

249TH Meeting

Erskineville Town Hall
Erskineville
104540

Wednesday, 24 May 2000

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.34 pm on Wednesday, 24 May 2000.

PRESENT

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

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

INDEX TO MINUTES

Subject	Page No.
Confirmation of Minutes	372
Apology	372
Minutes by the Mayor	372
Minute by the General Manager	375
Petition	376
Questions Without Notice	377
Report of Finance Committee	384
Report of Finance Committee (Confidential Matter)	393
Report of Community Services Committee	395
Report of Planning and Development Committee	398

GENERAL MANAGER

Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

That the minutes of the Ordinary Meeting of Council of 10 May 2000, be taken as read and confirmed.

Carried.

Apology

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

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

24 May 2000

PUBLIC RELATIONS - DEATH OF MAUREEN OLIVER (2004380)

It is with regret that I inform Council of the death of Maureen Oliver, former Alderman of South Sydney and Sydney City Councils.

Maureen lived in Erskineville all of her life and was a highly respected member of the community and the Australian Labor Party.

As I have mentioned, Maureen was a former South Sydney Council Labor Alderman during the years 1973 to 1981, during which time she was Chairman of the Health Committee. Following the amalgamation of South Sydney and Sydney City Councils in 1982, she remained an Alderman on Sydney City Council for one term and did not seek re-election.

During her lifetime she had many achievements including being a member of the Board of Rachel Foster Hospital and being involved in the establishment of Perry Park in Alexandria.

GENERAL MANAGER

It is recommended that a letter under the signature of the Mayor be forwarded to Maureen Oliver's family expressing the condolences of Council.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

MINUTE BY THE MAYOR

24 May 2000

PUBLIC RELATIONS – WITHDRAWAL OF ADVERTISING FROM SOUTH SYDNEY BULLETIN AND ASSOCIATED ARRANGEMENTS (2012921)

For the past two years Council has utilized the *South Sydney Bulletin* to publicize DA notifications, council special events and other community or statutory announcements. Since December 1999 a mayoral column has been included on the paid Council page, locating all Council business together. Use of the page did represent a significant saving in advertising costs.

Concerns have existed for some time regarding the quality of the newspaper and the extent of its distribution throughout the LGA. However, on the advice of the Media Manager, any decision to shift Council's advertising placement was deferred until after 1 July to avoid any perception of political bias.

Recent developments now preclude continuing with that "hands off" approach. The *South Sydney Bulletin* has become a political tool for candidates in the forthcoming election and has ceased any attempt at fair-minded reporting.

In the issue of 19 May 2000 (Vol. 5, No. 10) the Managing Editor Mr Alex Clulow announced his candidacy in the forthcoming Council elections. He is to be the candidate for the "Save the Rabbitohs" Party, a political party registered to mislead voters in the Randwick, Botany and South Sydney areas.

GENERAL MANAGER

The South Sydney Rugby League Football Club has condemned this new party as a political stunt and disassociated the Club from the "Save the Rabbitohs".

In addition, some five pages of the *South Sydney Bulletin* in the issue of 19 May contained serious misinformation and journalism of the most unprofessional kind. I believe that Council is demeaned by any continued association with this newspaper.

Withdrawing our advertising from the *Bulletin* is the ready solution to this unfortunate circumstance and would also address criticism of the political mudslinging generated by this newspaper.

Council's Media Manager has commenced discussions with the Hannan Group to take a weekly page in the *Wentworth, the Southern and the Inner Western Couriers* to publicize Council matters as is done by Randwick, Waverley, Botany, Woollahra and Marrickville Councils.

The Media Unit has identified that savings to Council are available from ceasing to place non-recruitment notices and advertising in the metropolitan dailies and using the *Courier* papers instead.

Recommendation:

- (1) That Council re-affirms its commitment to seek the broadest possible notification of DA's received;
- (2) As a consequence, that the Media Manager be authorised to complete negotiations with the Hannan Group and seek approval from the General Manager for alternative publication arrangements, including distribution of Council's own internal publications;
- (3) That Council cease to use the *South Sydney Bulletin* as its primary local advertising vehicle.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Macken, seconded by Councillor Harcourt:-

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

After discussion on the matter it was moved by Councillor Fenton, seconded by Councillor Harcourt, that the motion be put.

GENERAL MANAGER

Motion to be put, carried.

Motion, as moved by Councillor Macken, was then carried.

MINUTE BY THE GENERAL MANAGER

10 May 2000

COUNCILLORS - PAYMENT OF MAYOR/COUNCILLORS FEES FOR 2000/2001 PERIOD (2004430)

Council on 26 May 1999, resolved to accept the maximum fee determined by the Local Government Remuneration Tribunal for the period 1 July 1999 to 30 June 2000, as set out hereunder:-

Councillor/Member Annual Fee	\$14,000
Mayor/Chairperson	\$35,000

The Local Government Remuneration Tribunal pursuant to Section 241 of the Local Government Act, 1993 has now made a determination under Section 234 with respect to the annual remuneration fees payable to Mayors/Councillors of Local Councils for the period from 1 July 2000 to 30 June 2001.

Under the determinations of the Tribunal, South Sydney Council has been ranked in Category 1, along with 18 other Councils.

The fees allocated for Category 1 Councils for the 2000/2001 period are as follows, namely:-

	Minimum	Maximum
Councillor/Member Annual Fees	\$ 7,500	\$14,000
Mayor/Chairperson	\$15,000	\$35,000

(The Mayor/Chairperson also must be paid the additional fee for Councillor/Member.)

In keeping with Section 248 of the Local Government Act, a Council must pay each Councillor an annual fee in accordance with the Tribunal determination.

GENERAL MANAGER

Council must pay the same fee for each Councillor.

A Council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.

Funds have been provided for the Mayor and Councillors fees in the 2000/2001 Estimates.

The question of the fixing of annual fees for the Mayor and Councillors for the period from 1 July 2000 to 30 June 2001, is submitted for the determination of Council.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

That Council accepts the maximum fee as determined by the Local Government Remuneration Tribunal as follows, namely:-

Councillor/Member Annual Fees	\$14,000
Mayor/Chairperson	\$35,000

(The Mayor/Chairperson also must be paid the additional fee for Councillor/Member.)

-for which funds are available in the 2000/2001 Revenue Estimates.

Carried.

PETITION

1.

The Mayor tabled a petition received by the General Manager with approximately 14 signatures appended from residents of Bourke Street, Surry Hills, notifying Council of an infestation of rats, possibly coming out of stormwater drains.

Received.

GENERAL MANAGER

QUESTIONS WITHOUT NOTICE

1.

BOUNDARIES – BOUNDARIES COMMISSION INQUIRY FOR THE NORTH WARD - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (B52-00002)**Question:**

At the Council Meeting of 10 May 2000, Council rejected the opportunity to consult its constituents on the question of rejoining the City on polling day and (at no cost to Council). Will Council at least lend active support to organising a petition to be placed outside the polling booths in the North Ward asking for a Boundaries Commission Inquiry?

Answer by the Mayor:

No.

2.

FINANCE – FINANCIAL INVESTMENT CHOICES FOR COUNCIL'S FUTURE - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2015594)**Question:**

Can a report be prepared in relation to Council's large cash investments as of 31 March 2000, of \$70.4 million? The report to outline financial investment choices for Council's future and how Council can provide better services to its constituents.

Answer by the Mayor:

I will ask the General Manager to prepare a report for the new Council.

3.

DEVELOPMENT – SEX INDUSTRY POLICY – CONSULTATION WITH RESIDENT ACTION GROUPS - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2022780)**Question:**

In the light of the resident's success in obtaining major concessions under the Sex Industry Policy, following the Supreme Court injunction, will Council

GENERAL MANAGER

reassure residents that it will consult more closely with them in the future by informing the local resident action groups?

Answer by the Mayor:

Who's going to change the Policy? We have just adopted it. We do notify resident action groups.

Response by the Director of Planning and Building:

The Council policy is that any resident action group who registers with Council can get the list of Development Applications received each week. There are 15 at the last count who have registered, who receive the list each week.

4.

HEALTH – OLYMPICS – IMPACT ON COUNCIL RESOLUTIONS RELATING TO HOURS OF OPERATION - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2020574)

Question:

Can a report be prepared that details the impact of Olympic legislation on Council's resolutions that relate to hours of operation for example and any expected impacts from Legislation such as the Noise or Clean Water, the provisions of which may be in abeyance for the Olympic period?

Answer by the Mayor:

I will ask the Acting Director of Health and Community Services to have a report prepared for the next Committee.

5.

STREETS – BRUMBY STREET, SURRY HILLS – REPLACEMENT OF STREET SIGN AND COLLECTION OF RECYCLING BINS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2000904)

Question:

Residents of Brumby Street, Surry Hills, have requested the replacement of the street sign at Elizabeth Street and have had a number of collections of recycling missed, possibly due to construction. Can these matters be addressed by the relevant Officers?

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate those matters for you and have a report prepared for the Councillors Information Service this Friday.

6.

**FIRE – COMPANY TITLE BUILDING – INITIATION OF FIRE ORDERS -
QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER
(F53-00045)****Question:**

What is the process for the calling of fire orders from part owners of a company title building? Is it necessary for the company board to agree to this matter or can a fire order be initiate unilaterally by a part owner of an owner's corporation?

Answer by the Director of Planning and Building:

The fire orders are actually initiated by Council. It issues a notice of proposed order. The reason why an order would be issued is either the Council has received a complaint from a member of the public or the Fire Brigade or we have carried out an inspection as part of our inspection program. That would then lead to an order being issued on a property.

7.

**ADMINISTRATION – AMALGAMATION OF COUNCILS – COST TO SOUTH
SYDNEY COUNCIL - QUESTION WITHOUT NOTICE BY COUNCILLOR
FOWLER (2021730)****Question:**

Now that the Consultant's report on amalgamation has been completed and the result is obvious, can a report be prepared of the full cost to this Council?

Answer by the Mayor:

Yes.

8.

ELECTIONS – COMMITTEE AND COUNCIL MEETINGS – LIST OF FUTURE DATES OF MEETINGS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2012534)

Question:

Several Councillors are hopeful of being re-elected and it may be helpful to re-elected and new Councillors if Council Officers would list the recommended dates for Committee and Council Meetings for the period from July to December 2000. Could this information be published in Friday's Councillors Information Service?

Answer by the Mayor:

No. We can't do this because you cannot determine when the election will be concluded and the ballot declared.

9.

STREETS – SURVEY ON CLOSURE OF ROBERTSON ROAD, CENTENNIAL PARK - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (S06-00567)

Question:

Residents of Cook Road, Centennial Park, are complaining bitterly about the closure of Robertson Road. I understand the closure was first proposed in the mid 1970's, but a survey of local residents was undertaken in the mid 1990's.

Could the results of this survey be published in the Councillors Information Service?

Answer by the Mayor:

Councillor Fenton, if you think you are going to win any votes on that argument, I must say that you are going to be very disappointed, because the people in Robertson Road and Martin Road think it is wonderful and the closure has been supported by the Local Member for some time. We will have a copy of the survey put in the Councillors Information Service for you.

10.

DEVELOPMENT – ASSESSMENT OF DEVELOPMENT APPLICATIONS BY COUNCIL OFFICERS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2001991)**Question:**

Members of the community have expressed concern about Council's decision that Officers may assess Development Applications if less than five objections are received. Could Officers give examples of instances when this delegation would not be used? Could this information be published in the Councillors Information Service?

Answer by the Mayor:

I will ask the Director of Planning and Building to have that information prepared for you.

11.

HEALTH – WOOLLOOMOOLOO – INSTALLATION OF “DO NOT FEED THE PIGEONS” SIGNS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (H51-00108)**Question:**

Residents of Woolloomooloo state that they were told that Council had no budget to put “Do not feed the pigeons”. Could a sign be placed in the closure of Forbes Street at the Plunkett Street closure as soon as possible?

Answer by the Mayor:

We will put them out, but I don't think the pigeons will read them.

12.

COUNCILLORS – SOUTH SYDNEY BULLETIN – COUNCIL'S CODE OF CONDUCT - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (A54-00013)**Question:**

Could the General Manager report on volumes 2, 3, 4 and 5 of the Year 2000 South Sydney Bulletin and investigate the misuse of ratepayers money by using the Mayoral Message to belittle and demean myself and other Councillors and politicians in a most inappropriate political way, as the use of

GENERAL MANAGER

the Mayor's Message for this political purpose is contrary to Council's Code of Conduct?

Answer by the Mayor:

Yes, sometime in the future.

13.

STREETS – INSTALLATION OF COVERS FOR LARGE SKIP BINS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (S56-00058)

Question:

Could the Director of Public Works and Services please investigate whether it is possible to require covers to be placed on skip bins, particularly at larger building sites at the end of each day? Currently we have a major problem with rubbish blowing and general dumping where these skips are placed on or near roadways. There may be a further benefit in requiring such covers, as many operators appear not to cover the bin when they are transported.

Answer by the Mayor:

I will ask the Director of Planning and Building and the Director of Public Works and Services to investigate that matter and have a report prepared for Committee.

14.

SIGNS – REPLACEMENT OF PARKING ADVISORY SIGNS IN CHIPPENDALE - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2014969)

Question:

A number of parking advisory signs have been removed in the Chippendale/ East Chippendale area. Could the area be checked and signs replaced?

Further, could all Council staff be requested to advise the appropriate Officer when they notice damaged or missing signage?

Answer by the Mayor:

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

15.

STREETS – GARDENERS ROAD, ROSEBERY AND COPELAND STREET, ERSKINEVILLE – REQUEST FOR INSTALLATION OF BUS SHELTERS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2020709)

Question:

I have had requests from residents for bus shelters at the stops along Gardeners Road, Rosebery and in Copeland Street, Erskineville, opposite the Erskineville Oval. Could the Director of Public Works and Services please investigate whether and when shelters could be erected at these stops?

Answer by the Mayor:

Yes, the matter will be investigated as a matter of urgency and a response prepared for the Councillors Information Service.

16.

ANTI-SOCIAL ACTIVITIES – REQUEST FOR INCREASE IN POLICE OPERATIONAL STAFFING LEVELS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2012755)

Question:

Could the Mayor please write to the Minister for Police and the Police Commissioner seeking an increase in operational staffing levels and a re-examination of the Redfern Area Command boundaries? Residents in both Chippendale and Rosebery who are experiencing long response times and difficulties in getting regular patrolling of areas have approached me. They have expressed support for the Local Command, but believe that the area is too big given current resources.

Answer by the Mayor:

Yes, I will write to the Minister and to the Commissioner. When they make a decision, I will make the announcement.

REPORT OF THE FINANCE COMMITTEE

17 May 2000

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

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

Councillors - Deftereos, Fenton and Macken.

Apology:

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

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

That the Report of the Finance Committee of its meeting of 17 May 2000, be received and the recommendations set out below for Items 1 to 20, inclusive, 22 and 23, be adopted. The recommendation set out below for Item 21 having been dealt with as shown immediately following such Item.

Carried.

The Committee **recommended** the following:-

1.

RATES - NON-RATEABILITY OF VARIOUS LANDS WITHIN THE BOUNDARIES OF SOUTH SYDNEY CITY COUNCIL (2013833, 2019885)

That arising from a report by the Director of Finance dated 27 April 2000, detailing items (1) and (2) of land which has been determined as non-rateable, approval be given to the appropriate amendments to the Rate Book and consequential refund of rates where applicable.

Carried.

GENERAL MANAGER

2.

**FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - MARCH 2000
(2022399)**

That arising from a report by the Director of Finance dated 27 April 2000, approval be given to the confirmation of the payment of the accounts totalling \$17,447,167.61 as detailed in the Summary of Warrants for the Month of March, accompanying the report.

Carried.

3.

**FINANCE - OUTSTANDING DEBTS - SUNDRY DEBTORS AS AT
31 MARCH 2000 (2021978)**

That the report by the Director of Finance dated 26 April 2000, detailing outstanding sundry debtors at 31 March 2000, be received and noted.

Carried.

4.

**CLEANING - ABANDONED VEHICLES - INVESTIGATIONS INTO
TENDERING OUT OPERATION (2017302)**

That for reasons as detailed in the report by the Director of Public Works and Services dated 4 May 2000, the process for the identification and removal of abandoned vehicles as currently undertaken by Council continues to be administered in its present operational format.

Carried.

5.

**FINANCE - ACCOUNTS - RECONCILIATION WITH BANK STATEMENTS
FOR PERIOD ENDED 31 MARCH 2000 (A52-00240)**

That the report of the Director of Finance dated 4 May 2000, certifying to the Bank Reconciliation of Council's various Cash Books, be received and noted.

Carried.

6.

CONFERENCES - NATIONAL SCHOOL IN PARKS MANAGEMENT - MELBOURNE, VICTORIA, 2-7 JULY 2000 - ATTENDANCE OF COUNCIL REPRESENTATIVES (5263043)

That approval be given for the Parks Maintenance Manager and Parks Maintenance Supervisor – Central, to attend the National School in Parks Management to be held in Melbourne, 2nd - 7th July 2000 at a total cost of \$2,700 plus airfares and disbursements, funds being available in the 1999-2000 Budget of this Department (FBA-77RO).

(DPWS Report 8.5.00)

Carried.

7.

DEPARTMENTS - PUBLIC WORKS AND SERVICES DEPARTMENT - CADET ENGINEERS - EMPLOYMENT (D51-00075)

- (1) That Council's adopted procedure of 25 June 1997 regarding the appointment of Cadet Engineers within the Public Works and Services Department be modified to allow the appointment of Cadet Engineers on either:-
 - (a) a full-time basis attending University as part-time students, and for the duration of their University studies;
 - (b) a 6-month temporary full-time basis attending University as sandwich students;
- (2) That Cadet Engineers Miss C Teoh and Mr K Nazari be advised of Council's decision which satisfies their request.

(DPWS Report 9.5.00)

Carried.

8.

FINANCE - ACCOUNTS - INVESTMENTS - MONTHLY REPORT - PERIOD ENDING 28 APRIL 2000 (2015594)

- (1) That the Investment Report of the Director of Finance dated 11 May 2000, for period ending 28 April 2000, be received and noted.

GENERAL MANAGER

- (2) That Council's External Auditors submit a report verifying the state of Council's Monthly Investment Accounts as at 28 April 2000.

Carried.

9.

PLANNING - PARRAMATTA ROAD PROJECT - IMROC REQUEST FOR FUNDING (2020155)

That further to resolution of Council of 12 April 2000, and arising from consideration of a report by the Director of Planning and Building dated 10 May 2000, approval be given to vote an additional \$22,500 to the 1999/2000 Budget Estimates (Account Code GQB-66AO) to fund IMROC, to carry out the Parramatta Road Project.

Carried.

10.

DONATIONS - SOUTH SYDNEY YOUTH SERVICES - REDFERN TOWN HALL - REQUEST FOR FREE USE - 25 MAY 2000 (534232)

That arising from a report by the Acting Director of Corporate Services dated 9 May 2000, Council support South Sydney Youth Services by forgoing \$150 in income, subject to the organisation meeting the expenses of \$50, and this approval will allow South Sydney Youth Services free use of the Redfern Town Hall on Thursday, 25 May 2000, to conduct two special youth radio shows.

Carried.

11.

PLANNING - 'INDUSTRY PARTNERSHIP' - GREEN SQUARE CASE STUDY - PROPOSAL WITH INSTITUTE FOR SUSTAINABLE FUTURES, UNIVERSITY OF TECHNOLOGY, SYDNEY (2014100)

That arising from consideration of a report by the Director of Planning and Building dated 28 April 2000, it be resolved that Council contribute a total of \$6,000 from the 2000/2001 Strategic Planning Budget, (Account Code 5311-006) - Green Square - General, pending Council's endorsement of the draft Budget Estimates for the 2000/2001 financial year, for the purpose of

entering into an industry Partnership to link environmental indicators with land-use plans, with the Institute for Sustainable Futures, University of Technology, Sydney.

Carried.

12.

PROPERTIES – UPGRADING – WILSON BROS SITE, LOUIS ST NOS. 28-54, HUGO STREET, NOS. 29-53, AND CAROLINE STREET NOS. 12-36, REDFERN – DEMOLITION OF EXISTING OF BUILDING - ACCEPTANCE OF TENDER (2022661)

- (1) That approval be given to engage H. Hassarati for the sum of \$260,110;
- (2) That funds of \$26,011 (10% of the contract value) is allocated as a contingency for variations;
- (3) That funds of \$200,000 (Account Code BWP 6061) currently available in the 1999-2000 Property Works Programme be carried forward in the 2000-2001 Budget;
- (4) That additional funds of \$86,121 be allocated in the 2000-2001 Budget to cover the shortfall between the total project cost and funds currently available.

(A/DCS Report 11.5.00)

Carried.

13.

LEASING - ELIZABETH STREET, NO. 280, SURRY HILLS - COUNCIL'S ADMINISTRATION BUILDING - ALLOCATION OF FUNDS FOR LEASING COSTS (2020751)

That further to resolution of Council of 3 May 1999, and arising from consideration of a report by the Acting Director of Corporate Services dated 12 May 2000, approval be given to an additional \$2.3m being added to the current Budget to cover the lease costs associated with Council's occupation of part, No. 280 Elizabeth Street, Surry Hills, for use as its Administration Offices.

Carried.

14.

**PROPERTIES – ALEXANDRIA PARK AMENITIES BLOCK - UPGRADING -
NON-ACCEPTANCE OF TENDERS - FURTHER NEGOTIATIONS (2019951)**

- (1) That Council decline to accept any of the tenders, in accordance with Part 4, Clause 18 of the Local Government (Tendering) Regulations, 1993, and to negotiate with tenderers as provided for under sub-clause (3)(C);
- (2) That further negotiations be entered into with the three lowest tenderers, in order to achieve cost savings. It is considered inappropriate and of no value to Council to re-advertise for or invite fresh tenders given that these companies already have a good knowledge of the work required and will be readily able to consider the savings to be achieved by the proposed design changes. These companies also have expended considerable effort and funds in tendering the project;
- (3) That a further report will be submitted outlining the result of these negotiations.

(A/DCS Report 10.5.00)

Carried.

15.

**PROPERTIES - JOSEPH SARGENT CENTRE, PROSPECT STREET, NO.
60, ERSKINEVILLE - B.C.A. UPGRADE – CALLING OF QUOTATIONS
(2022953)**

That arising from a joint report by the Acting Director of Corporate Services and Director of Health and Community Services dated 12 May 2000, approval be given to:-

- (1) the allocation of \$30,000 to the 1999/2000 Health and Community Services Department Budget for fire safety upgrading of the Joseph Sargent Centre, as identified in the beforementioned report;
- (2) the calling of quotations to engage a consultant to carry out design of the additional stair to Level 1;

GENERAL MANAGER

- (3) the calling of quotations to engage a Contractor to carry out the construction of the new exit from Level 1.

Carried.

16.

LEASING - LANEWAY BETWEEN NO. 52 AND NO. 54 HUGO STREET, REDFERN - PROPOSED LEASE OF PART (2022874)

That approval be given to advertising and action being taken for the proposed lease of part of the laneway between No. 52 and No. 54 Hugo Street, Redfern as shown on Plan No. S4-130/769, and that a further report be submitted to Council at the end of this period.

(DPWS Report 11.5.00)

Carried.

17.

PROFESSIONAL SERVICES - CATERING SERVICES FOR AFTER COMMITTEE AND COUNCIL MEETINGS AND SPECIAL FUNCTION EVENTS - ACCEPTANCE OF TENDER (2022737)

That the matter be deferred for three months and the current contract engaging Council's Caterers be extended for this period of time.

Carried.

18.

CONFERENCES - INFOHRM 2000 CONFERENCE - 21 - 23 AUGUST 2000 - BOND UNIVERSITY, GOLD COAST, QUEENSLAND - ATTENDANCE OF COUNCIL REPRESENTATIVES (2005049)

That approval be given to:-

- (1) the Director of Organisational Development and the Personnel Manager to attend the InfoHRM 2000 Conference at the Bond University, Gold Coast from 21 to 23 August 2000, inclusive;
- (2) monies for the conference, registration, airfares and accommodation to the approximate value of \$3,800 being utilised out of existing funds in the 2000/2001 Revenue Estimates;

GENERAL MANAGER

- (3) any reasonable expenses incurred, including out of pocket expenses, be paid on the production of receipts.

(DOD Report 15.5.00)

Carried.

19.

STREETS - EASTERN DISTRIBUTOR - COMPLETION OF LAIP WORKS - TENDERS FOR DESIGN SERVICES AND CONSTRUCTION CONTRACT SUPERVISION – ACCEPTANCE OF TENDER (T02-00172)

- (A) That arising from consideration of a report by the Director of Public Works and Services dated 15 May 2000, Council accepts the tender submission from Connell Wagner Pty Ltd in the amount of \$218,707.50, as the best value to Council, for the provision of design services and construction contract supervision for completion of those elements of the Eastern Distributor LAIP set out in the Council's "Brief to Consultants" dated 27 March 2000, on the understanding that the Roads and Traffic Authority will reimburse Council for the costs involved;
- (B) That approval be given to a contingency sum of up to \$22,000 to cover possible acceptable variations to the overall scope of the proposed contract with Connell Wagner Pty Ltd.

Carried.

20.

FINANCE - BUDGETS - SUMMARY OF ADDITIONS TO THE ADOPTED BUDGET 1999/2000 (2021566)

That the report by the Director of Finance dated 16 May 2000, regarding the Summary of Additions to the Adopted Budget 1999/2000, be received and noted.

Carried.

21.

ADMINISTRATION - MANAGEMENT CONTROL - REVIEW OF COUNCIL'S STRUCTURE - J. HOWARD AND PARTNERS PTY LTD (2009377)

This matter was submitted to Council without recommendation.

GENERAL MANAGER

Moved by Councillor Harcourt, seconded by Councillor Macken:-

- (1) That the Departments of Public Works and Services, Planning and Building and Health and Community Services not be altered;
- (2) That the Corporate Services, Finance and Organisational Development Departments be amalgamated to form Council's Administration Department and to take effect from the appointment of the new Director and Deputy Director;
- (3) That the position of Director of Administration and Deputy Director be advertised forthwith, preferably commencing this weekend (27/28 May 2000). Salaries to be determined in negotiation with the General Manager;
- (4) That the new Director of Administration report to Council on the structure of the new amalgamated Department;
- (5) That a Corporate Projects Committee be formed comprising of General Manager, Director of Public Works and Services, Director of Planning and Building, Director of Health and Community Services, Director of Administration, the Mayor and Deputy Mayor, to examine and report to Council on Council's future direction.

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

That the restructure be deferred until the new Council, so to adequately report on the consequences of restructure.

Amendment negatived.

Motion carried.

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

22.

**STREETS - PARRAMATTA ROAD, CAMPERDOWN AT SYDNEY
UNIVERSITY - FOOTBRIDGE OVER ROADWAY - PROPOSED NAMING
(2011371)**

That approval be given to:-

GENERAL MANAGER

- (1) South Sydney Council supporting the representations by the Glebe Society Inc. to the Roads and Traffic Authority of NSW to name the footbridge across Parramatta Road from Glebe to Sydney University (at the Footbridge Theatre) as the Barton Footbridge in recognition of the contribution of Australia's first Prime Minister, Sir Edmund Barton to the Glebe area and Sydney University;
- (2) a letter being forwarded to the Glebe Society Inc. informing them of Council's decision.

(DPWS Report 17.5.00)

Carried.

23.

SPORTS - CRICKET - SYDNEY PARK - ALAN DAVIDSON OVAL - APPLICATION FROM SOUTH SYDNEY DISTRICT CRICKET CLUB TO LEASE (2005934)

That the matter be deferred to the next Finance Committee Meeting to be held on 7 June 2000.

Carried.

The Finance Committee Meeting terminated at 7.10 p.m.

REPORT OF THE FINANCE COMMITTEE (CONFIDENTIAL MATTER)

WEDNESDAY, 17 MAY 2000 AT 7.11 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.

Apology:

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

GENERAL MANAGER

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

Item 1 - Property Matter

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

That the Report of the Finance Committee (Confidential Matter) of its meeting of 17 May 2000, be received and the recommendations set out below for Item 1, be adopted.

Carried.

The Committee **recommended** the following:-

1.

PROPERTIES - DOWLING STREET, NOS. 228 - 232 AND NOS. 236 - 242, WOOLLOOMOOLOO - PROPOSED SALE AND APPOINTMENT OF REAL ESTATE AGENTS (2017713)

That the recommendation as contained in the report by the Acting Director of Corporate Services dated 10 May 2000, regarding the sale of Nos. 228 – 232 and Nos. 236 – 242 Dowling Street, Woolloomooloo and the appointment of Real Estate Agents for the sale, be approved and adopted.

Carried.

The Finance Committee (Confidential Matter) Meeting terminated at 7.12 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

17 May 2000

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

At the commencement of business at 7.13 pm those present were -

Councillors:- Deftereos, Fenton and Macken

Apology:

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

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

That the Report of the Community Services Committee of its meeting of 17 May 2000, be received and the recommendations set out below for Items 1 - 5, inclusive, be adopted. The recommendation set out below for Item 6 having been dealt with as shown immediately following such Item.

Carried.

The Committee **recommended** the following:-**1.****CONFERENCES - AGED SERVICES - SHARE THE CARE- BRISBANE, MARCH 2000 - REPORT (2012902)**

- (1) That arising from a report by the Director of Health and Community Services dated 3 May 2000, Council resolves to receive and note a report on the Brisbane Carers conference as outlined in the before mentioned report;

GENERAL MANAGER

- (2) That Council extends the membership of its Access Committee for People with Disabilities to include carers representatives.

Carried.

2.

WELFARE - SOCIAL PLANNING - GAY AND LESBIAN MARKET RESEARCH STUDY (W51-00086)

That arising from a report by the Director of Health and Community Services dated 10 May 2000, it be resolved that:-

- (1) the South Sydney City Council Gay and Lesbian Market Research Data document accompanying the beforementioned report, be received and noted;
- (2) approval be given to distribute the document to non-profit community organisations and residents as a free publication, on application to Council's Records Section;
- (3) approval be granted to publicise the availability of the research report through Council's Community Liaison Committees, community networks and the "Star Observer" and "Lesbian on the Loose" publications, with funds to cover this expenditure available in the 1999/2000 Budget.

Carried.

3.

WELFARE SERVICES - SOCIAL PLANNING - COUNCIL'S GAY, LESBIAN AND TRANSGENDER ISSUES PAPER - REPORT (W51-00086)

That arising from a report by the Director of Health and Community Services dated 10 May 2000, it be resolved that:-

- (1) the Gay, Lesbian and Transgender Issues Paper 2000 document accompanying the beforementioned report be received and noted;
- (2) approval be granted to have the Gay, Lesbian and Transgender Issues Paper published;
- (3) the following fees and charges for the document be adopted:-

GENERAL MANAGER

- \$25 for residents and non-profit organisations
- \$50 for non-residents and for profit organisations

-and that that fees and charges be advertised in the local press and placed on public exhibition, prior to inclusion in Council's current fees and charges;

- (4) approval be given to provide the Gay, Lesbian and Transgender Issues Paper to the Department of Local Government as a component of Council's Social Plan progress report.

Carried.

4.

HEALTH – NUCLEAR – OPPOSITION - SSROC NEW REACTOR WORKING PARTY (H51-00492)

That arising from a report by the Director of Health and Community Services dated 2 May 2000, it be resolved that:-

- (1) Copies of the maps showing the 80km zone spread of contaminants and the proposed road and rail routes to Woomera be obtained and displayed in Council's libraries.
- (2) the factual brochures developed by Sutherland Shire Council to raise community awareness about the issue be obtained and the contents incorporated as appropriate into an edition of the Inner City News.
- (3) Council supports public forums regarding the issue as appropriate.

Carried.

5.

LIBRARIES - OLYMPIC PERIOD - MONDAY 17 SEPTEMBER - FRIDAY 29 SEPTEMBER 2000 - STAFFING ISSUES (2003201)

That the matter be deferred to the next Community Services Committee Meeting to be held on 7 June 2000, and the Director of Health and Community Services submit a report on how all Council's Libraries will be staffed and open during the Olympic period.

At the request of Councillor Fowler, and by consent, the motion was amended by the addition of the words "including hours of operation and staffing

GENERAL MANAGER

operations” after the words “Olympic period” where appearing in the recommendation.

Motion, as amended by consent, carried.

6.

**STREETS - STREET FURNITURE - PUBLIC TOILETS - PROPOSED
INSTALLATION, CORNER WILLIAM AND FORBES STREETS,
WOOLLOOMOOLOO (2014501)**

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

That Council endorse the previous decision to provide an automatic toilet on the north-east corner of William and Forbes Streets, Woolloomooloo, and enter into a consultative process with the Forbes Street Square Steering Committee to explain Council’s position and facilitate the installation of the toilet.

(DPWS Report 17.5.00)

Carried.

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

The Community Services Committee Meeting terminated at 7.42 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

17 May 2000

PRESENT

The Deputy Mayor, Councillor Jill Lay (Chairperson)

Councillors – John Bush, John Fowler and Christine Harcourt.

At the commencement of business at 6.36 pm, those present were -

GENERAL MANAGER

The Deputy Mayor Councillor Jill Lay and Councillors – Bush, Fowler and 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 Lay:-

That the Report of the Planning and Development Committee of its meeting of 17 May 2000, be received and the recommendations set out below for Items 2, 9 to 13, inclusive, 15, 18 and 20, be adopted. The recommendations for Items 1, 3 to 8, inclusive, 14, 16, 17, 19 and 21 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

GIBBONS STREET, NO. 11, REDFERN - USE OF FORMER COUNCIL DEPOT FOR STORAGE AND MAINTENANCE OF VEHICLES - DEVELOPMENT APPLICATION (U00-00219)

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 by the Director of Planning and Building dated 11 May 2000.

At this stage it was moved by Councillor Fowler, seconded by Councillor Lay, that the above application approved by the Planning and Development Committee on 17 May 2000, be rescinded.

The Mayor indicated that a rescission motion needed to be lodged to Council with the signatures of three Councillors.

The following rescission motion was then lodged by Councillors Deftereos, Fowler and Fenton.

That the recommendation of Item 1 of the Planning and Development Committee meeting of 17 May 2000, be hereby rescinded.

GENERAL MANAGER

Rescission motion carried.

It was moved by Councillor Fowler, seconded by Councillor Lay, that the application be deferred to the next Planning and Development Committee meeting to be held on 7 June 2000 and that the application be notified to nearby residents.

Carried.

2.

PLANNING - STAGED REVIEW OF DEVELOPMENT CONTROL PLAN 1997 - URBAN DESIGN (2015554)

That Council resolve to:-

- (1)
 - (a) undertake a comprehensive review of Development Control Plan 1997: Urban Design in two stages and prepare relevant amendments to Development Control Plan 1997;
 - (b) have an urban Design in accordance with Section 51A of the Environmental Planning and Assessment Act, 1979 and Part 3 of the Environmental Planning & Assessment Regulation 1994;
- (2) prepare a report for consideration by the Planning and Development Committee detailing the proposed amendments prior to exhibition;
- (3) exhibit the draft amendments to Development Control Plan 1997: Urban Design in accordance with the requirements of Section 51A (4) of the Environmental Planning and Assessment Act and Part 3 of the Environmental Planning and Assessment Regulation 1994.

(DPB Report 11.5.2000)

Carried.

3.

PROSPECT STREET, NO. 38, SURRY HILLS - UPPER LEVEL DECK WITH LATTICE SCREENING - DEVELOPMENT APPLICATION (U00-00058)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

GENERAL MANAGER

- (A) That Council as the responsible authority, grant its consent to the development application submitted by S Jelinek for permission to create an upper level deck on an exiting roof 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 development shall be generally in accordance with the modified plans dated 8 May 2000;
 - (3) 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;
 - (4) 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;
 - (5) That a certificate shall be submitted from a structural engineer on the stability of the existing staircase structure;
 - (6) 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);
 - (7) That all proposed work shall be wholly within the boundaries of the site;

- (B) That the persons who made submissions in respect of this matter be advised of Council's decision.

Carried.

4.

WILSON STREET, NO. 210, NEWTOWN - REINSTATEMENT OF HERITAGE STREET VERANDAH - BUILDING APPLICATION (Q97-00924)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay seconded by Councillor Macken:-

That the Council as the responsible authority grants its consent to Section 96 modification submitted to Mr. B. Lay to modify the conditions of the in principle approval granted on 14 January 1998, only in so far as it provides for:-

Condition (3) to read:-

- (3) That the owner (any future owner) shall by 24 November 2000 completed a deed of agreement with Council to cover these conditions and have it registered on the Certificate of title of the property, 210 Wilson Street, Newtown.

Condition (4) to read:

- (4) That the structure posts shall be pinjointed at the balcony line with balcony loads being self supported by transfer beams. Details shall be submitted for consideration and approved prior to the commencement of any structural work
- (B) That the persons who made submissions in respect of this matter be advised of Council's decision.

Carried.

5.

WILSON STREET, NOS. 49 - 51, NEWTOWN - ERECT GARAGES FOR TWO TERRACES WITH STUDY AND STORAGE ABOVE - DEVELOPMENT APPLICATION (U00-00205)

- (A) That the Council, as the responsible authority grants its consent to the application submitted by T Olding (owner), for the permission to carry

GENERAL MANAGER

out rear extensions including attic conversion and garage 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 \$675 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 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 \$90, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
- (3) That the development shall be generally in accordance with plans numbered 1-6, dated 23 February 2000 except where amended by the conditions of consent;
- (4) That the proposed double garage at the rear shall be altered to a single garage and the proposed boundary lines be adjusted accordingly;
- (5) 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). This application shall be included with the application for a construction certificate. The developer shall adopt the final boundary alignment levels fixed by Council and pay the associated fees to Council;
- (6) 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

GENERAL MANAGER

stormwater discharge shall be approved by a Council-registered stormwater certifier prior to the approval of the construction certificate. The developer shall pay Council all fees relating to the discharge of stormwater;

and the following adopted standard conditions:

- (7) Works on Public Way Cost¹⁰⁰²
- (8) Cost of Signposting³⁰²⁶
- (9) Consequential Roadworks³⁰²⁷
- (10) Footway Crossing³⁰²⁸
- (11) Obstruction of Public Way³⁰²⁹
- (12) Delivery of Construction Materials³⁰³²
- (13) Refuse Skips⁶⁰⁰²
- (14) Ventilation⁷⁰²³
- (15) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (16) Comply With BCA⁹¹⁰⁴
- (17) Construction Hours⁹¹⁵¹
- (18) Works Within Boundary⁹¹⁵²
- (19) Work on Public Way⁹¹⁵⁴
- (20) Construction Certificate Required⁹¹⁵⁵
- (21) Protection of walls and floors in wet areas⁹⁶⁰¹

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

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

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

It was moved by Councillor Fowler, seconded by Councillor Bush, that the motion be amended by the deletion of condition (4) in the recommendation.

Amendment negatived.

Motion carried.

6.

**KING STREET, NOS. 93 - 99, NEWTOWN - OFFICE FITOUT AND USE
GROUND FLOOR AS PAROLE/ PROBATION OFFICE – DEVELOPMENT
APPLICATION (U00-00211)**

(A) That the Council as the responsible authority, grants its consent to the application submitted by Artas Architects & Planners Ltd with the authority of H. M. Fernbay (Newtown) Pty Ltd for the use of ground floor tenancy for a parole and probation office 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 \$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;
- (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 \$600, 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 the plans numbered A01, A02 and A03 all dated 23 February 2000;
- (4) That a separate application shall be submitted at the appropriate time for any proposed signs;

GENERAL MANAGER

- (5) That the hours of operation shall be restricted between 7.00 am and 9.00 pm Mondays to Fridays;
- (6) That the number of toilets within the building shall comply with the requirements of Part F2 of the BCA;
- (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 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 F1.7
- (9) All building work must be carried out in accordance with the provisions of the Building Code of Australia;
- (10) This does not apply to the extent to which an exemption is in force under clause 80H or 801 of the EPA Act Regulations 1998, subject to the terms of any condition or requirement referred to in clause 80H(6) or 801(4);
- (11) That a building or part of a building shall not be occupied until a occupation certificate has been issued in respect of the building or part;
- (12) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (13) That the demolition work shall comply with Australian Standard 2601-1991;
- (14) That no structural work shall be commenced until the construction certificate is issued by the certifying authority;

GENERAL MANAGER

- (15) That the proposed work shall be constructed in Type (C) construction in accordance with the requirements of specification C1.1-(5) of the BCA;
- (16) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (17) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (18) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (19) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (20) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (21) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (22) That 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;
- (23) That the use of the premises shall not give rise to:-
 - (a) transmission of 'offensive noise' to any place of different occupancy, or
 - (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LA10,15min and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.
 - (c) a sound pressure level at any affected premises that exceeds the recommended planning levels outlined in the

NSW, EPA Environmental Noise Control Manual; or, A sound pressure level at any affected premises that exceeds the NSW, EPA recommended maximum noise level as modified to account for the existing level of stationary noise at the receiver premises (NSW, EPA Draft Stationary Noise Source Policy).

- (24) That certificates of design compliance and system performance for the nominated components/aspects of the mechanical ventilation system shall be provided to the Council at the time of lodgment of plans certifying the design and upon commissioning of the mechanical ventilation system certifying performance. Certificates will be required prior to the issue of an occupation certificate. The certificate of performance shall be in accordance with Section 5 of Council's Ventilation Code and be accompanied by details of the test carried out in respect of ventilation;
- (25) 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;
- (26) That a separate garbage/recycling storage area for commercial use shall be provided, detailed in the application for a construction certificate;
- (27) That the storage and handling of garbage and recyclable materials shall comply with the requirements of Council's Waste Management/Minimisation Facts Sheets;
- (28) That the garbage/recyclable materials room shall be constructed in accordance with the requirements of Council's Waste Management/Minimisation Facts Sheets;
- (29) That the premises shall be provided with sanitary and other facilities in accordance with the requirements of the Building Code of Australia, Part F2;
- (30) 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;

- (31) 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;
- (32) 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);
- (33) 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);
- (34) That all proposed work shall be wholly within the boundaries of the site.

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

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

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

It was moved by Councillor Fowler, seconded by Councillor Bush, that the motion be amended by the deletion of the whole of the resolution and that the matter be then refused as the application is an inappropriate facilitation of businesses in Newtown.

Amendment negatived.

Motion carried.

7.

BROADWAY, NOS. 180 - 182, CHIPPENDALE - ERECTION OF A SEVEN STOREY, 28 UNIT MIXED COMMERCIAL/RESIDENTIAL DEVELOPMENT WITH PARKING - DEVELOPMENT APPLICATION (U99-01354)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

That development application submitted by Wolff Architecture P/L for permission to retain the existing building envelope and construct a seven storey, 28 unit mixed residential/commercial development with car parking, be deferred to incorporate the modification carried at the site meeting on Saturday 20 May 2000, and that the amended plans be notified to residents.

Carried.

8.

ARTHUR STREET, NO. 134, SURRY HILLS - ALTERATIONS AND ADDITIONS TO DWELLING INCLUDING ATTIC CONVERSION - DEVELOPMENT APPLICATION (U00-00354)

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 Mr Patrick Houston, with the authority of Ms M Attrill and Mr B Buerckner, for permission to make alterations and additions to existing residential dwelling to create an attic conversion, 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 development shall be generally in accordance with plans numbered A01, dated December 1999, except as amended by the conditions below;

GENERAL MANAGER

- (3) That the proposed rear dormer shall be set in 500 mm from the side walls, and 200 mm from the rear wall;
- (4) That the proposed side panels of glazing to the rear dormer shall be reduced to be windows with a sill height of no less than one metre, and that the bottom third of the proposed french doors shall be constructed of solid material;
- (5) That the proposed Juliet balcony shall be deleted;
- (6) That a railing shall be installed for the security of the french doors;
- (7) That the front verandah roof shall be stepped down such that it is separate from the main roof;
- (8) That a balustrade be provided to the french doors on the rear dormer which shall comply fully with the requirements of Part 3.9.2 of the BCA;
- (9) That a traditional form of metal balustrading shall be placed on the front first floor balcony similar to the original balustrading on terraces opposite;
- (10) That all balustrades shall comply fully with the requirements of part 3.9.2 of the BCA;

and the following adopted standard conditions:

- (11) Natural light and ventilation⁹⁶¹³
- (12) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (13) Obstruction of Public Way³⁰²⁹
- (14) Delivery of Construction Materials³⁰³²
- (15) Construction Hours⁹¹⁵¹
- (16) Works Within Boundary⁹¹⁵²
- (17) Stormwater Standard⁴⁰⁰¹
- (18) Refuse Skips⁶⁰⁰²

- (19) Work on Public Way⁹¹⁵⁴
- (20) Comply With BCA⁹¹⁰⁴
- (21) Construction Certificate Required⁹¹⁵⁵
- (22) Protection of External Walls⁹³²³
- (23) Stairs and Balustrades⁹⁴¹⁹
- (24) Smoke alarms⁹⁵²³
- (25) Ceiling heights of rooms⁹⁶¹¹
- (26) Natural Light and Ventilation/Skylights⁹⁶¹⁴
- (27) Construction of External Walls for Dampness⁹⁶²⁴
- (28) Building/Demolition Noise Control⁹¹⁵⁶
- (29) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (30) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (31) Commencement of Structural Works⁹²⁰²
- (32) Glazing Provisions⁹³³⁰

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.

CLARA STREET, NO. 30, ERSKINEVILLE - REAR EXTENSIONS AND ADDITIONS WITH DOUBLE GARAGE - DEVELOPMENT APPLICATION (U00-00227)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by J. Sambrook (applicant), for the permission to carry out rear extensions including attic conversion and garage 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 \$1200 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 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 \$160, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (3) That the development shall be generally in accordance with plans numbered 1-4, dated 29 February 2000, except where amended by conditions of consent;
 - (4)
 - (a) That the proposed width of the garage door opening shall be reduced to a maximum of 3.5 metres and shall be moved to the western side of the garage so as to be no closer than 1.8 metres from the boundary of IA Ada Lane;
 - (b) The height of the garage parapet wall facing Ada Lane shall have a maximum height of 2.6 metres above the footpath level;

GENERAL MANAGER

- (c) That the brickwork of the garage shall be rendered or painted;
- (d) That the front wall of the garage shall be realigned to be on the boundary with Ada Lane;
- (5) That the stormwater details and certificate shall be submitted and approved prior to the commencement of any building work;
- (6) That approval for the connection of the stormwater shall be obtained from Council's Public Works and Services Department prior to the work being carried out;

and the following adopted standard conditions:

- (7) Builders Hoarding Permit¹⁰⁰⁸
- (8) Alignment Levels¹⁰¹⁶
- (9) Footway Crossing³⁰²⁸
- (10) Obstruction of Public Way³⁰²⁹
- (11) Delivery of Construction Materials³⁰³²
- (12) Stormwater Standard⁴⁰⁰¹
- (13) Refuse Skips⁶⁰⁰²
- (14) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (15) Compliance with Building Code of Australia⁸⁵⁰¹
- (16) Residential Building Work⁸⁵⁰³
- (17) Support for Neighbouring Buildings⁸⁵⁰⁶
- (18) Survey Certificate at Set Out Stage⁹⁰⁰¹
- (19) Survey Certificate at Completion⁹⁰⁰²
- (20) Construction Hours⁹¹⁵¹
- (21) Works Within Boundary⁹¹⁵²

- (22) Work on Public Way⁹¹⁵⁴
- (23) Construction Certificate Required⁹¹⁵⁵
- (24) Building/Demolition Noise Control⁹¹⁵⁶
- (25) Works to be Within Allotment Boundaries⁹¹⁵⁹
- (26) Protection from Termites⁹²⁰⁴
- (27) Glazing Provisions⁹³³⁰
- (28) Stairs and Balustrades⁹⁴¹⁹
- (29) Smoke alarms⁹⁵²³
- (30) Construction of External Walls for Dampness⁹⁶²⁴
- (31) Flashings to Boundary Walls⁹⁶²⁵

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 unauthorised residential use of the factory building carried out at No.1A Ada Lane be inspected and investigated in due course.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

10.

CHURCH STREET, NO. 32 AND NO. 42, CAMPERDOWN - USE PROPERTIES FOR STORAGE OF TOYS AND GIFTWARE WITH 24 HOURS ACCESS - DEVELOPMENT APPLICATION (U00-00367)

- (A) That the Council as the responsible authority refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Mr. Salvatore Camuglia to use

GENERAL MANAGER

premises No. 32 and No. 42 for storage of toys and giftware with 24 hours access, for the following reasons, namely:-

- (1) That the proposed development does not comply with Clause 37 Part 2 subclause (c) of South Sydney Local Environmental Plan 1998 in that the proposal is not permissible in Zone 10;
 - (2) That the proposed development does not comply with Clause 37 Part 2 subclause (d) of South Sydney Local Environmental Plan 1998 in that the proposed 24 hours access will have adverse impact on the amenity of the residential developments in the near vicinity;
 - (3) That the proposed development is contrary to Clause 10 of South Sydney Local Environmental Plan 1998 in that the proposed development is inconsistent with the objectives of the zone.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

11.

PLANNING - SECTION 94 CONTRIBUTIONS PLAN 1998 - REVIEW - GREEN SQUARE - WHOLE OF SOUTH SYDNEY (2021391)

- (1) That Council resolves to review the current Section 94 Contributions Plan 1998 and to exhibit this plan as Draft Section 94 Contributions Plan 2000 in June-July, as outlined in the report by the Director of Planning and Building dated 9 May 2000.
- (2) That reports be prepared by the Community Services Department and The Parks Development Branch concerning the future of the Pine Street Arts Centre and its potential as a future park with a view to preparing options for community consultation, as part of the Stage 2 Review.

Carried.

12.

REGENT STREET, NOS. 21 - 69, REDFERN - PROPOSED RESIDENTIAL DEVELOPMENT - DEVELOPMENT APPLICATION- CONTRIBUTION INCLUDED IN CONSENT (U99-00501)

- (A) That Council as the consent authority grants its consent to the application submitted by Wolff Architecture P/L with the authority of Chadreel P/L for permission to demolish the existing signage and erect a mixed development containing 87 residential units and 819 sq.m of retail/showrooms, subject to the following conditions, namely:-
- (1) That the applicant be advised that conditions of consent are for a period of two years only;
 - (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$30,720 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 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 \$16,480 or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (4) That the developer/registered proprietor shall advise any initial purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to new residential flat developments located in Resident Parking Scheme areas;
 - (5) That the development shall be generally in accordance with plans numbered DA01-DA12, dated 29 February 2000, landscaping plans numbered LP/DA001 dated 17 May 1999, Hydraulic Plans H-01-H08 dated May 1999;

GENERAL MANAGER

(6) 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 Program	\$ 32,267	2E97003.BGY0
Open Space: New Parks	\$159,926	2E97009.BGY0
Accessibility And Transport	\$ 964	2E97006.BGY0
Management	\$ 2,645	2E97007.BGY0
Total	\$195,802	

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 approved building plans / before the release of the construction certificate / before the use is commenced or the premises occupied whichever occurs first.) (Delete as applicable)

GENERAL MANAGER

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.

- (7) 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	\$47393	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)

- (8) That in order to qualify for an additional floor space ratio of 0.24:1 and in addition to decorative paving works required by the development consent U94-00535 for the advertising structures, the developer shall bear the cost of approval, design and construction of public domain improvements in the vicinity of the site, as detailed in Sketch SSC1 and SSC2 dated 9 May 2000 comprising:

- (a) the dedication free of cost to Council, of a 2.0m wide strip along the site frontage to James Street and a 1.0m wide strip along the site frontage to Renwick Street, limited if so desired to a height 5.0m above ground level, to be detailed in a plan for consolidation of the land to the satisfaction of the Director of Public Works and Services prior to the issuing of an Occupation Certificate.
- (b) decorative pavement for the remainder of Regent Street between the outside boundaries of No.77 Regent Street and No.180 Redfern Street and along the length of the James and Renwick Street frontages on both the public way and any remnant privately owned set-back;
- (c) Flush threshold treatment across James St at Regent St including a central pedestrian refuge; across James St at George St; across Wells St at George St, and across Wells Street at Regent Street, including a footpath extension on the northern side of Wells St;
- (d) Flush threshold treatments across each arm of the intersection of Wells St and Renwick St, and subject to consideration of vehicle turning paths and preservation of the original woodblock road beneath the bitumen, footpath extensions to allow construction of pram ramps and better pedestrian amenity;
- (e) Provision of a protected viewing feature on the roadway in Wells Street to allow for access to and interpretation of the original woodblock road located beneath the bitumen. Note that the advice of Council's heritage planner must be sought in the design of this;
- (f) A landscaped footpath extension on the north-eastern corner of Renwick Street at James St;
- (g) Pram ramps on all approaches of the above works and across Renwick Street North at James Street;
- (h) Restoration of degraded kerb and gutter on the northern end of Renwick Street;

The flush pedestrian threshold treatments shall generally be in accordance with the South Sydney Council Public Works & Services Department drawing "Typical Lane Way Intersection Flush Threshold". Every effort shall be made to restore or recycle

GENERAL MANAGER

original materials such as trachyte and sandstone. Materials to be used for new kerb and gutters shall match those existing, and for flush roadway crossings, embedded porphyry stone or similar material approved by the Director of Public Works and Services shall be used. Modifications to drainage, relocation of drainage pits and pram ramps for the some elements shall be provided where necessary. Any decorative pavement installed shall be compatible and matched with pavement previously laid along Renwick and Regent Streets.

The applicant shall be responsible for:

- Surveyed base plans to be prepared showing all relevant existing features and levels;
- preliminary design to be carried out by a qualified civil engineer and/or landscape architect in consultation with Council officers including in relation to works in Wells Street, with Council's Heritage Planner;
- an application and any notification expenses involved in consideration being given to relevant aspects of the works under the Roads Act by the South Sydney Traffic Committee;
- detailed design prepared by a qualified civil engineer/ landscape architect and endorsed in writing by Council's Public Works & Services and Planning & Building Department;
- Lodgment of a bank guarantee with Council of an amount determined by a practicing Quantity Surveyor and considered appropriate by the Director of Public Works and Services to ensure that the works are completed to Council's satisfaction;
- Construction of the works subject to terms negotiated with the Director of Public Works and Services, and payment of any supervision/inspection charges of Council.

the issue of the Construction Certificate shall be conditional on the completion of the design and approval processes listed above, or an alternative timeframe and conditions negotiated and agreed in writing with the Director of Public Works and Services.

Should for any reason, the above works cannot be achieved, alternative works to an equivalent value shall be provided at the discretion of the Director of Planning and Building.

GENERAL MANAGER

- (9) That the applicant shall make a separate application to the Director of Public Works and Services for any paving on the public way (for approval under the Roads Act 1993). The applicant/owner shall complete the work wholly in accordance with the requirements of the Director of Public Works and Services (including responsibility for the full cost of the work, payment of fees, lodgment of a security deposit and public liability insurance);
- (10) 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);
- (11) That the parking spaces shall be allocated on the basis of 53 for the residential units with a maximum of 1 space being allocated to each unit, 4 visitor parking spaces exclusively for visitors, tradesmen and the like, and 8 spaces for the commercial component of which at least 4 shall be available as visitor parking outside of business hours;
- (12) That the visitor spaces shall be kept available for their intended short-term usage and shall be clearly indicated with appropriate marking and signage. An intercom system connected to each unit and shop shall be provided inside the driveway entrance, and shall be capable of operating the security shutter;
- (13) That before entering a purchase/lease/occupancy agreement, all occupiers and tenants of the development are to be advised by the owner of the building and owners of the individual units once on-sold, that residents are not eligible to participate in existing or future on-street resident parking schemes. A sign to this effect shall be located in a prominent place, to Council's satisfaction, such as on a directory board or notice board, where it can be easily be observed and read by persons entering the building. This exclusion is to appear on Section 149 Certificates of the EP&A Act (1979).
- (14) The inclusion of the adopted standard condition No. 3028 and the addition "The developer shall also rebuild the damaged kerb and gutter opposite Nos. 35-37 Renwick Street, previously used as an informal footway crossing";

- (15) That bicycle parking shall be designed in accordance with DCP 11: Transport Guidelines for Development and Australian Standards 2890.3. Bicycle parking for residents shall be provided in the form of at least 30 individual lockers (Class 1 facilities of AS2890.3) in a safe convenient location on the Ground Floor. Bicycle parking for visitors and retail users shall in the form of at least 4 inverted U-stand spaces (Class 3 facilities of AS2890.3) provided at convenient, surveillable and clearly signed locations within the private footpath in James Street and within the ground floor car park;
- (16) That the Caremark shall be designed in accordance with AS2890 Parking Facilities - Part 1: Off-Street Car Parking and South Sydney DCP No.11 - Transport Guidelines for Development. The following modifications are required:
- A near-level street transition of at least 6m length at a maximum grade of 1:20 is required inside the building at the vehicular access points in addition to the ramp grades and associated transitions;
 - The main aisle on the Basement Level shall be widened by 1.2m, parking bays shortened by 0.1m and columns set back at least 0.75m from the face of parking bays to provide an unencumbered aisle of minimum 8.0m width for maneuvering of vehicles onto and off the ramp.
 - A fish-eye mirror shall be provided in a suitable location at the base of the ramp on Basement Level to allow drivers clear vision of approaching vehicles.
- (17) That the area behind the retail space shall not be used for the parking of motor cars and shall be kept available for servicing and the unloading, loading and handling of goods, or if required, for bicycle parking referred to in Condition 14. All loading and unloading activities shall take place off-street.
- (18) That the entrances to each commercial premises, circulation spaces and facilities associated with them shall be designed for equitable and dignified use by people with disabilities in accordance with Council's Equitable Access Design Policy;

Note: 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 Premises by the Human Rights and Equal Opportunity Commission (on which Council's Equitable Access Design Policy is based), may be the best defence against potential action until an accepted industry standard is available;

- (19) That clear sight lines equivalent to corner splays of a minimum 3.0m by 3.0m be maintained at the corners of the building lines (as amended by Condition 6) at James Street with Renwick Street and James Street with Regent Street. These shall apply over the ground floor level extending 0.8m above footpath level;
- (20) That all construction traffic should only access the site from James Street via Regent Street;

and the following adopted standard conditions:

- (21) Street Number Application¹²³
- (22) Construction of Widened Roadway – Costs¹⁰⁰¹
- (23) Works on Public Way Cost¹⁰⁰²
- (24) Paving¹⁰⁰³
- (25) Relocation of E.L.P¹⁰⁰⁵
- (26) Alteration of Public Services¹⁰⁰⁶
- (27) Builders Hoarding Permit¹⁰⁰⁸
- (28) Consolidate Lots¹²²
- (29) Underground Support¹⁰¹⁷
- (30) Car Wash Bay³⁰⁰⁸
- (31) Sign for Visitor Parking³⁰¹⁰
- (32) Loading Within Site³⁰¹⁴
- (33) Loading/Parking kept clear³⁰¹⁶

- (34) Vehicles Enter/Leave in Forward Direction³⁰²⁰
- (35) Disabled Entry³⁰²⁴
- (36) Road Opening Permit³⁰²⁵
- (37) Cost of Signposting³⁰²⁶
- (38) Consequential Roadworks³⁰²⁷
- (39) Footway Crossing³⁰²⁸
- (40) Obstruction of Public Way³⁰²⁹
- (41) Delivery of Construction Materials³⁰³²
- (42) Stormwater Standard⁴⁰⁰¹
- (43) Clean Water Discharge⁴⁰⁰²
- (44) On Site Detention –Stormwater⁴⁰⁰³
- (45) Connection to Council's Stormwater System⁴⁰⁰⁵
- (46) Refuse Skips⁶⁰⁰²
- (47) Survey Certificate at Set Out Stage⁹⁰⁰¹
- (48) Works Within Boundary⁹¹⁵²
- (49) Hours of Work and Use of Cranes⁹¹⁵³
- (50) Work on Public Way⁹¹⁵⁴
- (51) Building/Demolition Noise Control⁹¹⁵⁶
- (52) Street Trees⁵⁰⁰⁸
- (53) On Slab Planting⁵⁰¹³
- (54) Maintenance of Landscaping⁵⁰¹⁴
- (55) Final Inspection⁵⁰¹⁵
- (56) Comply With BCA⁹¹⁰⁴

- (57) Construction Certificate Required⁹¹⁵⁵
- (58) Building/Demolition Noise Control⁹¹⁵⁶
- (59) Comply With the WorkCover Authority⁹¹⁰⁵
- (60) Demolition to Comply With Aust Standard⁹¹⁶³

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.

13.

ARTHUR STREET, NO. 132, SURRY HILLS – PROPOSED ATTIC CONVERSION – DEVELOPMENT APPLICATION (U00-00084)

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Emerald Logic Pty Ltd, on behalf of Peter George (Owner), to the "conversion of an attic roof space, deletion of gas flu, new side first floor level windows to attic level, and relocate approved side window, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with the plans labelled "9914 50/A", "9914 10A", "9914 11A", "9914 12/A", "9914 20/A", and "9914 30/A", dated 25 January 2000, marked in red, stamped approved by Council, and held in Council's File U00-00084, except as conditioned elsewhere in this consent;
 - (2) That the deck shall have an area of no more than 3 square metres and a minimum trafficable depth of 1.2 metres. Details shall be submitted with the Construction Certificate;
 - (3) That a fixed lattice and slat privacy screen shall be installed along the northernmost edge and side returns of the planter box to a height of 1.5m when measured from the finished floor level of the deck. Details shall be submitted with the Construction Certificate;

GENERAL MANAGER

- (4) That the windows, door, deck, and planter box at the attic level shall be no less than 500mm from the inside face of the side walls. Details shall be submitted with the Construction Certificate;
- (5) That the new side window at the attic level shall be vertically proportioned. Details shall be submitted with the Construction Certificate;
- (6) That the proposed windows in the boundary wall shall be of the fixed type and have a fire resistance level of at least 60/60/60;
- (7) That the deck at the attic level at the northern end shall be protected to comply with the requirements of part 3.9.2 of the Building Code of Australia;
- (8) That all internal bathrooms shall be mechanically ventilated in accordance with the requirements of Part 3.8.5 of the Building Code of Australia;
- (9) That all stairs and balustrades shall comply with the requirements of Parts 3.9:1 & 3.9.2 of the Building Code of Australia;

and the following adopted standard conditions:

- (10) Obstruction of Public Way³⁰²⁹
- (11) Delivery of Construction Materials³⁰³²
- (12) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (13) Structural Design Certificate⁹⁰⁰⁶
- (14) Construction Hours⁹¹⁵¹
- (15) Works Within Boundary⁹¹⁵²
- (16) Glazing Provisions⁹³³⁰
- (17) Damp and weather proofing⁹⁶⁰⁵
- (18) Natural light and ventilation⁹⁶¹³

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.

KING STREET, NO. 157, NEWTOWN - EXTENSION OF OPERATING HOURS – DEVELOPMENT APPLICATION (U00-00200)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council refuses to grant its consent under the NSW Environmental Planning and Assessment Act to the development application for extended operating hours submitted by Mulshare Pty Ltd with the authority of Donna Luisa Asensio for the following reasons, namely:-
- (1) That the proposal represents an intensification of the approved use which will adversely affect the amenity of the surrounding residential area;
 - (2) That the cumulative impact of approving similar proposals would adversely impact on residents in the surrounding area;
 - (3) That the proposal does not meet objective (d) of the 3 Business Zone;
 - (4) That the nuisance generated by the extended hours of operation by patrons outside the premises is largely unable to be controlled;
- (B) That the persons who made representations in respect of the proposal be advised of the Council's decision.

GENERAL MANAGER

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

That Council resolve to:

- (1) the matter being deferred in order for Council to address the anomalies of the LAB rulings that predate the change to the consent by Council for licensed hours and that the matter be referred to each of the licenced premises noted in the report;
- (2) the matter of the licensing anomalies being referred to Council's Solicitors.

Amendment negatived.

Motion carried.

At the request of the Mayor, the Director of Planning and Building investigate the licences of hotels in King Street, Newtown in relation to the questions raised in the amendment by Councillor Fowler.

15.

ERSKINEVILLE ROAD, NOS. 47-53, ERSKINEVILLE – DEMOLITION OF EXISTING BUILDINGS & ERECTION OF MIXED COMMERCIAL/ RESIDENTIAL DEVELOPMENT COMPRISING 7 RESIDENTIAL UNITS & ASSOCIATED PARKING -DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U99-00490)

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 by the Director of Planning and Building dated 15 May 2000.

Carried.

16.

CLEVELAND STREET, NO. 201, REDFERN – ALTERATIONS AND ADDITIONS, COMMERCIAL/RESIDENTIAL DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U00-00085)

This matter was submitted to Council without recommendation.

GENERAL MANAGER

Moved by Councillor Harcourt, seconded by Councillor Lay:-

(A) That the Council as the responsible authority, grant its consent to the development application submitted by Architectural Projects with the authority of Currency Press for permission for alterations and additions to use the existing building for office tenancies with first floor terraces and new three bedroom unit on 2nd floor, 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 \$7500 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 a construction certificate, 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 \$1000, or first instalment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment.

(3) 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	\$ 587	E97003.BGY0
Open Space: New Parks	\$2917	2E97009.BGY0

GENERAL MANAGER

Accessibility And Transport	\$ 18	2E97006.BGY0
Management	\$ 48	2E97007.BGY0
Total	\$3,570	

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 December Quarter 1999/2000.

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

GENERAL MANAGER

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

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

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;

- (4) As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan – 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	\$877	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);

- (5) That the development shall be generally in accordance with plans numbered 98.615, DA01-02 Amendment A dated 22 December 1999, DA03-04 Amendment B dated 22 December 1999 and DA05-06 Amendment A dated 22 December 1999 submitted to Council on 28 January 2000, and held on file U00-00085;
- (6) That new services in the original part of the residence and coach house are to be placed as unobtrusively as possible in order to minimise intervention in the building fabric;
- (7) That external brickwork to the Coach House shall remain unpainted;
- (8) That the existing coach house building shall not be used for residential purposes;
- (9) That the hours of operation shall be restricted to between 8:00am to 7:00pm Mondays to Saturdays for the office component;
- (10) That details shall be submitted (coloured elevations to an appropriate scale), including proposed materials, colours and

GENERAL MANAGER

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;

- (11) That a maximum of (5) 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;
- (12) That the parking spaces shall be allocated on the basis of one for residence and 4 for the office component (appropriately line-marked and labelled prior to issuing an Occupation Certificate);
- (13) 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;
- (14) That the new windows and doors in the rear elevation shall be constructed in timber joinery;
- (15) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
- (16) That smoke hazard management shall comply with the requirements if Clause 3.6 of specification C1.1 of the BCA;
- (17) That proposed skylights shall comply fully with the requirements if Clause 3.6 of specification C.1.1 of the BCA;

- (18) That further details and supporting criteria on relation to the design of the fire isolated stairway shall be submitted with the application for a construction certificate to demonstrate compliance with the performance requirements of the BCA;
- (19) That the ceiling beneath the second floor of the premises shall have resistance to the incipient spread of fire of one hour;
- (20) That an alternative solution to the abovementioned conditions would be acceptable if it addresses all of the performance requirements of the BCA;
- (21) That the lower half of the new sash window to the retreat area on the first floor shall be obscure glazing and shall be fixed;
- (22) The proposed skylights shall be flush mounted, details to be shown on the Construction Certificate plans;

and the following standard conditions:

- (23) Commercial Garbage Storage⁶⁰⁰⁴
- (24) Sanitary Facilities⁷⁰¹⁶
- (25) Obstruction of Public Way³⁰²⁹
- (26) Delivery of Construction Materials³⁰³²
- (27) Stormwater Standard⁴⁰⁰¹
- (28) Construction Hours⁹¹⁵¹
- (29) Works Within Boundary⁹¹⁵²
- (30) Comply With BCA⁹¹⁰⁴
- (31) Construction Certificate Required⁹¹⁵⁵
- (32) Doorways in Fire-Isolated Stairways⁹³¹¹
- (33) Fire Doors to Sole-Occupancy Units⁹³¹⁵
- (34) Wall and Floor Penetration Protection⁹³²⁹
- (35) Width of Stairs and Vertical Clearance⁹⁴¹⁸

- (36) Exit Doors Installed in a Path of Travel to an Exit⁹⁴²¹
- (37) Construction of External Walls for Dampness⁹⁶²³
- (38) Maintaining Unobstructed Access to Exits⁹⁴²⁶
- (39) Access from Tenancy Doors to Exits⁹⁴²⁷
- (40) Notices Outlining the Offences Relating to Fire Exits⁹⁴³⁰
- (41) Protection of walls and floors in wet areas⁹⁶⁰¹
- (42) Warning signs in lifts⁹⁵¹⁶
- (43) Clothes washing and drying facilities⁹⁶⁰³
- (44) Damp and weather proofing⁹⁶⁰⁶
- (45) Number of toilets to be provided⁹⁶⁰⁸
- (46) Ceiling heights of rooms or spaces⁹⁶¹²
- (47) Fire Blanket be Installed⁹⁵⁰³
- (48) Portable Fire Extinguishers be Installed⁹⁵⁰¹
- (49) Hose Reels be Installed⁹⁵⁰⁶
- (50) Hydrants be Installed⁹⁵⁰⁷
- (51) Emergency lighting⁹⁵¹⁸
- (52) Exit signs⁹⁵¹⁹
- (53) Fire detection and alarm system⁹⁵²²
- (54) Protection of Openings⁹³⁰⁷
- (55) Discharge From Exits⁹⁴⁰⁷
- (56) Protection of Openings in Lift Shafts⁹³¹⁴
- (57) Structural Design Certificate⁹⁰⁰⁶
- (58) Survey Certificate at Set Out Stage⁹⁰⁰¹

- (59) Survey Certificate at Completion⁹⁰⁰²
- (60) Drainage Details with Construction Certificate⁹⁰¹³
- (61) Comply With the WorkCover Authority⁹¹⁰⁵
- (62) Works Within Boundary⁹¹⁵²
- (63) Building/Demolition Noise Control⁹¹⁵⁶
- (64) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (65) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (66) Commencement of Structural Works⁹²⁰²
- (67) Glazing Provisions⁹³³⁰
- (68) Construction of Switchboard⁹⁸⁰⁶
- (69) That the applicant, at their cost and subject to access being provided shall carry out a dilapidation report on No.203 Cleveland Street . This report shall be prepared before any work is commenced on site and a copy of the report shall be given to the owner of No. 203.

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 traffic and parking congestion, and would not be in the public interest.

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

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

That the matter be deferred for a heritage report regarding the appropriate design for the roof extension from an Independent Heritage Consultant.

Amendment negatived.

Motion carried.

17.

BOURKE STREET, NO. 144, WOOLLOOMOOLOO – PREMISES TO BE USED AS SAFE HOUSE – DEVELOPMENT APPLICATION (U00-00068)

This matter was submitted to Council without recommendation:-

Moved by Councillor Harcourt, seconded by Councillor Lay.

That the application be deferred to allow adequate time for the issues raised at the Committee meeting of 17 May 2000, to be investigated with the Kings Cross Police and for the applicant to address the non-compliance with Council's Sex Industry Policy regarding sanitary facilities.

Carried.

18.

EPSOM ROAD, NOS. 118-130, ZETLAND - TO DEMOLISH THE BUILDINGS IN THE SOUTH EAST CORNER OF THE SITE AND ERECT A SINGLE STOREY MOTOR SHOWROOM WITH ASSOCIATED SITE WORKS, COVERED VISITOR PARKING AND SIGNAGE - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U99-01231)

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 by the Director of Planning and Building dated 15 May 2000.

Carried.

19.

PLANNING - TAYLOR SQUARE - PUBLIC EXHIBITION DRAFT MASTER PLAN AND DRAFT DEVELOPMENT CONTROL PLAN (2020343)

That Council resolve to:-

- (1) prepare a draft Special Precinct Development Control Plan for Taylor Square;
- (2) exhibit in accordance with Section 51A(4) of the Environmental Planning and Assessment Act and Part 3 of the Environmental Planning and Assessment Regulation 1994, the draft Masterplan and Development Control Plan prepared by EDAW Pty Ltd in concurrence with work undertaken by students of the University of New South Wales on Taylor Square;
- (3) endorse in principle the further investigation of a preferred option for Council's achievement of status as a "deductible gift recipient".

(DPB Report 10.5.00)

Carried.

At this stage Councillor Bush used an expression in the Council Chamber that the Mayor ruled to be out of order.

The Mayor asked Councillor Bush to withdraw the comment and apologise.

Councillor Bush withdrew the comment and apologised.

20.

OATLEY ROAD, NO. 13, PADDINGTON - CONSTRUCTION OF A SURFACE CHAMBER FOR AN ELECTRICITY SUBSTATION - DEVELOPMENT APPLICATION (U00-00309)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Nordon Jago Architects, with the authority of Contract Properties Pty Limited, for permission to construction a chamber for the purpose of an electricity substation, 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 \$375 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

GENERAL MANAGER

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 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 \$50, 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 the plans numbered DA101B dated 23 March 2000 and the colour schedule dated 10 May 2000 and stamped "approved", as amended by conditions of this consent with such amendments being indicated in red on the approved plans;
- (4) That the chamber shall be setback from the existing kerb and be aligned with the top of the existing concrete crib retaining wall. Details in this regard shall be indicated on plans submitted with the Construction Certificate;
- (5) That the stonework from the existing retaining wall proposed to be removed shall not be cut and shall be re-laid by a suitably qualified stonemason on top of the existing adjacent remnant sandstone walling;
- (6) That the use of the premises shall not give rise to:
 - (a) Transmission of "offensive noise" to any place of a different occupancy;
 - (b) A sound pressure level at any affected premises that exceeds the background (L_{A90}) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an $L_{Aeq,15min}$ and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content;
 - (c) A sound pressure level at any affected residential premises that exceeds the Acceptable Noise Level (ANL)

modified to account for existing noise in accordance with the NSW, EPA Industrial Noise Policy;

and the following adopted standard conditions:

- (7) Comply With BCA⁹¹⁰⁴
- (8) Construction Certificate Required⁹¹⁵⁵
- (9) Structural Design Certificate⁹⁰⁰⁶
- (10) Drainage Details with Construction Certificate⁹⁰¹³
- (11) Construction Hours⁹¹⁵¹
- (12) Works Within Boundary⁹¹⁵²
- (13) Commencement of Structural Works⁹²⁰²
- (14) Noise and Vibration⁷⁰²⁶
- (15) Obstruction of Public Way³⁰²⁹
- (16) Delivery of Construction Materials³⁰³²
- (17) Refuse Skips⁶⁰⁰²
- (18) Work on Public Way⁹¹⁵⁴

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;

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

GENERAL MANAGER

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.

21.

**COMMUNITY SERVICES - PUBLIC TOILETS - STREET FURNITURE
CONTRACT (2014501)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That Council endorse the previous decision to provide an automatic toilet on the north-east corner of William and Forbes Streets, Woolloomooloo, and enter into a consultative process with the Forbes Street Square Steering Committee to explain Council's position and facilitate the installation of the toilet.

(DPWS Report 17.5.00)

Carried.

The Planning and Development Committee Meeting terminated at 8.46 p.m.

The Council Meeting terminated at 8.04 p.m.

Confirmed at a meeting of South Sydney City Council
held on2000

CHAIRPERSON

GENERAL MANAGER

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