

244th Meeting

**Erskineville Town Hall
Erskineville
99892**

Wednesday, 8 March 2000

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.36 p.m on Wednesday, 8 March 2000.

PRESENT

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

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

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GENERAL MANAGER

Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Waters:-

That the minutes of the Ordinary Meeting of Council of 23 February, 2000 be taken as read and confirmed.

At the request of Councillor Deftereos and by consent the minutes of the Ordinary Council of 23 February 2000 were amended on page 69, under the heading "Mayor Farewell Dinner" by the deletion of the first paragraph in the Minute by the General Manager dated 3 February 2000, and the insertion in lieu thereof, of the new paragraph namely:-

Some Councillors have asked for me to arrange a farewell dinner for the Mayor Councillor Vic Smith.

Motion, as amended by consent, carried.

The minutes were then taken as read and confirmed.

Carried.

Apologies

Apologies for non-attendance at the meeting was received from Councillors Fowler and Macken.

Moved by Councillor Harcourt, seconded by Councillor Bush:-

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

Carried.

MINUTE BY THE MAYOR

28 February 2000

**COMMITTEE - SYDNEY WATER CORPORATION – APPOINTMENT OF
COUNCILLOR SONIA FENTON (2011376)**

Council on 8 December 1999, nominated Councillor Sonia Fenton as the representative to fill the vacancy on the Corporate Customer Council, Central Area, of the Sydney Water Corporation.

I now have very much pleasure in advising Council that Councillor Fenton has been appointed as the Local Government representative on the Corporate Customer Council.

On behalf of Council may I extend congratulations to Councillor Fenton on her appointment.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Harcourt, seconded by Councillor Fenton:-

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

Carried.

PETITION

1. The Mayor tabled a petition received by the General Manager with approximately 29 signatures appended from residents of Kings Cross and Potts Point, objecting to the proposed development at No. 10 Earl Street, Potts Point.

Received

GENERAL MANAGER

QUESTIONS WITHOUT NOTICE

1.

WELFARE – PROPOSED DEVELOPMENT OF THE ROYAL SOUTH SYDNEY HOSPITAL SITE - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (W51-00088)

Question:

Residents in the vicinity of the South Sydney Hospital were given very little notice of a meeting called by the South East Area Health to discuss the proposed redevelopment of the Royal South Sydney Hospital Site, Councillors have not been contacted at all – unless they are residents.

Residents have forwarded to me a copy of a meeting notice for a further Public Meeting on Thursday 23 March, could all Councillors and particularly Ward Councillors be advised of this meeting through the CIS.

Answer by the Mayor:

Yes, I will have a copy of that notice put in the Councillors Information Service this Friday for you.

2.

CONFERENCES – OLYMPIC ORGANISING COMMITTEE – IMPACT ON THE OLYMPICS ON THE ACCESS TO SERVICES FOR HOMELESS PEOPLE - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2013773)

Question:

At this afternoons Mayoral Olympic Meeting. I requested information from the Olympic Organising Committee regarding the social impact statement on the impact on the Olympics on the access to services for homeless people and the services in place for people who will arrive in Sydney without having made prior arrangements for accommodation.

I was advised that Ms. David Richmond who was expected to, but did not attend the meeting has apparently received, but is not in agreement with the statements of the Social Impact Advisory Group.

GENERAL MANAGER

Could you Mr. Mayor please write as a matter of urgency to OCA requesting information on these matters?

Answer by the Mayor:

Yes, I will write to Mr. Richmond.

3.

DEVELOPMENT – LOCATION OF MEDICALLY SUPERVISED INJECTING ROOM - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2018557)

Question:

At the 29 February 2000, Community Consultative Meeting of the Medically Supervised Injecting Room, the Uniting Church representatives stated that you were informed of the location at No. 66 Darlinghurst Road.

Could you please confirm that at this stage you had no contact with the Uniting Church regarding this site, and your letter of 3 March was prompted by a telephone call on 2 March?

Answer by the Mayor:

That's right. It is on public record and I put it on the Councillors Information Service.

4.

WELFARE – PRESENTATION OF SOUTH SYDNEY HOSPITAL AS A COMMUNITY ASSETS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (W51-00088)

Question:

This Council and the Mayor are well known and respected for their firm stand on preserving and protecting hospitals as community assets. With this in mind, the Zetland Community Assets Action Group requests Council's help with their campaign to preserve South Sydney Hospital as a community asset and to ensure compatible use of the site.

The help could be in the form of ensuring wide media coverage through the publicity department, helping with the distribution of flyers to the wider community bussing the elderly to the public consultative meetings and a show of support from Councillors at the meetings.

Answer by the Mayor:

I have had no formal request from the Zetland Community Action Group and I am not going to support the provision of buses for a public meeting. If people wish to attend Public meetings, then there is a public transport or their own motor vehicles. This Council is not going to set a precedent for one community Group against another for a public meeting. When I receive a written notice from that group, I will act on it. But we will not be providing buses.

5.

STREETS – DALMENY AVENUE, ROSEBERY – REQUEST FOR IMPROVED STREET LIGHTING - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2012580)

Question:

The residents of the Kimberley Estate in Dalmeny Avenue are concerned about their safety when using Dalmeny Avenue at night. They feel that extra street lighting is warranted given the number of residents using this street to access their residences.

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter and make contact with Energy Australia.

6.

CLEANING – DALMENY AVENUE, ROSEBERY – IMPROVEMENTS TO STREET LIGHTING - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH(C56-00056)

Question:

The residents of the Kimberley Estate would like to have Dalmeny Avenue changed from an industrial area to residential in order that the street can be cleaned regularly. In light of the fact that they comprise the majority of the tenants on this street then this request should be investigated.

GENERAL MANAGER

Answer by the Director of Public Works and Services:

There isn't a rule associated with zonings or classifications of development to dictate the sweeping arrangements. We certainly don't sweep at night when our sweepers are most active in residential areas. But we do sweep Dalmeny Avenue on request, but more than likely, because of parked cars, it is difficult to do so.

7.

DALMENY AVENUE, NOS. 83-93, ROSEBERY – WATER RETENTION BASIN – SAFETY OF CHILDREN - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (U98-00853)**Question:**

The residents of the Kimberley Estate are concerned about the safety of their children. The water retention basin/public open space, which acts as a collector for storm water drainage and which was passed by Council, fills with up to 1 ½ meters of water in heavy rains. The water stays in the basin for days. It had bad odour and is threatening the safety of the younger residents. Would Council investigate the requirements of this basis under the Development Application? Something is terribly wrong if this Council allows this type of public open space in any development.

Answer by the Mayor:

I will ask the Director of Health and Community Services and the Director of Planning and Building to investigate this matter for you.

8.

DALMENY AVENUE, NOS. 83-93, ROSEBERY – LANDSCAPING – COMPLIANCE OF CONDITIONS OF DEVELOPMENT APPLICATION - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (U98-00853)**Question:**

The residents of the Kimberley Estate feel that the Development Application conditions for landscaping are being ignored.

Landscaping on concrete areas should have drainage mesh covered by 500 to 600 mm of topsoil. Most of these areas have a minimal layer of soil/mulch with little evidence of drainage mesh. It is impossible to landscape the area successfully without the conditions having been met.

GENERAL MANAGER

The final stage is about to be sold. Can Council investigate the problem before issuing a certificate of compliance?

Answer by the Director of Planning and Building:

Certainly before a certificate of occupancy is issued, whether being issued by Councilor or a private certifier, there is a requirement for them to check off the conditions of consent as to whether or not they have been complied with and that includes checking of the landscaping. I will certainly make sure that the landscaping is checked before the certificate of occupancy is given for the last stage.

9.

MAYOR – CAR REDUCTION POLICY – USE OF ENVIRONMENTALLY FRIENDLY VEHICLE BY MAYOR - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH. (M52-00019)

Question:

In keeping with the Council's vigilant car reduction policy – perhaps the Mayor could take a leaf out of the book of the Mayor of Basedeen W. A. He had traded his car for a top model push bike. He feels he is leading by example. This mode of transport has extra benefits. Apparently, the hot air flows past him and does not collect in his car. What a superlative way for the Mayor to end his career – leading the charge of environmentally sound practice. What about it Councillor Smith?

Answer by the Mayor:

Councillor Bush, when you're the Mayor you can give up the vehicle, but I am not.

10.

WELLINGTON STREET, NO. 36, WATERLOO – DEVELOPMENT APPLICATION PROCESS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2017645)

Question:

Can a report come to Council regarding the DA process experienced by the applicant in regard to the Former Caltex Service Station site at Elizabeth Street, Waterloo?

GENERAL MANAGER

Answer by the Mayor:

I am more than happy to provide detail of the critical dates associated with the last development application which was dealt with for the site on the Councillors Information Service.

11.

COUNCILLORS – QUESTIONS REGARDING DEVELOPMENT APPLICATIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY(A54-00013)**Question:**

Through you Mr. Mayor, could I ask that Councillors, where they have such urgent questions pertaining to developments etc. that they take them directly to the Directors as soon as they arise rather than waiting until they have a Council meeting for them to get up and show that they occasionally talk to people.

Answer by the Mayor:

We are three months out from an election and if he doesn't ask questions it won't get in the press.

REPORT OF THE FINANCE COMMITTEE

1 March 2000

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

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

Councillors – Deftereos, Fenton, Macken and Waters.

GENERAL MANAGER

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

That the Report of the Finance Committee of its meeting of 1 March 2000, be received and the recommendations set out below for Items 1 to .7 inclusive, and 9 be adopted. The recommendation set out below for Item 8 having been dealt with as shown immediately following such Items.

Carried.

Note: The Deputy Mayor Councillor Jill Lay was in the chair during discussion and voting on item No.7.

The Committee **recommended** the following:-

1.

DONATIONS - SOUTH SYDNEY COMMUNITY AID - REDFERN TOWN HALL - REQUEST FOR FREE USE, 7-8 APRIL 2000 (D53-00098)

That arising from a report by the Director of Health and Community Services dated 14 February 2000, Council approve an additional donation of \$1,550 to South Sydney Community Aid for the Redfern/Waterloo Festival, to cover the use of Redfern Town Hall , with funds to cover this expenditure to be transferred from 1999/2000 Section 356 Budget, to Council's Corporate Services Budget.

Carried.

2.

LICENSING - CROWN STREET, NO. 536, SURRY HILLS - PROPOSED FOOTWAY LICENCE (2021969)

That approval be given to:-

- (1) the granting of a licence to Fabio Scanu over an area of 3.8 square metres of the footway of Crown Street adjacent to Piment Rouge at No. 536 Crown Street, Surry Hills as shown stippled on Plan No. S4-130/750 and subject to the conditions in the schedule accompanying the Director's report;
- (2) the licence being for a period of five years under Part 9 Division 1 of the Roads Act 1993 at a weekly rental per square metre (payable monthly in

GENERAL MANAGER

advance) set by the annual Scale of Fees and Charges adopted by Council;

- (3) the licence commencing only following the satisfactory compliance with conditions (7) and (8) in the schedule accompanying the Director's report, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;
- (4) the execution of all relevant documents and plans by Council's Attorney;
- (5) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the licence agreement;

-this approval lapsing 12 months from the date of Council's approval to the granting of the licence if the applicant has failed to execute the licence agreement.

(DPWS Report 9/2/00)

Carried.

3.

PLANT AND ASSETS - HEALTH AND COMMUNITY SERVICES DEPARTMENT - PURCHASE - 22 SEATER BUS WITH RETRACTABLE SEATBELTS - VOTING OF ADDITIONAL FUNDS - TRADE IN OF EXISTING 22 SEATER BUS (2022645)

That arising from a report by the Director of Health and Community Services dated 22 February 2000, approval be given to:-

- (1) the purchase of a 22 seater bus, fitted out with retractable seatbelts;
- (2) the trade in of an existing 22 seater bus to partially offset this expenditure;
- (3) the voting of an additional \$55,000 to cover the shortfall associated with acquiring a new bus.

Carried.

4.

LICENCE – REG BARTLEY OVAL, RUSHCUTTERS BAY – RENEWAL OF LICENCE TO SYDNEY GRAMMAR SCHOOL (L06-00551)

That approval be given to Sydney Grammar School being offered a licence to use Reg Bartley Oval Rushcutters Bay on Saturdays between 8.30am and 6.00pm for football matches during the 2000, 2001 and 2002 Winter Seasons (first Saturday in April till first Saturday in September) at a rental of \$11,260 for the 2000 Winter Season, subject to the following conditions, namely:-

- (1) That the fee will be reviewed in 2001 and 2002 by the C.P.I;
- (2) That the above proposal shall be subject to the approval of the Minister for Lands and Water Conservation;
- (3) That all legal costs associated with the preparation and execution of the necessary Licence documents by Council's Legal Officer are to be borne by the Licensee;
- (4) That all relevant documents are to be executed, if required, under the Common Seal of Council or by Council's Attorney.

Carried.

5.

COMMUNITY FACILITIES – WOOLLOOMOOLOO PLAYGROUND, CORNER OF DOWLING STREET AND SYDNEY PLACE, WOOLLOOMOOLOO - UPGRADE - ACCEPTANCE OF TENDER (2022449)

That approval be given to:-

- (1) accept the tender submission from Master Landscapes Pty. Ltd. for the construction works in Woolloomooloo Playground and Sydney Place for a sum of \$333,900 (Option 1);
- (2) provide a contingency amount of \$50,000 to cover latent conditions during the Contract.

-funds of \$383,000 are available in the 1999/2000 Works Programme – FWP-2009-\$350,000 (Woolloomooloo Playground) and FWP 9141-\$33,900 (Park Works to be Specified).

Carried.

GENERAL MANAGER

6.

**ALCOHOL FREE ZONE - WOOLLOOMOOLOO - RE-ESTABLISHMENT
(S56-01983)**

That:

- (A) Council confirms the re-establishment of the Woolloomooloo Alcohol-Free Zone for a period of three years from the date of public advertising in a newspaper circulating in the area. Such zone is to cover the area bounded by:-
- Corfu Street
 - Talbot Place
 - Cross Lane
 - Burrahpore Lane
 - Cathedral Street between Bourke and Forbes Streets
 - William Lane
- (B) That this decision be communicated in writing to all persons who submitted an application or expressed an interest in the Zone.

(A/DCS Report 24.2.2000)

Carried.

7.

**SPORTS - CRICKET - MOBILE CRICKET WICKET COVERS - PROVISION
OF FOUR - BALMAIN DISTRICT CRICKET CLUB (2022541)**

At the Council Meeting the Mayor declared an interest in the item and did not take part in discussion or voting.

That Council offer, as a promotional opportunity, to manufacture for Balmain District Cricket Club four cricket wicket covers at \$4,900 per unit (including transportation).

(DPWS Report 22/2/00)

Carried.

8.

PROPERTIES - MANAGEMENT - VARIOUS - VALUATIONS (2022622)

That arising from consideration of a report by the Acting Director of Corporate Services dated 25 February 2000, approval be given to:-

- (a) the calling of tenders from the Property Branch's panel of valuers for the assessment of Councils Property Portfolio in real value terms;
- (b) that funds to the value of \$250,000 being voted from the 1999/2000 Property Reserve.

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

That this matter be deferred for a further report to the Finance Committee on what specific properties need to have a market valuation.

Motion, as amended by consent, carried.

9.

CELEBRATIONS - GAY AND LESBIAN MARDI GRAS PARADE - COUNCIL'S FLOAT ENTRY - PROPOSALS (2022479)

That confirmatory approval be given to the action of the General Manager in approving the recommendations of the South Sydney City Council Gay and Lesbian Mardi Gras Parade Float Committee as detailed in the report by the Civic Affairs Manager/Public Officer dated 28 January 2000, and it be noted that the three mechanical sweepers and the animal control vehicle will not form part of the parade.

Carried.

The Finance Committee Meeting terminated at 6.53 p.m.

GENERAL MANAGER

REPORT OF THE FINANCE COMMITTEE (CONFIDENTIAL MATTER)**WEDNESDAY, 1 MARCH 2000 AT 6.54 PM**

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

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

Item 1 - Personnel Matter

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

That the Report of the Finance Committee (Confidential Matter) of its meeting of 1 March 2000, be received and the recommendation set out below for Item 1, be adopted.

Carried.

The Committee **recommended** the following:-

1.

DEPARTMENTS - PUBLIC WORKS AND SERVICES - VICTORIA PARK SWIMMING POOL COMPLEX - PERMANENT APPOINTMENT (5251907)

That the recommendation as contained in the joint report by the Director of Public Works and Services and the Director of Organisational Development dated 14 February 2000, regarding the permanent part-time position of Swim Coach/Lifeguard at the Victoria Park Swimming Pool complex being changed to a permanent position, be approved and adopted.

Carried.

The Finance Committee (Confidential Matter) Meeting terminated at 6.57 p.m.

GENERAL MANAGER

REPORT OF THE COMMUNITY SERVICES COMMITTEE

1 March 2000

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

At the commencement of business at 6.58. pm those present were -

Councillors:- Deftereos, Fenton, Macken, Waters.

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

That the Report of the Community Services Committee of its meeting of 1 March 2000, be received and the recommendations set out below for Items 1 to 7 inclusive, be adopted.

Carried.

The Committee **recommended** the following:-**1.****LEGAL - CHILD PROTECTION - COUNCIL'S NEW RESPONSIBILITIES AND REPORTING REQUIREMENTS ARISING FROM LEGISLATIVE CHANGES (2021126)**

That arising from a joint report by the Director of Health and Community Services and the Director of Organisational Development dated 24 February 2000, a working party of representatives from the Organisational Development Department, Health and Community Services Department and the Public Works and Services Department be established to work on the action list accompanying the beforementioned report, to ensure that Council's accountability requirements relating to child protection under the new and proposed legislation, are met.

Carried.

GENERAL MANAGER

2.

**DEPARTMENTS - HEALTH AND COMMUNITY SERVICES DEPARTMENT -
COMMUNITY SERVICES SECTION - PROGRESS REPORT (2022600)**

That the report by the Director of Health and Community Services dated 25 February 2000 and the progress report on the Community Services Section accompanying the beforementioned report, be received and noted.

Carried.

3.

**COMMUNITY SERVICES - LOCAL ETHNIC AFFAIRS POLICY STATEMENT
- MULTICULTURAL FINE ART PRINT PROJECT (2012935)**

That arising from a report by the Director of Health and Community Services dated 28 February 2000, approval be given to undertake the New Citizens' Fine Art Print project, starting mid March, with funds for the project to be allocated from the Budgets KCB009-77FO and KHA002-66DO in the 1999/2000 Revenue Estimates.

Carried.

4.

**PUBLIC RELATIONS – MIGRANT WOMEN QUILT WORK PROJECT -
LAUNCHING (2022616)**

That arising from a report by the Director of Health and Community Services dated 25 February 2000, approval be given to undertake the Migrant Women's Quiltwork Project, starting in late March 2000, with funds for the project to be allocated from the Budget (KHL 0002 - 66DO) in the 1999/2000 Revenue Estimates.

Carried.

5.

**DONATIONS – ANNUAL COMMUNITY GRANT PROGRAM –
CONSIDERATION OF ADDITIONAL REQUESTS (2002408)**

That arising from a report by the Director of Health and Community Services dated 25 February 2000, the following procedure (as outlined in the beforementioned report) be adopted and applied in relation to all requests for financial assistance from Council made outside the Annual Community Grants Program:-

GENERAL MANAGER

- (1) Applications be deferred to the established Annual Community Grants Program (and timetable) wherever possible;
- (2) Applicants are requested to complete a Community Grants Program (Small Grants Program) Application Form and provide all information required of applicants under the Program;
- (3) Requests are assessed on the degree to which they respond to the criteria, and that this assessment is reported to Council in any reports submitted;
- (4) Report to Council identify how donation provided would impact on the level of donations already provided to the specific group/organisation over the last 3 years, and to the target group they draw from since the beginning of the previous full financial year;
- (5) Reports to Council include any other information relevant to consideration of the requests being made, so as to ensure an equitable approach relative to applications made under the Annual Community Grants Program.

Carried.

**6.
COMMITTEES – CULTURAL COMMITTEE MEETING 21 FEBRUARY 2000 -
REPORT (C57-00028)**

That arising from a report by the Director of Health and Community Services dated 25 February 2000, the minutes of Council's Cultural Advisory Committee meeting held on 21 February 2000, be received and noted.

Carried.

**7.
HEALTH – ANIMALS - COMPANION ANIMALS MANAGEMENT PLAN -
ADOPTION (2020384)**

That arising from a joint report by the Director of Health and Community Services and the Acting Director of Public Works and Services dated 23

February 2000, the Companion Animals Management Plan 1999, be adopted.

Carried.

The Community Services Committee Meeting terminated at 7.15 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

1 March 2000

PRESENT

The Deputy Mayor, Councillor Jill Lay (Acting Chairperson)

Councillors - John Bush, John Fowler, Christine Harcourt.

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

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

Apology:

An apology for non-attendance at the meeting was received from The Mayor. Councillor Vic Smith.

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

That the Report of the Planning and Development Committee of its meeting of 1 March 2000, be received and the recommendations set out below for Items 2 to 8 inclusive, 10 and 12 inclusive, be adopted. The recommendations for Items 1,9,11 and 13 having been dealt with as shown immediately following such Items.

Carried.

GENERAL MANAGER

The Committee **recommended** the following:-

1.

CAMPBELL STREET, NOS. 153 - 157, SURRY HILLS - EXTENSION OF THREE TERRACE HOUSES TO CONTAIN FLATS AND COMMERCIAL SPACE - DEVELOPMENT APPLICATION (U99-01199)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council as the responsible authority grants its consent to application submitted by Dimitris Investments Pty Ltd for permission to make alterations and additions to three terrace houses for use as flats and commercial space, 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 \$3, 000 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. A written request shall be made to the Council for the return of the deposit;
 - (2) That prior to issuing a Construction Certificate, 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 \$400, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (3) That the development shall be generally in accordance with submitted plans numbered DA.01(A) to 03(A) dated 27 January 2000 as amended in red on the stamped approved plans;
 - (4) That the Campbell Street façade shall be retained in its present form;
 - (5) That a separate Development Application shall be lodged for the specific use of the commercial premises;
 - (6) That the fibrous cement cladding at second floor level on the Little Riley Street frontage shall be painted so as to differentiate it from the brick of the wall and shall be set in by not less than 300mm from the Little Riley Street boundary;

GENERAL MANAGER

- (7) That a separate Development Application shall be submitted at the appropriate time for any proposed signs;
- (8) 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;
- (9) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (10) That the premises shall be provided with sanitary and other facilities in accordance with the requirements of the Building Code of Australia, Part F2;
- (11) That the storage and handling of garbage and recyclable materials shall comply with the requirements of Council's Waste Management/Minimisation Facts Sheets;
- (12) 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;
- (13) 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;
- (14) 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;
- (15) 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;
- (16) 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);

- (17) That all excavation, demolition and building work in connection with the proposed development shall only be carried out between the hours of 7.00am and 5.00pm on Mondays to Fridays, and 7.00am and 3.00pm on Saturdays and 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);
- (18) That all proposed work shall be wholly within the boundaries of the site;
- (19) That all relevant sections of the BCA shall be complied with;
- (20) That an application for a construction certificate, with supporting plans, specifications and details demonstrating compliance with conditions of this consent and the Building Code of Australia shall be lodged and no building or excavation work shall be commenced until that application has been approved and at least two days written notice of the intention to commence work has been given to the Council;
- (21) That 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;
- (22) That details of the existing and proposed drainage system shall be submitted with the application for a Construction Certificate
- (23) That the requirements of the Work Cover Authority shall be complied with;
- (24) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
- (25) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building 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;

GENERAL MANAGER

- (26) 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;
- (27) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
- (28) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (29) 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;
- (30) That no structural work shall be commenced until the construction certificate is issued by the certifying authority;
- (31) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
- (32) That the private stairs shall be provided with goings and risers in accordance with D2.13 of the BCA and balustrades in accordance with D2.16 of the BCA;
- (33) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
- (34) That a suitable automatic fire detection and alarm system shall be installed to comply with E2.2 of the BCA;
- (35) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;

- (36) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part F3 of the BCA;
 - (37) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
 - (38) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;
 - (39) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
 - (40) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
 - (41) That the electrical installation serving the subject premises shall be inspected by a suitably qualified electrical contractor and certified accordingly;
 - (42) That the certificate shall be in the form of a typed report providing the following minimum requirements:-
 - (a) the electrical contractors licence number;
 - (b) that a visual examination of wiring, fittings and accessories was undertaken and were found to be in sound condition;
 - (c) that an insulation resistance test was carried out pursuant to Clause 1.5.2 of SA 3000 and was found to be satisfactory;
 - (d) that circuit protection devices used have been examined and found to be satisfactory pursuant to Clause 2.4 of SAA 3000.
- alternatively, a report from Energy Australia would satisfy the above requirements;
- (43) That the ceiling beneath the first floor shall be constructed of material having a resistance to the incipient spread of fire of two hours as proposed;
 - (44) That proposed rooflights shall comply fully with the requirements of Clause 3.6 of Specification C.1.1 of the BCA;

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

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

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

Carried.

2.

BROADWAY, NOS. 185 - 211 - ERECT ADVERTISING SIGNAGE - DEVELOPMENT APPLICATION (U99-00664)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Harcourt:-

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Transcity Investments Pty Ltd (owner) for permission to erect an internally illuminated, skeletal frame rooftop advertising sign and adjust the position of an existing high wall sign 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 \$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;
- (2) That the proposal is generally in accordance with the approved plans submitted to Council on February 4 2000, dated January 27, 2000 and marked "LF01 S003 Revision D", except as modified by the following conditions of consent;

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- (3) That the proposed skeletal lettering sign is not erected until such time as the location of the existing high wall sign has been adjusted in accordance with the approved plans relating to this consent;
- (4) That the size, lettering and method of illumination for the proposed sign shall not be altered unless further development approval or a Section 96 amendment is obtained from Council to do so;
- (5) That the top of the wall sign shall horizontally align with the header of the level 4 window openings of the western elevation;
- (6) That all relevant sections of the BCA shall be complied with;
- (7) 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;
- (8) That no flashing, moving or intermittent lighting shall be installed on the premises or on any external sign associated with the development;
- (9) That the intensity, colour, period of intermittency and/or hours of illumination of the sign shall be varied if, at any time in the opinion of the Council, injury is being caused to the amenity of the area;
- (10) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays, where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
 - (a) mobile cranes operation from the roadway shall not be accepted as a method of constructing the proposed buildings;

- (b) for special operations, such as the hoisting of plant and equipment or the erection and dismantling of on-site tower cranes, which warrant the on-street use of mobile cranes outside the approved hours of building work, permits shall be obtained 48 hours beforehand from the Police Traffic Branch and the Director of Public Works and Services Department;

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

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

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

Carried.

3.

BURREN STREET, NOS. 33 - 35, ERSKINEVILLE - DEMOLISH EXISTING BUILDINGS AND ERECT FOUR TERRACE HOUSES - DEVELOPMENT APPLICATION (U00-00017)

That the development application submitted by Mr Paul Pappas, with the authority of First Line Properties, Strathis Family Trust and Pappas Property Trust for the demolition of existing buildings and the construction of 4 residential terraces be deferred to the next Planning and Building Committee Meeting to be held on 15 March 2000 as requested by the applicant in fax dated 28 February 2000.

Carried.

4.

BOURKE STREET, NO. 780, REDFERN - TO USE PREMISES AS A CONVENIENCE STORE - DEVELOPMENT APPLICATION (U99-01494)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by with the authority of Yeap Poh Chim for permission to operate a convenience store, at the abovementioned premises, subject to the following conditions, namely:-

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- (1) 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.
- (2) That the development shall be generally in accordance with plans dated 21 December 1999;
- (3) That the hours of operation shall be restricted to between 6.00 am to 12 midnight Mondays to Sundays for a trial period of 12 months;
- (4) That a maximum of 2 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;
- (5) That any lighting affixed to the outside of the store not be fluorescent;
- (6) That the existing loading dock shall be maintained for use in connection with the proposed development;
- (7) 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;
- (8) 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;
- (9) That all proposed work shall be wholly within the boundaries of the site;
- (10) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia;
- (11) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooling appliances designed in accordance with AS1668- Parts 1 and 2;
- (12) That the construction, fitout and finishing of the premises shall comply with Food (General) Regulation 1997 and the National

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Code for the Construction and Fitout of Food Premises;

- (13) That a wash hand basin, conveniently located in the food preparation area and in all toilets with an adequate supply of potable water at a temperature of at least 40 degrees Celsius, delivered through an approved mixing device which can be adjusted to enable hands to be washed under hot running water. The wash hand basin shall be provided with adequate hand drying facilities such as single-use towels, air-dryers or other approved facilities.
- (14) That an airlock be provided to the toilet located at the rear of the premises as per requirements of Clause F4.9 of the Building Code of Australia;
- (15) That the storage and handling of garbage shall comply with the requirements of Council's "Waste Minimisation Fact Sheets";
- (16) That a garbage room or garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (17) That a separate garbage/recycling storage area for commercial use shall be provided, detailed in the application for a construction certificate;
- (18) That the business proprietor shall enter into a commercial contract for the daily collection of trade waste from the premises;
- (19) That noise and vibration from the use of any plant and equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the Protection of the Environment Operation Act 1997;
- (20) That plans and specifications demonstrating compliance with the nominated standards and requirements for the following aspects of the development shall be submitted to Council or a **certifying authority** for approval prior to the issue of a Construction or Occupation Certificate.

No	Health Aspect	Standard or Requirement
(i)	All required mechanical ventilation systems	Building Code of Australia and AAS1668.1&2, 1991

(ii)	The recycling storage area	SSCC Waste Management/ Minimisation Facts Sheets
(iii)	The layout, disposition, and method of installation of fixtures and fittings, together with wall, floor, and ceiling finished to all food preparation and storage areas	National Code for the Construction and Fitout of Food Premises & the Food (General) Regulation, 1997

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.

That the persons who made representation be advised of Council's decision.

Carried.

5.

BOTANY ROAD, NOS. 134 - 136, ALEXANDRIA - ALTERATIONS TO EXISTING BUILDING AND CONSTRUCTION OF A 10 UNIT APARTMENT BUILDING - DEVELOPMENT APPLICATION (U99-01437)

That the development application submitted by Mr Constantine Pavlis (owner) for the alteration of an existing building and the construction of a 10 unit apartment building be deferred as requested by the applicant in letter dated 1 March 2000.

Carried.

6.

PHILLIPS STREET, NO. 32, ALEXANDRIA - ALTERATIONS AND ADDITIONS INCLUDING ATTIC WITH DECK AND GARAGE WITH FIRST FLOOR STUDIO - DEVELOPMENT APPLICATION (U99-01500)

NOTE: That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation subject to the conditions in the report of the Director of Planning and Building dated 23 February 2000.

Carried.

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7.

BOTANY ROAD, NO. 580, ALEXANDRIA - DEMOLISH EXISTING WAREHOUSE AND CONSTRUCT NEW RESIDENTIAL/COMMERCIAL DEVELOPMENT - DEVELOPMENT APPLICATION (U99-00819)

NOTE: That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation subject to the conditions in the report of the Director of Planning and Building dated 23 February 2000.

Carried.

8.

MCLACHLAN AVENUE, NOS. 62 - 64, RUSHCUTTERS BAY - DEMOLISH INDUSTRIAL BUILDING AND ERECT RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U99-00845)

(A) That the Council as the responsible authority grants its deferred commencement consent pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, as amended, to the development application submitted by Parlon Pty Ltd (owner) for permission to demolish the existing building and erect a residential flat building on the subject site, subject to the following conditions, namely:-

- (1) That the consent shall not operate until the applicant has provided details responding to the following matters, which shall be submitted within three months of the date of this deferred commencement consent and shall be to the satisfaction of, and approved in writing by, the Director of Planning and Building prior to approval of a Construction Certificate:
 - (a) issuing of a Contamination report and Remediation Plan (if required) in accordance with Condition (5);
 - (b) Plans showing proposed amendments to the height of Building (B) and the south western wall of the building in accordance with Conditions (7), (8) and (9).
 - (c) Details of hotwater system in accordance with Conditions (10) and (11);
- (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with the Council a fee of \$19,500 in the form

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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 Construction Certificate, it will be necessary to produce evidence of the payment of the levy, or 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 \$9000, or first installment (as applicable), can be paid to the Council;
- (4) That the development shall be generally in accordance with:
 - (a) Plans dated August 1998 and numbered DA01 to DA16 and dated 9 August 1999;
 - (b) The Landscape Plan numbered 99072 9830-2 and dated 9 August 1999;
 - (c) Statement of Environmental Effects numbered 99075, written by BBC Consulting Planners dated 9 August 1999;

-subject to the amendments outlined below;
- (5) That an Environmental Site Assessment (Land Contamination Assessment) is to be carried out in accordance with the requirements of State Environmental Planning Policy No. 55 and the DUAP Managing Land Contamination Guidelines. 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 SEPP 55);

- (6) That all required Environment Protection Authority licences shall be obtained by the developer, prior to the commencement of construction on the site;
- (7) That the maximum height of that part of Building (B) between the two four storey walkways located on the north western boundary, be reduced to 12 metres, as shown on the council approved plans. Details are to be prepared and submitted to Council and shall be to the satisfaction of the Director of Planning and Building;
- (8) That the applicant shall redesign the proposal so that articulation and fenestration of the proposed external wall located against the south western boundary of the site (visible from 74-76 McLachlan Avenue), as shown on the Council approved plans, is provided. Details are to be prepared and submitted to Council and shall be to the satisfaction of the Director of Planning and Building;
- (9) That a contrasting material for the external south western wall of the four storey walkway sections adjacent to the south western boundary, as marked on the plans approved by Council, shall be used so that further shadowlines, visual interest and articulation is provided, as viewed from 74-76 McLachlan Avenue. Details are to be prepared and submitted to Council and shall be to the satisfaction of the Director of Planning and Building;
- (10) That a solar hot water system or heat pump water system shall be installed on the site in accordance with Council's energy efficiency requirements contained in Development Control Plan 1997. The system shall be capable of servicing all residential units on the site and shall provide for the hotwater needs of all residential units within the residential flat building on the subject site. Details are to be prepared and lodged to Council and shall be to the satisfaction of the director of Planning and Building;
- (11) That a Statement by an accredited energy efficiency specialist shall be prepared and submitted with the details required in Condition (10), stating the projected hotwater needs for the residential flat building, and detailing whether the proposed system of hotwater heating will service those needs. If a solar hotwater system is proposed, the Statement shall also include details of whether the solar panels are proposed in an appropriate location to ensure workability of the proposed solar heating system;

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

Contribution Category	Amount	Account
Open Space Land Acquisition	\$ 8,996	2E97001.BGY0
Open Space/Townscape/Public Domain	\$45,231	2E97002.BGY0
Accessibility And Transport	\$ 271	2E97006.BGY0
Management	\$ 689	2E97007.BGY0
Total	\$55,187	

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

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

where:

C is the original contribution amount as shown above;
 CPI2 is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the time of payment; and
 CPI1 is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of statistics at the date of the consent being the March Quarter 97/98 (Amend as applicable)

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

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

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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;

- (13) 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	\$14.470	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

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or the premises occupied whichever occurs first.) (Delete as applicable)

- (14) That notwithstanding Condition (12), if Conditions (7), (8) and (9) necessitate a reduction in the number of bedrooms or units within the residential flat building, the applicant may request Council's reconsideration of the required Section 94 monetary contribution, and an amended quotation will be issued by Council in accordance with Council's Section 94 Contributions Plan;
- (15) That a dilapidation report shall be prepared by a certified structural engineer detailing the extent of structural dilapidation on adjoining properties to the site. The report shall be undertaken immediately prior to the commencement of construction on the subject site, and shall be submitted to Council, or the Accredited Certifier who issued the Construction Certificate, and shall be to the satisfaction of the consent authority, prior to the commencement of construction works on the site;
- (16) That a maximum of 23 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 where 18 spaces are for residents of the subject property and 5 spaces are designated as visitor spaces. One of the resident spaces shown on the plans shall be deleted;
- (17) That a *Lophostemon confertus* shall be planted in place of the *Mellalleuca* proposed to be removed at a size of 75 litres, as shown on the plans, prior to occupation of the building;
- (18) That the applicant shall be advised that this application has not been assessed for compliance with the Building Code of Australia or Local Government (Approvals) Regulations;
- (19) That the garbage room shall be constructed in accordance with the requirements of Council's Waste/Minimisation Fact Sheets;
- (20) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia, Australian Standard 1668.1 and 2;
- (21) That all required ventilation systems operate whilst the building is occupied;

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

- (i) all required or proposed mechanical ventilation systems;
and
- (ii) the garbage room;

-and the following adopted standard conditions:-

- (23) Resident Parking Access³⁰⁰¹
- (24) Sign for Visitor Parking³⁰¹⁰
- (25) Signs at Egress³⁰²²
- (26) Consequential Roadworks³⁰²⁷
- (27) Construction Traffic³⁰³⁰
- (28) On Slab Planting⁵⁰¹³
- (29) Maintenance of Landscaping⁵⁰¹⁴
- (30) Final Inspection⁵⁰¹⁵
- (31) Comply With BCA⁹¹⁰⁴
- (32) Construction Certificate Required⁹¹⁵⁵
- (33) Clean Water Discharge⁴⁰⁰²
- (34) Recycling⁶⁰⁰⁷
- (35) Construction Noise⁷⁰⁰⁸
- (36) Obstruction of Public Way³⁰²⁹
- (37) Refuse Skips⁶⁰⁰²
- (38) Noise and Vibration⁷⁰²⁶
- (39) Noise⁷⁰²⁸

- (40) Performance Certificates - Ventilation⁷⁰³⁶
- (41) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (42) Sewer Discharge⁸⁰⁰⁴
- (43) Works Within Boundary⁹¹⁵²
- (44) Hours of Work and Use of Cranes⁹¹⁵³
- (45) Sewer Discharge⁸⁰⁰⁴
- (46) Single Dwelling Occupation Only⁹¹⁰³
- (47) Comply With BCA⁹¹⁰⁴
- (48) Construction Hours⁹¹⁵¹
- (49) Building/Demolition Noise Control⁹¹⁵⁶
- (50) Excavating Below Base of Footings⁹¹⁵⁸
- (51) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (52) Excavations and Backfilling⁹¹⁶⁰
- (53) Excavations and Backfilling Safely⁹¹⁶¹
- (54) Guarding of Excavations⁹¹⁶²
- (55) Guarding of Excavations⁹¹⁶²
- (56) Demolition to Comply With Aust Standard⁹¹⁶³
- (57) Street Number Application¹²³
- (58) Works on Public Way Cost¹⁰⁰²
- (59) Alteration of Public Services¹⁰⁰⁶
- (60) Builders Hoarding Permit¹⁰⁰⁸
- (61) On Site Detention –Stormwater⁴⁰⁰³
- (62) Alignment Levels¹⁰¹⁶

- (63) Disabled Entry³⁰²⁴
- (64) Road Opening Permit³⁰²⁵
- (65) Cost of Signposting³⁰²⁶
- (66) Landscape Plan⁵⁰⁰¹
- (67) Maintenance of Landscaping⁵⁰¹⁴
- (68) Final Inspection⁵⁰¹⁵
- (69) Moving Trees⁵⁰⁰⁷
- (70) Street Trees⁵⁰⁰⁸
- (71) Walls Not to be Built as Party Walls Unless Consent Obtained⁹¹⁰⁸

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

Carried.

9.

BRIGGS STREET, NOS. 36 - 46, CAMPERDOWN - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING CONTAINING 14 UNITS, 4 X ONE BEDROOM, 8 X TWO BEDROOMS AND 2 X THREE BEDROOMS - DEVELOPMENT APPLICATION (U99-01271)

This matter was submitted to Council without recommendation.

Moved by Councillor , seconded by Councillor :-

That the application to construct a residential flat building at the abovementioned premises containing 14 units is not supported for the following reasons, namely:-

- (1) The design of the proposed development does not respect the character of the streetscape and will have an adverse impact on the adjoining dwelling at No. 34 Briggs Street and terraces on the opposite side of Briggs as the development is set on a podium, does not step down the street and lacks vertical emphasis. Floor space should be redistributed from the western end of the site to the eastern end and to this extent

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Council would be prepared to consider a SEPP1 objecting to the height limit;

- (2) The development has excessive bulk along the Briggs Street façade and should be lowered by 1.2m;
- (3) The proposed building should be brought forward to achieve a continuous street alignment;
- (4) The proposal currently adversely affect the privacy and security of 34 Briggs Street;
- (5) That Council invite the applicant to submit amended plans addressing these issues.

Carried.

10.

OXFORD STREET NO. 134, DARLINGHURST – ERECTION OF A MULTI MEDIA DISPLAY BOARD AND ARCHITECTURAL ROOF STRUCTURE – DEVELOPMENT APPLICATION (U99-01163)

NOTE: That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation subject to the conditions in the report of the Director of Planning and Building dated 23 February 2000.

Carried.

11.

WATERLOO STREET, NOS. 16-18, SURRY HILLS – ERECT EIGHT STOREY RESIDENTIAL BUILDING – SECTION 96 MODIFICATION – DEVELOPMENT APPLICATION (U97-00721)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council, as responsible authority, grants its consent under the Environmental Planning and Assessment Act 1979 to the Section 96 modification submitted by Peter Duffield, with the authority of Hepner Holdings Pty Ltd (owner), for permission to vary a consent granted to “Demolish the existing structure and erect a nine storey mixed use

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development containing 15 x 2 bedroom units and a ground level commercial tenancy” by deleting the following conditions:-

- (5) That car parking space No.16 shall be deleted and replaced by bicycle lockers in accordance with Council’s DCP No.11 and that of the remaining spaces, 2 spaces shall be allocated as visitor car parking spaces and 1 space for the commercial terraces and each unit shall not be allocated more than one car space;

-and inserting in lieu thereof, the following new condition (5) namely:-

- (5) That the parking provision and layout for the development shall comply with the plans labelled “WD01B” and “WD04B”, dated February 1998, marked in red, stamped approved by Council, and held in Council’s file U97-00721, subject to:
 - (a) the double stacker car space along the front wall be deleted;
 - (b) no more than one of the 9 car spaces shall be allocated to any dwelling unit within the development.
- (B) That the persons who made representations in respect of the proposal be advised of Council’s decision.

Carried.

12.

WELLINGTON STREET, NO. 136, AND BOTANY ROAD NO. 123 - EXTEND HOTEL INTO ADJACENT RESIDENTIAL TERRACE - DEVELOPMENT APPLICATION (U99-01493)

That the application be deferred as requested by the applicant in fax dated 1 March 2000.

Carried.

13.

DUNBLANE STREET, NOS. 5-43, CAMPERDOWN - (DUNBLANE STREET CAR PARK) - PROPOSED MASTER PLAN (2018054)

- (A) That the Masterplan be adopted in principle submitted by Gutteridge Haskins and Davey Pty Ltd for the site at Nos. 5-43 Dunblane Street, Camperdown, as a framework for development of the site, subject to the following:-

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- (1) The plan being recognised as indicative only and the endorsement does not imply approval to detailed building design, residential dwelling numbers or specified land uses;
- (2) Massing scheme B being endorsed as the most appropriate scheme for the site;
- (3) The appropriate maximum FSR for the site being 1.5:1 with the potential for a 0.25 bonus, subject to compliance with a public domain improvements package consisting of:-
 - (a) Dunblane and Lucas Streets being provided with pavement treatments, above a standard finish of bitmen eg block edge paving and banding;
 - (b) Decorative paving in Lucas Lane and footpath extensions and flush treatments at each end of Lucas and Dunblane Streets;
 - (c) Provision of a publicly accessible park fronting Church Street as outlined in Scheme B;
 - (d) A public through site link with a minimum width of 6m for pedestrians and cyclists;
 - (e) Dedicated set backs along the frontages street to enable footpaths of a width of 3.0m from kerbline to property boundary;
 - (f) Dedicated corner splays of 1.5m by 1.5m at the corner of Dunblane Street/Lucas Lane and Church Street and Lucas Street;
 - (g) Meeting the costs of detailed design and construction of the roundabout as proposed under Traffic Planning at Missenden Road and Lucas Street (or nearby intersection as will be determined by Council), less \$2000 which has been conditioned already on nearby development. The concept design and approval processes for the roundabout would be the responsibility of Council;
- (4) That any residential development for the site complying fully with DCP 1997. If the larger building to the east of the site is proposed for residential use the design will need to ensure that adequate levels of privacy, separation, amenity, lighting, ventilation and open space can be provided in accordance with the BCA and the DCP 1997;
- (5) That the residential unit mix of the proposal is to include an appropriate amount of three bedroom units in accordance with the unit mix for the area;

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- (6) That the height limits proposed in the Masterplan are supported, however, the height of buildings on the Dunblane Street frontage should seek to match or complement the corresponding residential buildings to the north of Dunblane Street;
 - (7) That submitted prior to or with any initial development application for the site;
 - (8) That the development being designed in accordance with Council's Equitable Access Design Policy. Note that the development will be 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 premises by the Human Rights and Equal Opportunity Commission (incorporated into Equitable Access Design Policy, may be the best defense against potential action until an accepted industry standard is available;
 - (9) That any development application for the site being accompanied by a local drainage management plan in accordance with the requirements of DCP 1997;
 - (10) That the provision of commercial parking being minimised in view of the magnitude of new public parking in the vicinity;
 - (11) That vehicular access be provided off Church Street. The basement carparking should preferably be entered via Dunblane Street with an exit via Lucas Street to minimise travel around the block into Church Street;
 - (12) Any development application being accompanied by a plan of the proposed public open spaces and improvements to the public domain indicating proposed landscaping including furniture, fountain paving type, playground equipment, lighting, bubblers, trees, bollards and fencing;
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

- (C) That the Central Sydney Area Health Service or future owner be asked to consider maintaining the carpark operation until the 1000 space carpark is functional.

The Planning and Development Committee Meeting terminated at 8.03 p.m.

The Council Meeting terminated at 7.00 p.m.

Confirmed at a meeting of South Sydney City Council
held on2000

CHAIRPERSON

GENERAL MANAGER

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