rectification of the problems be received and noted.
- (B) That a further report be submitted to the Finance Committee for the allocation of funds when detailed plans and costings are available.

(DPWS Report 30.7.99)

Carried.

The Community Services Committee Meeting terminated at 7.29 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

4 August 1999

PRESENT

The Mayor, Councillor Vic Smith (Chairperson)

Councillors - John Bush, John Fowler, Christine Harcourt, 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 4 August 1999, be received and the recommendations set out below for Items 3,6 to 10 inclusive and 13 to 15 inclusive, be adopted. The recommendations for Items 1,2,4,5, 11 and 12 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

BOURKE STREET, NO. 101, WOOLLOOMOOLOO - ALTERATIONS AND ADDITIONS TO A TWO STOREY TERRACE DWELLING - DEVELOPMENT APPLICATION (U99-00346)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

- (A) That Council grants its consent under the Environmental Planning and Assessment (Amendment) Act, 1997 to the development application submitted by Rob Hutcheon (Owner) for permission to undertake alterations and additions to a two storey terrace dwelling, including additional floor space on the first floor, attic conversion, and upper level open space deck at the abovementioned premises, 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 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 \$120, or first instalment (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 the plans numbered DA 001 Issue 02, DA 002 Issue 03, DA 003 Issue 03, DA 004 Issue 03, 990314, dated July 1999, stamped by Council, and held in Council's file U99-00346, except as conditioned below;
- (4) That the subject site shall remain a residential dwelling and any home office shall comply with the definition of "home business" in Schedule 1: Definitions of the South Sydney Local Environmental Plan 1998;
- (5) That the first floor and attic level rear additions shall be built to both boundaries and shall have the southern boundary wall mirror the materials, height, finish and length of the northern boundary;
- (6) That the existing brick wall on the northern and southern boundaries located above the second floor level and generally west of the rear wall of the attic addition, indicated on the plan, shall not be demolished;
- (7) That the eaves on the attic addition shall be no greater than 0.6 metres;
- (8) That the proposed rear second floor skillion shall be constructed in timber joinery and the roof materials shall match the existing roof materials, to be detailed in the application for a Construction Certificate;
- (9) That the proposed windows on the side boundary shall:
 - (a) be timber framed and openable sash windows; and
 - (b) have a height to width ratio of 1.5:1;
- (10) That the proposed development complies with Australian Standard 2107 – 1987, Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors;

and the following standard conditions:

- (11) Comply With BCA⁹¹⁰⁴
- (12) Construction Certificate Required⁹¹⁵⁵
- (13) Comply With the Work Cover Authority⁹¹⁰⁵
- (14) Building/Demolition Noise Control⁹¹⁵⁶

- (15) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (16) Demolition to Comply With Aust Standard⁹¹⁶³
- (17) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (18) Commencement of Structural Works⁹²⁰²
- (19) Protection from Termites⁹²⁰³
- (20) Protection of External Walls⁹³²³
- (21) Glazing Provisions⁹³³⁰
- (22) Stairs and Balustrades⁹⁴¹⁹
- (23) Smoke alarms⁹⁵²³
- (24) Clothes washing, drying and cooking facilities⁹⁶⁰⁴
- (25) Damp and weather proofing⁹⁶⁰⁵
- (26) Ceiling heights of rooms⁹⁶¹¹
- (27) Survey Certificate at Set Out Stage⁹⁰⁰¹
- (28) Survey Certificate at Completion⁹⁰⁰²
- (29) Construction of External Walls for Dampness⁹⁶²⁴
- (30) Natural Light and Ventilation/Skylights⁹⁶¹⁴
- (31) Ventilation⁷⁰²³
- (32) Noise and Vibration⁷⁰²⁶
- (33) Natural light and ventilation⁹⁶¹³
- (34) Mechanical ventilation to internal bathrooms and laundries⁹⁶¹⁶
- (35) Clean Water Discharge⁴⁰⁰²
- (36) Obstruction of Public Way³⁰²⁹
- (37) Delivery of Construction Materials³⁰³²
- (38) Stormwater Standard⁴⁰⁰¹
- (39) Refuse Skips⁶⁰⁰²

(40) Construction Hours⁹¹⁵¹

(41) Works Within Boundary⁹¹⁵²

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, 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.

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 Councillor Deftereos and by consent, the motion was amended by the addition of clause (C) to the recommendation namely:-

(C) That in consenting to this application it be noted that in departing from Council's Attic Policy this should not be seen as a precedent, given this site's proximity to the Eastern Suburbs Railway, the Eastern Distributor and its corner location next to the viaduct.

Motion, as amended by consent, carried.

2.

VICTORIA STREET, NO.38, POTTS POINT - ALTERATIONS AND ADDITIONS TO EXISTING WEATHERBOARD COTTAGE - DEVELOPMENT APPLICATION (U99-00627)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

(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 1979 to the Development Application submitted by Clinton Murray, with the authority of Hannah

Fink, for permission to alter and add to the building, subject to the following conditions, namely:-

- (1) That the consent shall not operate until the applicant has provided details of the following matters which shall be submitted within three months of the date of this deferred commencement consent, the details shall be to the satisfaction of the Director of Planning and Building and shall be approved in writing before the consent becomes operative:
 - (a) Submission of amended plans in accordance with Conditions (5), (6), (7), (8), (17) and (18);
 - (b) Submission of Landscape Details in accordance with Conditions (9), (10), (11) and (12);
 - (c) Submission of Heritage Requirements in accordance with Conditions (14) and (16).
- (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with the Council a fee of \$4500 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 a development consent, it will be necessary to produce evidence of 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 \$600, or first instalment (as applicable), can be paid to the Council;
- (4) That the development shall be generally in accordance with plans DA01, DA05 to DA12 dated 21 June 1999 and amended ground floor plans numbered DA04 and dated 1 July 1999, subject to amendments outlined in these conditions;
- (5) That the proposed second floor balcony immediately adjacent to the Grantham Lane elevation shall be deleted, details of which shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;
- (6) That the proposed second floor sliding glass door at the Grantham Lane elevation shall be modified to a window opening and shall have a surface area no greater than the surface area of the proposed sliding glass door, details of which shall

be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;

- (7) That fixed vertical privacy louvres shall be located at the front of the second floor window opening adjacent to Grantham Lane which shall ensure that views from the upper level studio are directed to the north or north east only, and not directly east to No.1 St Neot Avenue. Details of which shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;
- (8) That no windows and doors shall be located at the southern elevation of the proposed extension, with the exception of the proposed elevated walkway proposed between the weatherboard cottage and the extension;
- (9) That the two existing plane trees located adjacent to the southern boundary of the site shall be retained and that an expert tree management report be prepared by a suitably qualified arborist/horticulturalist, outlining appropriate management practices during the construction works to ensure the retention and survival of the two Plane trees adjacent to the eastern boundary, and shall be submitted to Council and shall be approved by the Director of Planning and Building prior to the approval of the Construction Certificate;
- (10) That the Kentia Palms located adjacent to the southern boundary shall be relocated and retained on the site, details of which shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;
- (11) That a landscape privacy screen, with a minimum height of 1500mm and a minimum width of 1000mm, comprising mature trees or shrubs shall be located at the eastern edge of the proposed first floor balcony, adjacent to Grantham Lane and at the southern edge of the proposed rooftop open space, adjacent to No. 40 Victoria Street. Details of which shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;
- (12) That a detailed landscape plan and specification for the site, prepared by a qualified Landscape Architect or designer shall be submitted to Council and shall be to the satisfaction of the Director of Public Works and Services. The plan shall nominate hardworks and softworks, including decorative paving types,

retaining walls, garden bed edging, landscape screens, furniture, pergolas and fencing, existing and proposed critical levels, drainage, planting types and species, plant numbers and sizes (container size and height- minimum plant sizes are to be 75 litres for trees and 5 litres for shrubs) and irrigation. The plans shall include construction details. The plans shall be approved by the Director of Public Works and Services prior to the approval of the Construction Certificate;

- (13) That the applicant is advised that the provisions of the Heritage Act and the Relics provisions shall apply, and that should any relics or Items of Archaeological significance be found during any excavation on the site, the applicant is bound to comply with the requirements of the Heritage Act;
- (14) That an archival record of the existing building in accordance with the NSW Heritage Office Guidelines is to be carried out prior to the approval of the Construction Certificate. The recording is to include a survey, photographs, slides and measured drawings. Copies of the Archival Record are to be lodged with South Sydney Council and the State Library of New south Wales;
- (15) That all works relating to the original cottage are to be supervised by a suitably qualified heritage practitioner to ensure minimum intervention in the fabric of the building and appropriate detailing of new work including changes to the stair and reinstatement of original details such as the timber detailing to the verandah, timber shutters and viewing platform;
- (16) That drawings at a scale of 1:50 of the timber detailing to the verandah, timber shutters, changes to the stairs, attic viewing platform, and proposed French Doors are to be prepared under the supervision of a suitably qualified heritage practitioner and are to be submitted and approved by Council prior to the approval of the Construction Certificate;
- (17) That the side windows of the front dormer are to be deleted and replaced with appropriate weatherboards;
- (18) That a maximum of 1 off street parking space shall be provided and except, where elsewhere stipulated, the space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, with a minimum headroom of 2.5m. The applicant is advised that the proposed parking space and driveway does not comply with the Australian Standards and Development Control Plan No. 11 and that the layout of the parking space and access driveway shall be redesigned so that it complies with the relevant Australian Standards and Council's Development Control Plan No. 11. Details of the amended design shall be lodged with Council and

shall be to the satisfaction of the Director of Public Works and Services prior to the approval of the Construction Certificate;

- (19) That a noise management plan for the construction works shall be submitted to the Director of Health and Community Services before any work is commenced;
- (20) That the landscaping required by conditions (9), (10), (11) and (12) shall be maintained to the satisfaction of the Director of Planning and Building in perpetuity;

and the following standard conditions:

- (21) 5002- Upgrade Landscape Areas;
- (22) 5005- Tree Preservation Order;
- (23) 5008- Street Trees
- (24) 5009- Vegetation Survey
- (25) 5013- On Slab Planting;
- (26) 5014- Maintenance of Landscaping;
- (27) 5015- Final Inspection;
- (28) 118- Glazing Reflectivity less than 20%;
- (29) 1002- Works on Public Way Cost;
- (30) 1016- Alignment Levels;
- (31) 3026- Cost of Signposting;
- (32) 3027- Consequential Roadworks;
- (33) 3028- Footway Crossing;
- (34) 3029- Obstruction of Public Way;
- (35) 3030- Construction Traffic;
- (36) 3032- delivery of Construction Materials;
- (37) 4001- Stormwater Standard;
- (38) 4002- Clean water Discharge;
- (39) 6002- Refuse Skips;

- (40) 7008- Construction Noise;
- (41) 7009- Vehicle Cleansing;
- (42) 7023- Ventilation;
- (43) 7026- Noise and Vibration;
- (44) 8501- Compliance with the Building Code of Australia;
- (45) 9001- Survey certificate at Set Out Stage;
- (46) 9104- Comply with BCA;
- (47) 9003- Natural Ground Level Details with Construction certificate;
- (48) 9013- Drainage Details with Construction Certificate;
- (49) 9016- Stormwater Certificate at Completion;
- (50) 9105- Comply with Workcover Authority;
- (51) 9151- Construction Hours;
- (52) 9152- Works Within Boundary;
- (53) 9154- Work on Public Way;
- (54) 9155- Construction Certificate Required;
- (55) 9156- Building/Demolition Noise Control;
- (56) 9157- Maintain Existing Building in a Stable Condition;
- (57) 9163- Demolition to Comply with Aust. Standard;
- (58) 9202- Commencement of Structural Works;
- (59) 9203- Protection from Termites;
- (60) 9307- Protection of Openings;
- (61) 9323- Protection of External Walls;
- (62) 9330- Glazing Provisions;
- (63) 9523- Smoke Alarms;
- (64) 9419- stairs and Balustrades;

- (65) 9602- Protection of walls and Floors in Wet Areas;
- (66) 9604- Clothes Washing, Drying and Cooking Facilities;
- (67) 9605- Damp and weather Proofing;
- (68) 9611- Ceiling Heights of Rooms;
- (69) 9613- Natural Light and Ventilation;
- (70) 9624- Construction of External Walls for Dampness;
- (71) 7069- Soil and Sediment Prosecution Note.

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

Carried.

3.

RENWICK STREET, NOS. 25-27, REDFERN - CONVERT COMMERCIAL BUILDING TO RESIDENTIAL UNITS - DEVELOPMENT APPLICATION (U99-00494)

That the application submitted by Woodhouse & Danks Pty Ltd, with the authority of Pyramid Pacific Pty Ltd and Arongi Pty Ltd, to undertake alterations and additions to the existing warehouse building, including an additional storey, for conversion of the building to a residential flat building containing 3 x 3 bedroom and 1 x 1 bedroom units, be deferred for further discussions between the applicant and the Director of Planning and Building.

Carried.

4.

CROWN STREET, NO. 535, SURRY HILLS - DEMOLISH BUILDING AND ERECT NEW COMMERCIAL PREMISES - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U99-00435)

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

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Harcourt:-

- (A) That the Council as the responsible authority grants its grants its deferred commencement consent pursuant to Section 80(3) to the appli-

cation submitted by Lippmann Associates with the authority of Mr Peter White (owner) for permission to demolish the existing dwelling on the site and erect a commercial and retail building, subject to the following conditions:-

- (1) That the consent shall not operate until the applicant has provided details of the following matters which shall be submitted within three months of the date of this deferred commencement consent, the details shall be to the satisfaction of the Director of Planning and Building and shall be approved in writing before the consent becomes operative:

Submission of details and plans in accordance with Conditions (5), (6), (12), (13), (14), (15), (17) (18), (24) and (25);

- (2) That the development shall be in accordance with the revised Plans numbered 98011/01 to 98011/05 and dated 25 July 1999 and the amended perspective plans numbered 98011/07 dated July 1999, endorsed by Council subject to the amendment outlined below;
- (3) That prior to issuing a Construction Certificate, it will be necessary to lodge with the Council a fee of \$6 300 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 a development consent, it will be necessary to produce evidence of 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 \$840, or first installment (as applicable), can be paid to the Council;
- (5) That the proposed aluminum fins shown on the plans numbered 98011/07 shall extend horizontally around the eastern and southern walls of the proposed building. All projecting fins shall be a minimum of 3600mm above ground level. Details shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;
- (6) That the modified and inverted fins shown on the plans dated 4 August 1999 shall extend the vertical length of the proposed building replacing the 250mm projecting vertical fins shown on the

plans numbered 98011/07 submitted to Council in July 1999. Details of the amendments shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;

- (7) The applicant is advised that the proposed landscape blister at the corner of Lansdowne Street and Crown Street is not approved by this consent. An application shall be submitted to Council's Department of Public Works and Services within three months of the date of this consent and shall be to the satisfaction of the Director of Public Works and Services and the Traffic Committee;
- (8) The applicant is advised that the proposed paving of Crown Street and Lansdowne Street is not approved by this consent. An application shall be submitted to Council's Department of Public Works and Services within three months of the date of this consent and shall be to the satisfaction of the Director of Public Works and Services and the Traffic Committee;
- (9) If the proposed landscape blister and paving is approved by Council, the costs of the proposed work shall be fully borne by the applicant, and the works shall be completed prior to the issue of an Occupation Certificate for the building;
- (10) That a separate application shall be submitted for the use of the premises;
- (11) That the proposed outdoor balcony area shall not be used between 6.00pm and 7.00am, 7 days per week;
- (12) That a landscape privacy screen, with a minimum height of 1500mm and a minimum width of 1000mm, comprising mature trees or shrubs which grow to height generally no greater than 1500mm shall be located at the northern and western edges of the proposed balcony, adjacent to Lansdowne Street. Details of which shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate and the landscape screen shall be maintained at a height of generally 1500mm in perpetuity;
- (13) That a maximum of 3 off street parking space shall be provided and except, where elsewhere stipulated, the spaces shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, with a minimum headroom of 2.5m. The proposed parking spaces and driveway shall comply with the Australian Standards and Development Control Plan No. 11. Details of the design shall be lodged with Council and shall be to the satisfaction of the Director of Public Works and Services prior to the approval of the Construction

Certificate;

- (14) That the maximum width of the proposed driveway at Lansdowne Street shall be 6 metres and shall be to the satisfaction of the Director of Public Works and Services prior to the approval of the Construction Certificate;
- (15) That the applicant shall lodge an application to Council's Department of Public Works and Services for the removal of the street tree at Lansdowne Street adjacent to the proposed garage. The applicant shall pay all associated costs for establishing a replacement street tree in an alternative location in vicinity of the site to the satisfaction of the Director of Public Works and services;
- (16) (A) Section 94 Contributions

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

Contribution Category	Amount	Account
Open Space Land Acquisition Open Space/Townscape/ Public Domain	\$ 499	2E97001.BGYO
Accessibility And Transport Management	\$1792 \$ 342	2E97002.BGYO 2E97006.BGYO
Multi Function Administration Centre	\$ 14 \$ 70	2E97007.BGYO 2E97008.BGYO
Total	\$2717	

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

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

where:

C is the original contribution amount as shown above;

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

CPI₁ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent as shown above.

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

Payment shall be made before the release of Construction Certificate.

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 Construction Certificate plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

(B) Works in Kind

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

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

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

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

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

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

- (17) That a detailed landscape plan and specification for the site, prepared by a qualified Landscape Architect or designer shall be submitted to Council and shall be to the satisfaction of the Director of Public Works and Services. The plan shall nominate hardworks and softworks, including decorative paving types, retaining walls, garden bed edging, landscape screens, furniture, pergolas and fencing, existing and proposed critical levels, drainage, planting types and species, plant numbers and sizes (container size and height- minimum plant sizes are to be 75 litres for trees and 5 litres for shrubs) and irrigation. The plans shall include construction details. The plans shall be approved by the Director of Public Works and Services prior to the approval of the Construction Certificate;
- (18) That the proposed solar hot water heating system shall be replaced with a heat pump system. Details shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to the approval of the Construction Certificate;
- (19) The roller shutter door to the car park shall be of an open grille type;
- (20) That a garbage room shall be constructed in accordance with the requirements of Council's Waste Management/ Minimisation Fact Sheets and shall be detailed in the application for a Construction Certificate;
- (21) That a separate recycling storage area for commercial use shall be provided on the site and shall be detailed in the application for a Construction Certificate;
- (22) That bicycle storage facilities for a minimum of 2 bicycles shall be provided on the site in accordance with Development Control Plan No. 11. Details of which shall be provided in the application for a Construction Certificate;
- (23) That the applicant is advised that the application has not been assessed for compliance with the Building Code of Australia and

the Local Government (Approvals) Regulations;

(24) That appropriate articulation of the northern boundary shall be used such as use of contrasting brickwork to ensure that the massing of the wall is broken up as viewed from the site to the north. Details shall be provided to Council prior to the approval of the Construction Certificate and shall be to the satisfaction of the Director of Planning and Building;

(25) That the owner/developer shall dedicate to the Council, free of cost to the Council, the following land:

a 1 metre splay at the intersection of Crown and
Landsdowne Streets

-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

The building shall be redesigned so that it is fully contained behind the 1 metre splay. Details of the amended design shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building prior to approval of the Construction Certificate;

(26) That plans and specifications demonstrating compliance with the nominated standards and requirements for the following aspects of the development shall be submitted to Council for approval prior to the issue of a Construction or Occupation Certificate:

(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;

(27) The applicant is advised that the proposed skylights at the roof may, as a result of any future development on adjoining properties, be obstructed;

and the following adopted standard conditions:

(28) Tree Preservation Order⁵⁰⁰⁵

- (29) Street Trees⁵⁰⁰⁸
- (30) Preserve Existing Trees⁵⁰⁰⁶
- (31) On Slab Planting⁵⁰¹³
- (32) Maintenance of Landscaping⁵⁰¹⁴
- (33) Final Inspection⁵⁰¹⁵
- (34) Glazing Reflectivity less than 20%¹¹⁸
- (35) Construction of Widened Roadway - Costs¹⁰⁰¹
- (36) Works on Public Way Cost¹⁰⁰²
- (37) Paving¹⁰⁰³
- (38) Builders Hoarding Permit¹⁰⁰⁸
- (39) Dedication of Roads/Splay¹⁰⁰⁹
- (40) Alignment Levels¹⁰¹⁶
- (41) Underground Support¹⁰¹⁷
- (42) Road Opening Permit³⁰²⁵
- (43) Cost of Signposting³⁰²⁶
- (44) Consequential Roadworks³⁰²⁷
- (45) Footway Crossing³⁰²⁸
- (46) Obstruction of Public Way³⁰²⁹
- (47) Delivery of Construction Materials³⁰³²
- (48) Stormwater Standard⁴⁰⁰¹
- (49) Clean Water Discharge⁴⁰⁰²
- (50) Refuse Skips⁶⁰⁰²
- (51) Commercial Garbage Contract⁶⁰⁰³
- (52) Commercial Garbage Storage⁶⁰⁰⁴
- (53) Storage/Garbage⁶⁰⁰⁹

- (54) Garbage/Recyclable Material Room⁶⁰¹⁰
- (55) Breakdown of materials on site⁷⁰⁰¹
- (56) Construction Noise⁷⁰⁰⁸
- (57) Ventilation⁷⁰²³
- (58) Fitout of Food Premises⁷⁰²⁰
- (59) Air Handling⁷⁰²⁵
- (60) Noise and Vibration⁷⁰²⁶
- (61) Sanitary Facilities⁷⁰¹⁶
- (62) Noise⁷⁰²⁸
- (63) Car Park Ventilation⁷⁰²⁹
- (64) Sewer Discharge⁸⁰⁰⁴
- (65) Compliance with Building Code of Australia⁸⁵⁰¹
- (66) Support for Neighbouring Buildings⁸⁵⁰⁶
- (67) Natural Ground Level Details with Construction Certificate⁹⁰⁰³
- (68) Survey Certificate at Set Out Stage⁹⁰⁰¹
- (69) Survey Certificate at Completion⁹⁰⁰²
- (70) Drainage Details with Construction Certificate⁹⁰¹³
- (71) Stormwater Certificate at Completion⁹⁰¹⁶
- (72) Comply With the WorkCover Authority⁹¹⁰⁵
- (73) Construction Hours⁹¹⁵¹
- (74) Comply With BCA⁹¹⁰⁴
- (75) Works Within Boundary⁹¹⁵²
- (76) Work on Public Way⁹¹⁵⁴
- (77) Construction Certificate Required⁹¹⁵⁵
- (78) Building/Demolition Noise Control⁹¹⁵⁶

- (79) Excavations and Backfilling⁹¹⁶⁰
 - (80) Excavations and Backfilling Safely⁹¹⁶¹
 - (81) Guarding of Excavations⁹¹⁶²
 - (82) Demolition to Comply With Aust Standard⁹¹⁶³
 - (83) Commencement of Structural Works⁹²⁰²
 - (84) Protection of Openings⁹³⁰⁷
 - (85) Emissions⁷⁰⁰⁴
 - (86) Sanitary Facilities⁷⁰¹⁶
 - (87) Portable Fire Extinguishers be Installed⁹⁵⁰¹
 - (88) Hose Reels be Installed⁹⁵⁰⁶
 - (89) Hydrants be Installed⁹⁵⁰⁷
 - (90) Emergency lighting⁹⁵¹⁸
 - (91) Exit signs⁹⁵¹⁹
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

5.

ELIZABETH STREET, NOS. 830-838, WATERLOO – (FORMER CHUBB SITE) – PROPOSED MASTER PLAN (2015654)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council adopts in principle the Masterplan submitted by St Hilliers Pty Ltd for the site at Nos. 830-838 Elizabeth Street, Waterloo (former Chubb site), as a framework for development establishing the retention of identified heritage items, the general location of new pedestrian and cycleway linkages, public domain improvements together with building heights, and envelopes, subject to comments made in this

report, and specifically 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 specified landuses;
- (2) A more defined through-site link be provided at the centre of the site, with the potential to form a continuous pedestrian network corridor linking the site on the corner of Powell Street and Hunter Street and eventually through to Hawksley Street;
- (3) The proponent be advised that the maximum permissible FSR for the site shall not exceed 2:1 and that Council is not prepared to exclude the floor space of the heritage items on the site;
- (4) The major public domain improvements are implemented in as part of the bonus FSR. This must include contributions and enhancement of the site towards the formation of the new public spaces related to the proposed Square envisaged for the intersection between Powell Street and Young Street. (Reference should be made to the Ground Floor Plan and Landscaping Plan illustrations in the proposed Masterplan);
- (5) Detailed building form and envelope analysis including roof modelling are submitted with future development **applications** for the site to ensure building envelope controls under DCP 1997 are satisfied, and that a more discernible juxtaposition between the residential component and the Chubb building is achieved;
- (6) The size, location and proportions of open space shall be further refined to achieve a clearer hierarchy and delineation between public and private communal open spaces;
- (7) Detailed valuation of the public domain improvements provided to qualify for the bonus floor space are submitted to Council and set in a memorandum of understanding between Council and the developer, prior to any development consent for buildings or works;
- (8) The former Luke Muras Building shall be further assessed and the extent of fabric retention determined in conjunction with any proposed development. The building should be fully retained until such time as this assessment is carried out;
- (9) Consideration should be given to the naming of site elements, demonstrating the previous history of the site;
- (10) The large scale and industrial character of the site should be maintained and interpreted in a contemporary manner for the new

work;

- (11) The proposed buildings shall be designed and constructed for noise mitigation to take into account potential traffic activity in Short Street should it be opened in future as part of a by-pass of Elizabeth Street South. Council will not recognise any objection to the Short Street proposal by the applicant on associated amenity grounds when it is formally advertised;
- (12) The new residential and commercial components of the site shall ensure the provision of on-site car parking in accordance with the rates specified within Green Square DCP;
- (13) The developer shall contribute an amount equivalent to the cost of a refuge with associated kerbside treatments either to be spent on a refuge itself or as a contribution towards traffic lights at Elizabeth/Short Street proposed as part of the possible extension of Short Street;
- (14) The development and its environs shall be designed in accordance with Council's Equitable Access Design Policy. Note that development and building approvals are assessed in accordance with relevant building laws and Council development controls. Irrespective of any requirements, directives, suggestions and conditions imposed by Council, it remains the responsibility of the developer, designer or builder to investigate their possible liability and compliance with the Disability Discrimination Act. A conservative, best-practice approach such as adherence to the Advisory Notes on Access To Premise by the Human Rights and Equal Opportunity Commission (incorporated into Equitable Access Design Policy, may be the best defence against potential action until an accepted industry standard is available;
- (15) The pedestrian and bicycle paths adjacent to Aras Lane shall be designed in accordance with Austroads Guide to Traffic Engineering Practice - Part 14 Bicycles and be to the satisfaction of Council. Details shall be resolved in conjunction with the public domain improvements;
- (16) The proponent be advised that prior to the lodgement of any development applications for the site, a site audit statement would be required to be carried out;
- (17) Amended Masterplan drawings shall be submitted to Council following discussions with Council officers to refine the exhibited Masterplan in accordance with comments and recommendations contained in this report. The amended Masterplan shall be submitted prior to determination of any Stage 2 development applications.

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

Carried.

6.

PLANNING - SOUTH SYDNEY DRAFT HERITAGE CONSERVATION LOCAL ENVIRONMENTAL PLAN (2018117)

Deferred:-

- (1) for a further report to Council on the issues raised at the Committee Meeting by residents;
- (2) for a briefing of all Councillors at a time and date to be determined.

Carried.

7.

DEVINE STREET, NO. 35, ERSKINEVILLE - CONSTRUCTION OF FIRST FLOOR BALCONY AT THE REAR, DEMOLITION OF REAR WALL AND ERECTION OF NEW KITCHEN AND BATHROOM - DEVELOPMENT APPLICATION (U99-000362)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Glenn O Brien for permission to carry out alterations and additions at No. 35 Devine 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 \$450 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 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 \$60, or first instalment (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 SK01A, SK02A, SK03A, SK04A, SK05A, SK06A;
- (4) That the depth of the proposed first floor rear balcony shall be reduced by 100m to comply with the controls for Juliet balconies in DCP 1997;
- (5) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia, AS1668.1 and 2 and Council's Ventilation Code;
- (6) That noise and vibration from the use and operation 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;
- (7) That natural light and ventilation shall be provided in accordance with requirements of Parts 3.8.4 and 3.8.5 of the BCA respectively;
- (8) 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;
- (9) That all relevant sections of the BCA shall be complied with;
- (10) 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;
- (11) That the requirements of the Work Cover Authority shall be complied with;
- (12) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed wall has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
- (13) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the location of the building in relation to the boundary lines of the allotment;

- (14) 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;
- (15) That details of the existing and proposed drainage system shall be submitted with the application for a Construction Certificate;
- (16) 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 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 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);
- (17) That all proposed work shall be wholly within the boundaries of the site;
- (18) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (19) That the demolition work shall comply with Australian Standard 2601-1991;
- (20) That all timber framing shall be in accordance with AS 1684-1992 S.A.A. National Timber Framing Code or certified by a structural engineer in accordance with AS 1720.1 timber structures code;
- (21) That no structural work shall be commenced until the construction certificate is issued by the certifying authority;
- (22) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code";
- (23) That suitable smoke alarm systems shall be provided in accordance with the requirements of Part 3.7.2 of the BCA;
- (24) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part 3.8.2 of the BCA;
- (25) That skylights providing required natural light and ventilation to habitable rooms shall be demonstrated to comply with the provisions of Parts 3.8.4 and 3.8.5 of the Building Code of Australia prior to the issue of a construction certificate;

- (26) That clothes washing, drying and cooking facilities shall be provided in accordance with the requirements of Part 3.8.3 of the BCA;
- (27) That all damp and weatherproofing provisions shall be in accordance with Part 3.8 of the BCA;
- (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 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;
- (30) 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;
- (31) 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);

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, 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.

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

Carried.

8.

SEALE STREET, NO. 19, EAST SYDNEY- ALTERATIONS AND ADDITIONS TO THE REAR OF AN EXISTING TERRACE- DEVELOPMENT APPLICATION (U99-00609)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Cracknell Lonergan Architects, with the authority of Alan Sandison, for permission to install glass and acrylic awning, extend the existing deck, install privacy screens and internal alterations, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with the plan numbered AS01, dated June 1999 and stamped "approved";
 - (2) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia, AS1668.1 and 2 and Council's Ventilation Code;
 - (3) That noise and vibration from the use and operation 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;
 - (4) That natural light and ventilation shall be provided in accordance with requirements of Parts 3.8.4 and 3.8.5 of the BCA respectively;
 - (5) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$300 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.
 - (6) 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;
 - (7) 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 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 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);

- (8) That a fire blanket complying with the requirements of AS3504 shall be provided in the kitchen adjacent to the cooking appliances;
- (9) That a certificate shall be submitted from a licensed builder or architect confirming that the design of the drainage system is in accordance with AS3500 Part 3 and "Code of Standard Requirements for the Discharge of Storm Water";
- (10) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (11) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (12) That the demolition work shall comply with Australian Standard 2601-1991;
- (13) That all timber framing shall be in accordance with AS 1684-1992 S.A.A. National Timber Framing Code or certified by a structural engineer in accordance with AS 1720.1 timber structures code;
- (14) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code";
- (15) That the floor surfaces of water closets, shower compartments and the like shall be of materials impervious to moisture and the walls shall be finished with an approved impervious finish in accordance with the requirements of Part 3.8 of the BCA;
- (16) That clothes washing, drying and cooking facilities shall be provided in accordance with the requirements of Part 3.8.3 of the BCA;
- (17) That all damp and weatherproofing provisions shall be in accordance with Part 3.8 of the BCA;
- (18) That a balustrade or other barrier be provided to the first floor in accordance with Part 3.9.2.3 of the Building Code of Australia Housing Provisions.

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.

9.

PLANNING - KING STREET ENMORE ROAD HERITAGE AND URBAN DESIGN DCP - ADOPTION (2020376)

That Council:-

- (1) adopt the Draft King Street and Enmore Road Heritage and Urban Design Development Control Plan, and accompanying King Street and Enmore Road Heritage and Urban Design Study;
- (2) give public notice of this decision in accordance with the requirements of the Environmental Planning & Assessment Regulation;
- (3) pursue the issue of joint funding for the completion of the Inventory of Contributory Buildings, with Marrickville Council;
- (4) seek quotations for the completion of the Inventory of Contributory Buildings jointly with Marrickville Council (pending Item 3), with South Sydney City Council's contribution to the consultancy to be funded from GW99012: Heritage Ongoing Investigations;
- (5) investigate the establishment of Panels of Review (Design Panel and DA Advisory Committee) for both development applications and ongoing dialogue between the two Councils concerning planning and future policy implementation along King Street and Enmore Road;
- (6) make a joint submission with Marrickville Council, for the nomination of the King Street / Enmore Road precinct for inclusion on the State Inventory of Heritage Items;
- (7) investigate the inclusion of alterations to the conservation area boundary and the additional 30 items as amendments to the Heritage LEP.

(DPB Report 30.7.99)

Carried.

10.

PINE STREET, NOS. 1-35, CHIPPENDALE - TO ERECT 30 X 3 BEDROOM UNITS AND 25 X 2 BEDROOM UNITS - MODIFICATION OF CONSENT - DEVELOPMENT APPLICATION (U97-00217)

- (A) That Council raise no objection in the Land and Environment Court to the modification of the development consent granted to Cityscape Group Pty Ltd for permission to erect 55 units and to permit the wall near Moorgate Lane which has already collapsed to be rebuilt.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

(DPB Report 30.7.99)

Carried.

11.

RENWICK STREET, NO. 57, ALEXANDRIA- ALTERATIONS AND ADDITIONS TO DWELLING AND ERECT GARAGE AT REAR - DEVELOPMENT APPLICATION (U99-00540)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Evan Lee Architects Pty Ltd with the authority of Mr Michael Thompson and Helen Price (owners) for permission to alter and add to the existing dwelling, subject to the following conditions, namely:-
 - (1) That the development shall be in accordance with the Plans numbered 001 to 007 dated May 1999, endorsed by Council subject to the amendments outlined below;
 - (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with the 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 a development consent, it will be necessary to produce evidence of 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 \$120, or first installment (as applicable), can be paid to the Council;

- (4) That the existing chimney shall be raised 1 metre and shall generally reflect the detail and materials of the existing chimney and shall be detailed in the Construction Certificate;
- (5) That a solid privacy screen with a minimum height of 1700mm shall be erected at the eastern and western edges of the proposed first storey rear balcony. Details shall be submitted with the Construction Certificate;
- (6) That the proposed glass blocks located on the side boundaries shall be translucent and shall not allow views to neighbouring properties. A sample of the proposed materials shall be submitted with the Construction Certificate;
- (7) That the proposed semi circular skylight located at the roof ridge shall be redesigned so that it is flush against the roof and is not visible from Renwick Street. Details shall be provided in the Construction Certificate;
- (8) That all new windows and doors shall be constructed in timber joinery. Details shall be provided in the Construction Certificate;
- (9) That the windows shown on the plans marked as having "opaque" glass, shall have "translucent" glass. Details shall be submitted with the Construction Certificate;

and the following adopted standard conditions:

- (10) Ventilation⁷⁰²³
- (11) Sewer Discharge⁸⁰⁰⁴
- (12) Natural light and ventilation⁹⁶¹³
- (13) Alignment Levels¹⁰¹⁶
- (14) Road Opening Permit³⁰²⁵
- (15) Footway Crossing³⁰²⁸
- (16) Stormwater Standard⁴⁰⁰¹
- (17) Support for Neighbouring Buildings⁸⁵⁰⁶
- (18) Survey Certificate at Set Out Stage⁹⁰⁰¹

- (19) Survey Certificate at Completion⁹⁰⁰²
- (20) Structural Design Certificate⁹⁰⁰⁶
- (21) Stormwater Design Certificate⁹⁰¹⁵
- (22) Drainage Details with Construction Certificate⁹⁰¹³
- (23) Stormwater Certificate at Completion⁹⁰¹⁷
- (24) Single Dwelling Occupation Only⁹¹⁰³
- (25) Comply With BCA⁹¹⁰⁴
- (26) Walls Not to be Built as Party Walls Unless Consent Obtained⁹¹⁰⁸
- (27) Notification of Contractors Licence Details⁹¹¹⁰
- (28) Construction Hours⁹¹⁵¹
- (29) Building/Demolition Noise Control⁹¹⁵⁶
- (30) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (31) Works to be Within Allotment Boundaries⁹¹⁵⁹
- (32) Demolition to Comply With Aust Standard⁹¹⁶³
- (33) Construction Certificate Required⁹¹⁵⁵
- (34) Protection from Termites⁹²⁰⁴
- (35) Protection of External Walls⁹³²³
- (36) Sarking Material Flammability Index⁹³²⁵
- (37) Glazing Provisions⁹³³⁰
- (38) Stairs and Balustrades⁹⁴¹⁹
- (39) Smoke alarms⁹⁵²³
- (40) Protection of walls and floors in wet areas⁹⁶⁰²
- (41) Damp and weather proofing⁹⁶⁰⁵
- (42) Ceiling heights of rooms⁹⁶¹¹
- (43) Natural light and ventilation⁹⁶¹³

(44) Construction of External Walls for Dampness⁹⁶²⁴

(45) Flashings to Boundary Walls⁹⁶²⁵

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 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 or be placed in a position where any of the aforementioned may occur. The applicant shall ensure that its employees, agents, or sub-contractors provide and maintain sediment control measures and suitable site practices to protect the stormwater system or waterways from the ingress of sediment. A warning notice shall be erected on the site in a clear and conspicuous position and is available from Council.

- (B) The applicant is advised that the proposed openings onto the side boundaries may, as a result of any future development on the adjoining properties, be obstructed.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

12.

CALDER ROAD, NO. 29, CHIPPENDALE - CONVERT ATTIC INTO A NURSERY AND BEDROOM - SECTION 82A REVIEW (U98-00988)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

- (A) That the Council confirms its refusal to grant its consent under the Environmental Planning and Assessment Act 1979 to the development application submitted by Ron Bracher (Owner) to convert the existing attic into a habitable room, for the reasons given on 31 March 1999 and these are as follows:-
 - (1) That the proposal fails to comply with the maximum permissible height requirements of the South Sydney Development Control Plan 1997 and the proposed excessive height is not justified in the circumstances of the case;
 - (2) That the proposal would cause significant adverse impacts to the conservation area of which the site of the proposal is part under

the provisions of the South Sydney Local Environmental Plan 1998;

- (3) That the proposal would cause significant adverse privacy impacts to the rear yard areas of adjoining dwellings;
 - (4) That approval of the proposal would set an undesirable precedent and would not be appropriate in the circumstances of the case.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

13.

PARRAMATTA ROAD, NOS. 140-144, CAMPERDOWN - RETAIN EXISTING LIQUOR STORE AND ERECT FOUR LEVEL RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U99-00273)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Richtoy P/L with the authority of same for permission to demolish the warehouse building and erect additional retail and office space in association with the existing liquor outlet as well as for the erection of 40 residential units and a basement level 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 \$15,000 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 \$6000 or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (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 Center, 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 Center	\$17,791	2E97008.BGY0

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

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

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.

(4) Part A

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 1998, the following monetary contributions towards the cost of providing facilities and amenities are required.

Contribution Category	Amount	Account
Open Space: LGA Works Programme	\$10,992	2E97003.BGY0
Open Space: New Parks	\$55,977	2E97009.BGY0
Accessibility And Transport	\$ 333	2E97006.BGY0
Management	\$ 848	2E97007.BGY0
Total	\$68,150	

The above payments, with the exception of the land acquisition component of New Parks and Management, will be adjusted according to the relative change in the Consumer Price Index

using the following formula. The contribution for land will be adjusted in accordance with the latest annual 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 calculation being - Quarter 1998/99.

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 certificate.

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 construction plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

Part B

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

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

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

Unless otherwise agreed, security in the form of an unconditional bank guarantee for the full contribution amount must be lodged

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

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

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

- (5) That 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;
- (6) That the development shall be generally in accordance with plans numbered RC98121-00-14 and L01 and S01 and as amended in red;
- (7) That obscure glass shall be used for the balustrades along the Isabella Street frontage;
- (8) That secure bicycle storage facilities shall be provided for residents and visitors on the basis of a minimum of 13 x Class 1 individual storage lockers and 4 x Class 3 u-stand racks (AS.2890.3) respectively details to be submitted in the Construction Certificate;
- (9) That length of parking spaces 14 and 15 be increased to have a length of no less than 5.5 metres by reducing the aisle width to 6 metres;
- (10) That the ramp entry width be increased to 6.5 metres to allow for two way movements and parking spaces 2 to 8 be reduced from 2.7 metres to 2.4 metres to allow for the increased width;
- (11) That service deliveries to the basement loading dock nor occur before 7.300 a.m. or after 9.00 p.m. on any day;
- (12) That the hours of operation shall be restricted to between 8.30 am to 9.00 pm Mondays to Saturdays and 10.00 am to 8.00 pm Sundays for the retail liquor outlet;

- (13) That the Layton Street car spaces be signposted suitably to designate customer parking with an appropriate time limit;
- (14) That the proposed new awning along Parramatta Road and Layton Street shall be setback a minimum of 0.6 metre from the respective footways;
- (15) That the owner/developer shall dedicate to the Council, free of cost to the Council, the following land:
 - (a) a 3000m splay at the intersection of Parramatta Road and Layton Street;
 - (b) a 2500mm splay at the intersection of Layton Street and Isabella Street;

-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;

- (16) That the residential car parking be allocated in strata plan on the basis of one car space for each of 8 two bedroom units, 9 car spaces for the one bedroom units. 2 car spaces for the commercial basement parking and 4 car spaces for visitor parking;
- (17) That the floor space ratio (utilising the definition of gross floor area in LEP 1998) shall not exceed 2.13:1, and calculations demonstrating compliance with this condition shall be lodged with the application for a construction certificate;
- (18) That details shall be submitted (coloured elevations to an appropriate scale), including proposed materials, colours and finishes with the application for a Construction Certificate, in respect to the following:
 - (a) external finishes to walls;
 - (b) roofing;
 - (c) balcony treatment;
 - (d) proposed fences;
 - (e) windows and doors;

-and such materials shall respect and be consistent with the attributes and character of the surrounding area;

- (19) That, of the required car parking spaces, at least 1 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;

- (20) That the entry ramp to the basement car park shall be amended to provide a minimum width of 6.5m, a maximum gradient of 1 in 6 with suitable transition at either end and a maximum gradient of 1 in 12 for the first 4m inside the building;
- (21) That the developer shall install external flashing lights, activated by vehicle detectors, so as to warn pedestrians of exiting vehicles;
- (22) That the developer shall provide a system of on site stormwater detention to conform to Council's Code. The developer shall submit before application for a Construction Certificate, the drainage plans prepared by a drainage consultant certified by Council. The drainage must be discharged to Council's system in accordance with the requirements of the Director of Public Works and Services. The developer must pay Council all fees relating to the discharge of stormwater;
- (23) 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);
- (24) That the developer shall reinstate any damaged kerb and gutters in materials similar to those existing;
- (25) That the developer shall accept the responsibility for the cost of any alteration or adjustment to the existing public utility services affected by roads and drainage works associated with the development;
- (26) That the premises including all internal rooms not provided with adequate natural ventilation shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (27) That the car park shall be ventilated in accordance with the requirements of Australian Standard 1668.1-1998 and Australian Standard 1668.2-1991, Section 4;
- (28) That an Environmental Site Assessment (Land Contamination Assessment) is to be carried out in accordance with requirements of the DUAP Managing Land Contamination Guidelines, EPA guidelines and State Environmental Planning Policy No 55 (SEPP

55). The assessment will be required to assess potential risk posed by contaminants to health and the environment and contain sufficient information to develop a remedial action plan if required. The assessment will be required to include a site audit statement prepared by an EPA accredited auditor stating that the land is suitable for the proposed use. Council reserves the right to require a site audit at any stage of the investigatory and/or remediation process.

*NOTE: Where remediation is required the applicant is advised that a separate development consent may be required pursuant to the Environmental Planning and Assessment Act, 1979 and SEPP55;

- (29) 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;
- (30) That new work including footings excluding the proposed shop awning shall not project beyond the street alignment or boundaries of the allotment;
- (31) 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;

and the following adopted standard conditions:

- (31) Sign for Visitor Parking³⁰¹⁰
- (32) Intercom for Visitors³⁰¹¹
- (33) Loading Within Site³⁰¹⁴
- (34) Loading/Parking kept clear³⁰¹⁶
- (35) Disabled Entry³⁰²⁴

- (36) Works on Public Way Cost¹⁰⁰²
- (37) Paving¹⁰⁰³
- (38) Alteration of Public Services¹⁰⁰⁶
- (39) Builders Hoarding Permit¹⁰⁰⁸
- (40) Alignment Levels¹⁰¹⁶
- (41) Cost of Signposting³⁰²⁶
- (42) Consequential Roadworks³⁰²⁷
- (43) Footway Crossing³⁰²⁸
- (44) Construction Traffic³⁰³⁰
- (45) Obstruction of Public Way³⁰²⁹
- (46) Traffic and Pedestrian Management³⁰³¹
- (47) Clean Water Discharge⁴⁰⁰²
- (48) Connection to Council's Stormwater System⁴⁰⁰⁵
- (49) Refuse Skips⁶⁰⁰²
- (50) Survey Certificate at Set Out Stage⁹⁰⁰¹
- (51) Works Within Boundary⁹¹⁵²
- (52) Work on Public Way⁹¹⁵⁴
- (53) Landscape Plan⁵⁰⁰¹
- (54) On Slab Planting⁵⁰¹³
- (55) Maintenance of Landscaping⁵⁰¹⁴
- (56) Final Inspection⁵⁰¹⁵
- (57) Underground Support¹⁰¹⁷
- (58) Articulated Vehicles³⁰¹⁸
- (59) Road Opening Permit³⁰²⁵
- (60) Obstruction of Public Way³⁰²⁹

- (61) Delivery of Construction Materials³⁰³²
- (62) Dedication for Substation⁸⁰⁰³
- (63) On Site Detention –Stormwater⁴⁰⁰³
- (64) Hours of Work and Use of Cranes⁹¹⁵³
- (65) Building/Demolition Noise Control⁹¹⁵⁶
- (66) Garbage/Recyclable Material Room⁶⁰¹⁰
- (67) Storage/Garbage⁶⁰⁰⁹
- (68) Commercial Garbage Storage⁶⁰⁰⁴
- (69) Position of Garbage Area⁶⁰⁰⁵
- (70) Containers for Garbage⁶⁰⁰⁶
- (71) Recycling⁶⁰⁰⁷
- (72) Comply With BCA⁹¹⁰⁴
- (73) Construction Certificate Required⁹¹⁵⁵
- (74) Building/Demolition Noise Control⁹¹⁵⁶
- (75) Excavations and Backfilling⁹¹⁶⁰
- (76) Excavations and Backfilling Safely⁹¹⁶¹
- (77) Guarding of Excavations⁹¹⁶²
- (78) Demolition to Comply With Aust Standard⁹¹⁶³
- (79) hsc706 - Storage of recyclable;
- (80) hsc711 - Commercial contract (trade waste);
- (81) hsc800 - Use of appliances emitting intrusive noise;

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 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 or be placed in a position where any of the

aforementioned may occur. The applicant shall ensure that its employees, agents, or sub-contractors provide and maintain sediment control measures and suitable site practices to protect the stormwater system or waterways from the ingress of sediment. A warning notice shall be erected on the site in a clear and conspicuous position and is available from Council;

NOTE 2: The proposed location of the residential garbage room should be referred to the Cleansing Services Branch for approval.

NOTE 3: The applicant is advised that the application has not been assessed for compliance with the Building Code of Australia or the Local Government (approval) Regulation.

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.

14.

PARRAMATTA ROAD, NOS. 112-122, CAMPERDOWN - SECTION 96 AMENDMENT TO THE CONSENT FOR DEMOLITION OF THE EXISTING BUILDINGS AND ERECTION OF A NEW BUILDING CONTAINING 38 RESIDENTIAL UNITS, 6 RETAIL/COMMERCIAL TENANCIES AND BASEMENT PARKING - DEVELOPMENT APPLICATION (U98-00429)

- (A) That the Council as the responsible authority grant its consent to the application submitted by SJPH DesignInc Pty Ltd to modify development consent No. U98-00429 dated 8 September 1998, pursuant to Section 96(2) of the Environmental Planning and Assessment Act, 1979 in the following manner:

Deletion of conditions 1, 2, 3 and 8 and the insertion in lieu thereof of the following new conditions, namely:-

- (1) That the development shall be generally in accordance with drawings numbered DA000/B-002/B DA101-104/B, DA202/B, DA201/B, DA301/B;
- (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	\$69,296	2E97001.BGY0
Open Space/Townscape/Public Domain	\$21,180	2E97002.BGY0
Accessibility And Transport	\$ 266	2E97006.BGY0
Management	\$ 1,032	2E97007.BGY0
Total	\$91,774	

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 .

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	\$19,154	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)

and the inclusion of the following new conditions:-

- (53) 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;

NOTE: That the applicant shall be advised that this Section 96 Application has not been assessed for compliance with the Building Code of Australia or Local Government (Approvals) Regulations and that if alternative solutions are proposed under the performance base provisions of the Building Code of Australia, all documentation and supporting evidence shall be submitted with the application for a construction certificate.

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

Carried.

15.

VICTORIA STREET, NOS. 15-17, BEACONSFIELD - USE OF AN EXISTING WAREHOUSE BY THE CO-MASONIC TRUST FOR MEETINGS - DEVELOPMENT APPLICATION (U99-00594)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by John O'Brien, with the authority of Kerry Industries, for permission to use an existing warehouse by the Masonic Trust for meetings, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 101, drawing no. 247-1 dated 8 June 1999;
 - (2) That a separate development application shall be submitted at the appropriate time for any proposed signs;
 - (3) That a maximum of 10 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, 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;
 - (4) That the use of the premises shall be restricted to between 6.30pm and 9.30pm twice per week on weekdays only and from 2pm to 7pm on Saturdays twice per month only;
 - (5) That no more than 30 members shall use the premises at any one time;
 - (6) That members shall enter and exit the site in a quiet and prompt manner and at no time shall members congregate at the front or rear of the subject building;

- (7) That the consumption of alcohol on the premises is strictly prohibited;
- (8) That an additional exit shall be provided in accordance with the requirements of Clause D.1.2(d) of the Building Code of Australia;
- (9) That plans and specifications demonstrating compliance with the nominated standards and requirements for the following aspects of the development shall be submitted to Council for approval prior to the issue of a Construction or Occupation Certificate:

-all required mechanical ventilation systems;

-and the following adopted standard conditions:

- (10) No Live Entertainment¹⁰⁷
- (11) Noise⁷⁰²⁸
- (12) Ventilation⁷⁰²³
- (13) Comply With BCA⁹¹⁰⁴
- (14) Construction Certificate Required⁹¹⁵⁵
- (15) Exit Doors Installed in a Path of Travel to an Exit⁹⁴²¹
- (16) Portable Fire Extinguishers be Installed⁹⁵⁰¹
- (17) Emergency lighting⁹⁵¹⁸
- (18) Exit signs⁹⁵¹⁹
- (19) Hose Reels be Installed⁹⁵⁰⁶
- (20) Number of toilets to be provided⁹⁶⁰⁸

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

The Planning and Development Committee Meeting terminated at 7.53 p.m.

The Council Meeting terminated at 7.50 p.m.

Confirmed at a meeting of South Sydney City Council
held on1999

CHAIRPERSON

GENERAL MANAGER