

**MINUTES OF ORDINARY COUNCIL MEETING OF THE
COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 26TH FEBRUARY, 2002 AT 6:56 P.M.**

PRESENT:

His Worship the Mayor, Cr D. Sullivan (North Ward) (Chairperson)

Councillor M. Daley (South Ward) (Deputy Mayor)

North Ward	-	Crs J. Greenwood and P. Tracey
South Ward	-	Crs C. Matthews and A. White
East Ward	-	Crs F. Backes, B. Notley-Smith and M. Matson
West Ward	-	Crs P. Schick, M. Whitehead and J.Procopiadis
Central Ward	-	Crs C. Bastic, T. Seng and A. Andrews

OFFICERS PRESENT:

General Manager	Mr. G. Messiter.
Director Asset & Infrastructure Services	Mr. M. Savage.
Acting Director Planning & Environment	Ms. S. Truvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Public Officer	Mr. P. Smith.
Acting Communications Manager	Ms. S. Malouf.
Manager, Waste	Mr. R. Wade.

RESOLVED: (Procopiadis/Schick) that the meeting be adjourned at 6.57 p.m.

1. COUNCIL PRAYER

The Council Prayer had already been read by His Worship the Mayor, Cr D. Sullivan at the Extraordinary Council Meeting held on 26th February, 2002.

1a. APOLOGIES.

Nil.

The Meeting was resumed by His Worship the Mayor, Cr D. Sullivan at 8.45 p.m.

2. MINUTES

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON FRIDAY, 7TH DECEMBER, 2001.

- 4 **RESOLUTION:** *(Bastic/Daley)* that the Minutes of the Extraordinary Council Meeting held on Friday, 7th December, 2001 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 11TH DECEMBER, 2001.

- 5 **RESOLUTION:** (*Andrews/Schick*) that the Minutes of the Ordinary Council Meeting held on Tuesday, 11th December, 2001 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 12TH FEBRUARY, 2002.

- 6 **RESOLUTION:** (*Daley/Bastic*) that the Minutes of the Extraordinary Council Meeting held on Tuesday, 12th February, 2002 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

RESOLVED: (Bastic/Daley) that the meeting be adjourned at 8.46 p.m. to permit members of the public entitled and wishing to address the assembled Councillors.

3. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

1. Mr Paul Haylen – 11 Edward Avenue, Kingsford, on Item 4.1, Mayor's Minute 7/2002 – Suburb Boundaries – 349 to 373 Avoca Street & 1 to 17 Edward Avenue & 1 Court Avenue.
2. Ms Jodee Anning – 11 Cottenham Avenue, Kensington, on Item 7.2, Director Governance, Management & Information Service's Report 7/2002 – Suburb Boundaries , Kensington – Kingsford.
3. Ms Tracey Flynn – 7 Duncan Street, Maroubra, on Item 8.4, Director Planning & Environment's Report 7/2002 – 7 Duncan Street, Maroubra.
4. Mr Tony Moody – 86 Bay Street, Broadway, on Item 8.6, Director Planning & Environment's Report 9/2002 – 25 French Street, Maroubra.
5. Mr Todd McGrath – 25 French Street, Maroubra, on Item 8.6, Director Planning & Environment's Report 9/2002 – 25 French Street, Maroubra.
6. Mr Wal Williamson – 199 Storey Street, Maroubra, on Item 9.3, Notice of Motion by Councillor C. Matthews – Grant to enclose 50 metre pool.
7. Ms Clare Raffan – 9 Wood Street, Randwick, on Item 9.13, Notice of Motion by Councillor M. Matson – Deviation from George Street Tree Master Plan.
8. Mr Steve Davies – 6 George Street, Randwick, on Item 9.14, Notice of Motion by Councillor M. Matson – Examination of Cost Benefit to the Community of Retaining Problem Trees.

The Meeting was further adjourned by His Worship the Mayor, Cr D. Sullivan at 9.20 p.m.

The meeting was resumed at 9.20 p.m.

4. MAYORAL MINUTES.

4.1 MAYOR'S MINUTE 7/2002 - SUBURB BOUNDARIES - 349 TO 373 AVOCA STREET, 1 to 17 EDWARD AVENUE AND 1 COURT AVENUE. (98/S/0064)

7 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that:*

- (a) *In respect to Nos. 349 and 373 Avoca Street, Council prepare a draft map of changes to suburb boundaries, write to the affected residents and place the draft on public exhibition and undertake public consultation, in order for the final draft to be referred to the Geographical Names Board for endorsement and gazettal;*
- (b) *In respect to Nos. 1 to 17 Edward Avenue, Council decline to accede to the request by the residents of Edward Avenue to be classified as part of the suburb of Kensington; and*
- (c) *It be noted that No. 1 Court Avenue is not a component of the proposal and that no action be taken with respect of that address.*

MOTION: *(His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.*

4.2 MAYOR'S MINUTE 8/2002 - USE OF MAROUBRA BEACH FOR SYDNEY BRANCH SURF LIFESAVING COMPETITION. (98/S/1411)

8 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council vote \$451.00 to cover the fees associated with the Sydney Branch Surf Life Saving Competition to be held at Maroubra Beach on Saturday 23 February, 2002 and this be funded from the Councillors' Bids Vote.*

MOTION: *(His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.*

4.3 MAYOR'S MINUTE 9/2002 - FESTIVAL OF THE SAILS 2002 - USE OF FRENCHMAN'S BAY. (98/S/1617)

9 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council vote \$303.40 to cover the fees associated with the Festival to be held on Saturday 23 and Sunday 24 April, 2002, at Frenchman's Bay 2002 and this be funded from the Councillors' Bids Vote.*

MOTION: *(His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.*

4.4 MAYOR'S MINUTE 10/2002 - USE OF COOGEE BEACH FOR SURF EDUCATION - REQUEST FOR WAIVING OF FEES. (98/S/0636)

10 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council vote \$631.40 to cover the cost of the Surf Education event which was held on 3 and 4 December, 2001 at Coogee Beach and this be funded from the Councillors' Bids Vote.*

MOTION: *(His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.*

4.5 MAYOR'S MINUTE 11/2002 - USE OF MAROUBRA BEACH BY SOUTHSIDE SURF RIDERS ASSOCIATION. (98/S/1411)

11 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council vote \$315.70 to cover the fees associated with the Southside Surf riders Association of "Surf for Life 2002*

Youth Suicide Awareness” to be held at Maroubra Beach on 9 March, 2002 and this be funded from the Councillors’ Bids Vote.

MOTION: (His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.

4.6 MAYORAL MINUTE 12/2002 – 36 CURTIN CRESCENT, MAROUBRA - THE SANDS HOTEL, VARIATION TO TRADING HOURS LICENSING COURT APPLICATION NO. 102186. (P/005087 xr D/0622/2000)

12 **RESOLUTION: (Daley/White)** *that the Council continue to oppose any extension of trading hours and press Council’s original objection to the granting of the application for the variation of trading hours at the Sands Hotel, Maroubra – Monday to Wednesday (inclusive) 5.00 am to 12.00 midnight, Thursday to Saturday (inclusive) 5.00 am to 2.00 am the following day, and Sunday 5.00 am to 12.00 midnight.*

MOTION: (Daley/White) SEE RESOLUTION.

4.7 MAYORAL MINUTE 13/2002 - STATE EMERGENCY SERVICE, NEW SOUTH WALES. (98/S/1644)

13 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan)** *that Mayoral Minute No. 13/2002 relating to the Randwick State Emergency Service of N.S.W be received and noted.*

MOTION: (His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.

4.8 MAYORAL MINUTE 14/2002 - RESCISSION MOTION - KENSINGTON TOWN CENTRE URBAN IMPROVEMENT PROGRAM - PLANNING & DESIGN STUDY INCLUDING A DRAFT DEVELOPMENT CONTROL PLAN. (98/S/3849)

14 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan)** *that the Council, at this Ordinary Meeting, deal with the rescission motion submitted by Councillors on the Planning and Design Study, including a draft DCP, relating to the Kensington Town Centre Urban Improvement Program.*

MOTION: (Matson/Greenwood) *that the resolution passed at the Extraordinary Council Meeting held on 26th February, 2002 (Minute No. 4/2002) reading as follows:*

1. The Council note the contents of the report and endorse its recommendations, as follows:
 - a) In relation to the Doncaster Plaza site at 240-264, Council:
 - i. Agree to delete the bonus provision for the Doncaster Plaza site in the draft DCP; and
 - ii. Agree to a review of the building envelope for the Doncaster Plaza site, to be undertaken in conjunction with the Master Plan Review as well as the Lorne Avenue site by a peer review group, and that the following people be approached to participate in this peer review and report back to Council:
 - i. Dr Stephen Gatt – Precinct representative

- ii. Stephen Harris – Planning Specialist
 - iii. Jan McCredie- State Government design specialist
 - iv. Stephen Busacott – Architect/urban designer/Member of the Royal Australian Institute of Architects
 - v. In addition the Director, Planning and Environment or a nominee to convene the group
- b) The bonus provisions for the Lorne Avenue site be deleted from the draft DCP.
- c) An additional requirement be included in the draft DCP requiring that for development of sites containing contributory buildings, consideration is given to setting the alignment of the new buildings to the alignment of the internal wall of the front façade to clearly express the new from the existing.
- d) The draft DCP be amended to require that “Studios and 1 bedroom units are not to be greater than 40% of the total mix within each development”
- e) The 5 options for the configuration of Anzac Parade, as identified in the Background Report, be endorsed by Council, in principle, as a basis for further discussions and refinement of a preferred option that meets government agency requirements, including those of a Department of Transport representative with expertise in light rail, and community interests.
- f) The parking standards set out in the draft DCP (3.3.3) be deleted and that alternative guidelines be inserted as follows:
- ‘Provide on-site parking in accordance with Randwick City Council’s current DCP for Parking’.**
- g) The draft DCP be amended to include requirements that:
- i. ‘Adequate storage is provided for people’s living needs, both within each unit and within the development’; and
 - ii. ‘Facilities are provided within the development or within units for washing and drying of clothes, including external drying areas in areas screened from the street’
- h) The Background Report be amended to explain the reasons why the only other possible key landmark site for the town centre, being the motel site between Todman Avenue and Addison Street, is not appropriate as a key landmark site.
2. Adopt, in principle, the Background Report (February 2002) and the draft Public Domain Improvement Strategy (February 2002), as amended;
 3. Adopt the draft Development Control Plan (February 2002), subject to the amendments detailed in parts 1, 8 & 9 of this resolution as a policy document to be used in all discussions and decision-making on Master Plan and Development Applications;
 4. Approve the draft Development Control Plan, subject to the amendments detailed in parts 1, 8 & 9 of this resolution to come into effect when the draft

Local Environmental Plan Amendment No. 27 is gazetted and public notice in a local newspaper has been given;

5. Agree that the Mayor, General Manager and Director, Planning and Environment, be given delegation to correct any errors or misdescriptions in the draft Development Control Plan, Background Report and draft Public Domain Improvement Strategy; and
6. Include the Doncaster Hotel in the draft Local Environmental Plan Amendment No. 27 as an item of the environmental heritage;
7. Prepare and exhibit an amendment to Council's current S.94 Contributions Plan in relation to Kensington Town Centre.
8. The draft DCP Document be further amended as follows:
 - i) Item 2.4, Built Form (Page 14), under heading of: "Principles", second (2nd) dot point, amend text to read: "Maintain and promote a continuous built form aligned to the street frontage along Anzac Parade."

"Outcomes", second (2nd) dot point, amend text to read: "Existing street and side setbacks are maintained, with a zero setback along Anzac Parade."
 - ii) Item 3.1.5, Street Frontages and Entrances, (Page 63), under heading of "Guidelines and Controls" and sub-heading of "Retail", sixth (6th) dot point:
Delete entry.
 - iii) Item 3.1.8, Outdoor Eating, Page 66, under the heading of "Guidelines and Controls", fourth (4th) dot point, amend text to read: "Outdoor eating areas should be appropriately contained within the pavement space. Full enclosures are not permitted."
 - iv) Item 3.3.6, Site Servicing And Waste Guidelines and Controls, Page 74, under the heading of "Guidelines and Controls", fifth (5th) dot point, amend text to read: "Council will only permit vehicular access or service access to properties off Anzac Parade if the applicant can, to the satisfaction of Council and agreement of the Roads and Traffic Authority has been obtained, demonstrate that another means of access is not possible."
9. Council Officers further investigate the appropriateness of the maximum building depth requirement of 18m for sites adjacent to proposed laneways having regard to the extent to which it isolates the developable area of a site, internal site amenity and the separation distance required from neighbouring residential development to ensure a reasonable level of residential amenity in terms of perceived visual bulk, privacy and solar access.

10. The Mayor be granted delegated authority to advise residents on the resolution arising from the Director Planning & Environment's Report No. 3/2002. **BE AND IS HEREBY RESCINDED. LOST.**

5. GENERAL MANAGERS' REPORTS.

5.1 GENERAL MANAGER'S REPORT 1/2002 - 2001/2002 BUDGET - REVIEW AS AT 31 DECEMBER 2001. (98/S/3562)

15 **RESOLUTION:** *(Daley/Andrews) that:*

- a) *The report in relation to the December 2001 budget review be received and noted; and*
- b) *The budget variations referred in paragraph (b) in the report be adopted.*

MOTION: (Daley/Andrews) SEE RESOLUTION.

5.2 GENERAL MANAGER'S REPORT 2/2002 - AFFIXING OF COUNCIL'S SEAL TO DOCUMENTATION (D/0238/1998,D/0292/1999, P/000967, P/014072)

16 **RESOLUTION:** *(Daley/White) that authority be granted for the Council's Common Seal to be affixed to licence agreements between Council and -*

- (a) *Duffy's Corner Occasional Care Centre Inc. for the purpose of childcare at 419a Beauchamp Road, Maroubra NSW 2034;*
- (b) *Steven Danny Meares for the purpose of Outdoor Dining at 1605 Anzac Parade, La Perouse NSW 2036;*
- (c) *Brett Anderson for the purpose of Outdoor Dining at 26/20 Boronia Street, Kensington NSW 2036; and*
- (d) *Alfio Conti for the purpose of Outdoor Dining at 169 Dolphin Street, Coogee 2034.*

MOTION: (Daley/White) SEE RESOLUTION.

6. DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORTS.

6.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 13/2002 - SHOPPING TROLLEY MANAGEMENT SYSTEMS. (98/S/0738(2)).

17 **RESOLUTION:** *(Notley-Smith/Matthews) that Council:*

- a) *Note Council's ongoing support to the existing trolley retrieval system; and*
- b) *Support the trial by Coles of the Trolley Management System at the Randwick Plaza and other appropriate locations.*

MOTION: (Notley-Smith/Matthews) SEE RESOLUTION.

6.1a PROCEDURAL MOTION – ALTERATION OF AGENDA.

18 **PROCEDURAL MOTION: (Bastic/Andrews)** that Items 8.4 and 8.6 be brought forward at this stage of the meeting and dealt with. (See Minute Nos. 30 and 32 respectively).

6.2 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 14/2002 - BOND FOR WASTE CLEAN UP FOR DEPARTING TENANTS. (98/S/1470)

19 **RESOLUTION: (Schick/Procopiadis)** that:

- a) *Council note the report stipulating that forfeiture of the rental bond for clean up for departing tenants has been canvassed and there is insufficient industry support for this measure; and*
- b) *A further investigation on this issue take place and Council continue to pursue the proposal with the real estate agents located in Randwick City.*

MOTION: (Schick/Procopiadis) SEE RESOLUTION.

6.3 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 15/2002 - IMPLEMENTATION OF NEW LITTERING LAWS. (98/S/3261)

20 **RESOLUTION: (Procopiadis/Schick)** that Council note that information on the littering laws was provided to the target sector of local businesses and that there has been a good response to these measures.

MOTION: (Procopiadis/Schick) SEE RESOLUTION.

6.4 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 16/2002 - MALABAR HEADLAND. (98/S/0976)

21 **RESOLUTION: (Daley/White)** that:

- a) *Council resubmit its F.O.I application to the Commonwealth Government requesting any documents associated with remediation or contamination studies that have been conducted in the last five (5) years with respect to the Malabar Headland and the likely costs of such remediation; and*
- b) *In relation to the specific wording which will be the subject of the revised F.O.I application, the three (3) South Ward Councillors be provided with the draft wording for their comments prior to the formal re-lodgement of the application by Council.*

MOTION: (Daley/White) SEE RESOLUTION.

6.5 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 17/2002 - NATIVE TITLE APPLICATION NG6061/98 (NC97/8) DARUG TRIBAL ABORIGINAL CORPORATION. (98/S/4305)

22 **RESOLUTION: (Procopiadis/Bastic)** that:

- a) *The Native Title Claim NG6061/98 (NC97/8) Darug Tribal Aboriginal Corporation be noted;*

- b) *Bowen and Gerathy be engaged to assist Council with the Native Title Claim as required; and.*
- c) *Leaseholders and other third parties of crown land under claim be notified of the claim and council's acceptance as a party to the claim.*

MOTION: (Procopiadis/Bastic) SEE RESOLUTION.

7. DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORTS.

7.1 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION SERVICES' REPORT 6/2002 - INVESTMENT OF COUNCIL'S FUNDS- UPDATE OF POLICY NO. 3.02.07. (98/S/0745 xr 98/S/0911)

23 **RESOLUTION: (Bastic/Backes) that:**

- (a) *The updated Investment Policy No. 3.02.07 be adopted, in accordance with the Minister for Local Government's requirements; and*
- (b) *The Policy Register be updated accordingly.*

MOTION: (Bastic/Backes) SEE RESOLUTION.

7.2 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION SERVICES' REPORT 7/2002 - SUBURB BOUNDARIES - KENSINGTON/KINGSFORD. (98/S/0064)

24 **RESOLUTION: (Procopiadis/Schick) that Council adopt the proposed changes as exhibited, noting that all submissions received were in favour of the proposed changes, and forward the proposal to the Geographical Names Board for consideration.**

MOTION: (Procopiadis/Schick) SEE RESOLUTION.

7a. PETITIONS.

1. SUBMITTED BY C. MATTHEWS ON BEHALF OF VARIOUS RESIDENTS EXPRESSING AN INTEREST IN BECOMING MEMBERS OF THE PROPOSED SOUTH EASTERN SYDNEY RIDING CLUB AND HAVING ACCESS TO THE FACILITY KNOWN AS THE BUNNERONG EQUESTRIAN CENTRE. (98S/1109)

25 **RESOLUTION: (Matthews/White) that the petition be referred to the appropriate Committee with a report from the relevant officer.**

MOTION: (Matthews/White) SEE RESOLUTION.

2. SUBMITTED BY C. MATTHEWS ON BEHALF OF THE RESIDENTS OF MEAGHER AVENUE OBJECTING TO THE MODIFICATION OF HOURS PROPOSED BY THE SANDS HOTEL TO EXTEND LIVE ENTERTAINMENT HOURS. (P/005087 xr D/0622/2000).

26 **RESOLUTION:** (*Matthews/Schick*) that the petition be referred to the appropriate Committee with a report from the relevant officer.

MOTION: (*Matthews/Schick*) SEE RESOLUTION.

(Note: This matter was dealt with in Mayor's Minute 12/2002 at the Council Meeting on 26th February, 2002 – See Minute No. 12).

8. DIRECTOR PLANNING & ENVIRONMENT'S REPORTS.

8.1 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 4/2002 - 24 INMAN STREET, MAROUBRA. (D/738/2001)

27 **RESOLUTION:** (*Andrews/White*) that there be no further consideration of this application as the development application has been withdrawn.

MOTION: (*Andrews/White*) SEE RESOLUTION.

8.2 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 5/2002 - COASTAL DESIGN GUIDELINES FOR NEW SOUTH WALES DISCUSSION PAPER. (98/S/4421)

28 **RESOLUTION:** (*Andrews/Bastic*) that:

- a) *The Coastal Design Guidelines for NSW Discussion Paper be received and noted; and*
- b) *The submission on the Coastal Design Guidelines for NSW Discussion Paper be endorsed by Council and forwarded to the Coastal Council of NSW, subject to the inclusion of an additional design and management practice of "use of natural water courses" being inserted in the second paragraph under the heading of "Natural Water Cycle Strategy."*

MOTION: (*Andrews/Bastic*) SEE RESOLUTION.

8.3 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 6/2002 - 707 - 745 ANZAC PARADE, MAROUBRA JUNCTION - MAROUBRA MALL SHOPPING COMPLEX. (98/S/3507)

29 **RESOLUTION:** (*Andrews/Bastic*) that:

- A. *Council adopt the following amendments to the Master Plan for 707-745 Anzac Parade, Maroubra Junction:*
 - i. *amendments to the building heights and envelopes as shown on the Building Heights and Envelopes diagram number CN-SK2 rev E, dated 21.2.02;*
Note: this diagram replaces figure 19 of the Master Plan document.
 - ii. *reduction in the minimum retail/commercial floorspace from 19,179sqm GLA to 18,000sqm GFA;*

subject to the following variations:

This is Page No. 10 of the Minutes of the Ordinary Council Meeting held on Tuesday, 26th February, 2002.

1. *A curved form to the sides of Buildings E and F facing the residential open space areas is subject to further assessment at the future development consent stage and will only be allowed where it is demonstrated to Council's satisfaction that detailed façade and landscape design will work to create positive, well defined spaces that give a sense of being 'inside' a comfortable outdoor area, purpose-built for the relaxation and recreation of residents and their guests.*
2. *At least one-third of the residential units are to be in a cross-over or other similar arrangement which provides for natural through ventilation from opening/s on one side of the building to opening/s on another side of the building (including the two sides of a corner of the building).*

For consistency with the amendments adopted above, the variations in the Master Plan adopted by Council on 7 August 2001, are to be revised as follows:

“3.2 Public Amenity Principles

1. *The town square is to be at least 920sqm in area clear of the colonnades and the line of the buildings surrounding it. It is to have a minimum dimension of 25m between the outer edges of the buildings adjacent to Anzac Parade.*

3.3 Built Form Principles

10. *replace with:*

The western end of Building D adjacent to Bruce Bennetts Place, for the depth of Building A, is to be reduced to 8 storeys (27m above ground).

11. *delete (encompassed in new Buildings Heights and Envelopes diagram)*

12. *delete (encompassed in new Buildings Heights and Envelopes diagram)
Add the following principle:*

The incorporation of a curved form to the sides of Buildings E and F facing the residential open space areas will involve detailed façade and landscape design that creates positive, well defined spaces, which give a sense of being 'inside' a comfortable outdoor area, purpose-built for the relaxation and recreation of residents and their guests.

3.4 Floor Area and Mix Principles

17. *The minimum retail/commercial floor space is to be 18,000sqm GFA including the Town Square and colonnades.*

3.5 Environmental Design Principles

Add the following principles:

Natural Ventilation and Cross Ventilation

At least one-third of the residential units are to be in a cross-over or other similar arrangement which provides for natural through ventilation from

opening/s on one side of the building to opening/s on another side of the building (including the two sides of a corner of the building).

Noise and Wind Effects

The final resolution of the building design will take into account the findings of wind and noise studies with a view reducing adverse impacts on the site and the surrounding area.”

- B. *The applicant is to provide a revised Master Plan document incorporating the variations listed above, as well as the variations listed in the Master Plan adopted by Council on 7 August 2001 that remain applicable and are not superseded by the variations listed above. The revised Master Plan document is to be submitted to the Council prior to or simultaneous with the lodgement of any development application. The revised document will include new and reworded principles, revised diagrams, and a reworked development concept (section 4.0 and 5.0 of the Master Plan). A new figure 19 based on the Building Heights and Envelopes diagram referred to in this approval is to be included in the revised Master Plan document as the principal site plan, drawn to a scale of 1:1000.*

MOTION: (Andrews/Bastic) SEE RESOLUTION.

8.4 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 7/2002 - 7 DUNCAN STREET, MAROUBRA. (D/1180/2001)

30 **RESOLUTION: (Bastic/Andrews) that:**

- A. *Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 1180/2002 for construction of a balcony on the first floor at the rear of the existing semi-detached dwelling at 7 Duncan Street, Maroubra. subject to the following conditions:-*
1. *The development must be implemented substantially in accordance with the plans unnumbered and drawn by P. Banfield, dated 3.8.2001 and received by Council on 12 December 2001, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

2. *The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.*
3. *There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place.*

The following group of conditions have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

4. *Surface water/stormwater must be drained and discharged to the street gutter and details are to be included in the **construction certificate details** for the development.*

Details of any works proposed to be carried out in or on a public road/footway are to be submitted to and approved by Council's Director of Planning and Environment prior to commencement of works.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

5. *All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000.*
6. *In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

Where the work is to be done by a licensed contractor, excavation or building work must not be carried out unless the Principal Certifying Authority (PCA):

- *has been informed in writing of the licensee's name and contractor number; and*
- *is satisfied that the licensee has complied with the insurance requirements of Part 6 of the Home Building Act 1989, or*

Where the work to be done by any other person (i.e. an owner builder), excavation or building work must not be carried out unless the Principal Certifying Authority:

- *has been informed of the person's name and owner-builder permit number, or*
- *has been given a declaration, signed by the owner of the land that states that the market cost of the labour and materials involved in the work does not exceed \$3,000.*

Details of the builder and compliance with the provisions of the Home Building Act 1989 are to be submitted to Council prior to the commencement of works, on the notice of appointment of the PCA / Intention to commence building work.

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

7. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in force at 1 July, 1993.*
8. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*

9. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
10. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
11. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

12. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*
13. *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act 1989 and Regulations

14. *Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*
15. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*
16. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.*

The following conditions are applied to ensure that reasonable levels of fire safety are provided in the building:

17. *Smoke alarms are required to be installed in each Class 1 building or dwelling in accordance with the relevant provisions of Part 3.7.2 of the B.C.A. – Housing Provisions.*

Smoke alarms must comply with AS3786 – Smoke alarms and be connected to the consumer mains electric power supply and provided with a battery back-up.

The smoke alarms are to be installed in suitable locations on or near the ceiling, in any storey containing bedrooms; located between each part of the dwelling containing the bedrooms and the remainder of the dwelling, or where bedrooms are served by a hallway, the smoke alarms are to be located in that hallway; and smoke alarms are to be installed in any other storey not containing bedrooms, to the satisfaction of the certifying authority.

Smoke alarms are not to be located in ‘dead-air-spaces’, in the corner junction of walls and ceilings between exposed rafters/joists or at the apex of raked ceilings, as detailed in Part 3.7.2 of the B.C.A. – Housing Provisions.

*Details of compliance with the provisions of the Building Code of Australia must be included in the plans / specification for the **construction certificate**.*

MOTION: (Bastic/Andrews) SEE RESOLUTION.

8.5 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 8/2002 - 82 ALISON ROAD, RANDWICK. (D/0003/2002)

31 **RESOLUTION: (Procopiadis/Andrews) that:**

- A. *Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 0003/2002 for the allocation of common area at the rear of the existing residential flat building for the exclusive use of unit number 4 at 82 Alison Road, Randwick subject to the following conditions:-*

REFERENCED PLANS:

1. *The development must be implemented substantially in accordance with the plans unnumbered consisting of 4 sheets, undated and received by Council on 02 January 2002, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

SUBDIVISION:

The following conditions are applied to satisfy the provisions of Council’s environmental plans, policies and codes for subdivision works:

2. *A formal strata subdivision application is to be approved by the Principal Certifying authority reflecting the approved amendments to the strata plan.*

ADVISORY MATTERS:

The applicant is advised that a Notice of Intention to serve an Order under the provisions of Section 121B of the Environmental Planning and Assessment Act 1979 will be forwarded to the owner of the building under separate cover, in respect to fire safety upgrading provisions in the building.

MOTION: (Procopiadis/Andrews) SEE RESOLUTION.

8.6 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 9/2002 - 25 FRENCH STREET, MAROUBRA. (D/1103/2001)

32 **RESOLUTION: (Bastic/Andrews) that:**

A. *Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 1103/2002 for a carport and storeroom forward of the building line including a new portico, front and side fencing, retaining walls and front patio at 25 French Street, Maroubra subject to the following conditions:*

- 1. The development must be implemented substantially in accordance with the plans numbered Sheet 1 to 3 drawn by Classic Plans, dated 28/10/2001 and received by Council on 21 November 2001, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

- 2 The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.*

*Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of Planning & Environment, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979 **prior to commencement of any building works.***

- 3. There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place.*
- 4. Any gate openings shall be constructed so that the gates, when hung, will be fitted in such a manner that they will not open over the footway or public place.*
- 5. Landscaping shall be provided to the site to reduce the impact of the development upon the amenity of the environment and a landscape plan shall be submitted to and approved by the Director of Planning & Environment, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, **prior to the commencement of any works.***

6. *The height of the carport above the floor level shall be reduced to the same height as the previously carport above the floor level. In this regard, the carport shall have a maximum height of 2.996 mm above the floor level of the carport slab. Full details to be included in the Construction Certificate plans.*
7. *All existing side boundary fencing and landscaping located along the common boundary or located on the adjoining properties shall be retained and protected during excavation and construction works, unless written approval is provided by the adjoining property owner advising that they permit the removal of the fencing.*

The following group of conditions have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

8. *The applicant shall adopt the method of stormwater discharge as approved under development consent No. 808/98.*

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

9. *All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000.*
10. *In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

Where the work is to be done by a licensed contractor, excavation or building work must not be carried out unless the Principal Certifying Authority (PCA):

- *has been informed in writing of the licensee's name and contractor number; and*
- *is satisfied that the licensee has complied with the insurance requirements of Part 6 of the Home Building Act 1989, or*

Where the work to be done by any other person (i.e. an owner builder), excavation or building work must not be carried out unless the Principal Certifying Authority:

- *has been informed of the person's name and owner-builder permit number, or*
- *has been given a declaration, signed by the owner of the land that states that the market cost of the labour and materials involved in the work does not exceed \$3,000.*

Details of the builder and compliance with the provisions of the Home Building Act 1989 are to be submitted to Council prior to the commencement of works, on the notice of appointment of the PCA / Intention to commence building work.

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

11. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in force at 1 July, 1993.*
12. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
13. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
14. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
15. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

16. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*
17. *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act 1989 and Regulations

18. *Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*

19. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*
20. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.*
21. *All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property.*
22. *Retaining walls or shoring must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land, if the soil conditions require it, and adequate provisions are to be made for drainage.*

Retaining walls and shoring are to be designed and installed in accordance with the relevant requirements of the Building Code of Australia and Australian Standards and details of any proposed retaining walls are to be submitted to the Principal Certifying Authority for consideration prior to installation.

23. *If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must:*
 - *preserve and protect the building /s on the adjoining land from damage; and*
 - *if necessary, underpin and support the building in an approved manner; and*
 - *at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land (including a public road or public place), give notice of the intention to do so to the owner of the adjoining land. Particulars of the excavation are to be provided to the owner of the adjoining land and also the owner of the land where the building is being erected or demolished.*

The following conditions are applied to ensure that reasonable levels of fire safety are provided in the building:

24. *Smoke alarms are required to be installed in each Class 1 building or dwelling in accordance with the relevant provisions of Part 3.7.2 of the B.C.A. – Housing Provisions.*

Smoke alarms must comply with AS3786 – Smoke alarms and be connected to the consumer mains electric power supply and provided with a battery back-up.

The smoke alarms are to be installed in suitable locations on or near the ceiling, in any storey containing bedrooms; located between each part of the dwelling containing the

bedrooms and the remainder of the dwelling, or where bedrooms are served by a hallway, the smoke alarms are to be located in that hallway; and smoke alarms are to be installed in any other storey not containing bedrooms, to the satisfaction of the certifying authority.

Smoke alarms are not to be located in 'dead-air-spaces', in the corner junction of walls and ceilings between exposed rafters/joists or at the apex of raked ceilings, as detailed in Part 3.7.2 of the B.C.A. – Housing Provisions.

*Details of compliance with the provisions of the Building Code of Australia must be included in the plans / specification for the **construction certificate**.*

The following conditions are applied to provide adequate security against damage to Council's infrastructure;

25. *The following vehicular crossing deposit requirement is to be complied with prior o a construction certificate being issued for the development, as security for Council or a Council approved subcontractor to construct the vehicular crossing.*

a) \$700.00 - Vehicular crossing deposit

The vehicular crossing deposit may be provided by way of cash or cheque with the Council and is refundable upon the completion of the Council vehicular crossing by Council or a Council approved subcontractor.

The following conditions are applied to provide adequate provisions for access, transport and infrastructure:

26. *The applicant must meet the full cost for Council or a Council approved contractor to:*

a) *Construct a concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site and any associated works such as retaining walls and footings, guard/hand rails and footpath construction.*

27. *Prior to the issuing of a Construction Certificate for the proposed carport the plans showing the driveway on Council property are to be amended as follows and be approved by Council's Development Engineer:*

- f. Deletion of planter bed along northern edge of driveway.*
- g. Show a 1.40m wide footpath allocation from the face of kerb.*
- h. Relocation of grated drain to within the private property.*
- i. Full Engineering details of the proposed retaining walls/footings on Council property.*
- j. Show correct issued alignment/boundary levels for the carport and pedestrian entrance concrete slabs.*

28. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at*

the above site. This includes the removal of cement slurry from Council's footpath and roadway.

29. *The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.*

The following conditions are applied to provide adequate provisions for future civil works in the road reserve:

30. *The Council's Department of Asset & Infrastructure Services has inspected the above site and have determined that the design alignment level at the property boundary for driveways, access ramps and pathways or the like, must be as follows:*

is to be at RL 14.45 using datum's supplied by applicant and detailed on the plans Drawn by Classic Plans, Sheets 1 to 3, dated 28/10/01 and received by Council on 21 November 2001.

Any enquiries regarding this matter should be directed to Council's Assets & Infrastructure Services Department on 93990923. The design alignment level at the property boundary must be strictly adhered to.

31. *The design alignment levels issued by Council and their relationship to the kerb must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.*
32. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$66.00 (inclusive of GST). This amount is to be paid prior to a construction certificate being issued for the development.*

The following conditions are applied to provide adequate consideration for service authority assets:

33. *A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.*
34. *The applicant must meet the full cost for Telstra, Energy Australia, Sydney Water or Natural Gas Company to adjust/repair/relocate their services as*

required. The applicant must make the necessary arrangements with the service authority.

35. *Documentary evidence from the relevant public utility authorities confirming that their requirements have been satisfied must be submitted to the certifying authority prior to a construction certificate being issued for the development. Any enquiries regarding this matter should be directed to Council's Assets & Infrastructure Services Department on 93990923.*

The following conditions are applied to provide adequate provisions for landscaping and to maintain reasonable levels of environmental amenity:

36. *That part of the naturestrip upon Council's footway which is damaged during the construction of the proposed works shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu turf. Such works shall be completed at the applicants expense prior to the issue of the Occupation Certificate.*
37. *The naturestrip upon Council's footway shall be maintained by the applicant in accordance with Council guidelines. Such maintenance shall include, but not be limited to, watering, mowing, fertilising, and the removal of weeds.*

Tree Management

38. *Approval is granted for the removal of the following trees subject to the planting of 2 x 45 litre broad canopied replacement trees (not palms) within the site. The species selected shall be those that will attain a minimum height of 6 metres at maturity.*
 - a. *One Leptospermum species (Ti Tree) located along the front property boundary.*
 - b. *One Melaleuca species (Paperbark) located along the front property boundary.*
39. *Permission is granted for the removal of only those trees falling within the area occupied by the approved works. Removal of the remaining trees on the site are subject to separate application under the Tree Preservation Order.*

Advisory Conditions

The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

MOTION: (Bastic/Andrews) SEE RESOLUTION.

9. MOTIONS PURSUANT TO NOTICE.

9.1 BY COUNCILLOR M. MATSON – PERSECUTION OF FALUNGONG PRACTITIONERS. (98/S/0670 xr 98/S/0178)

This Motion was ruled out of Order by His Worship the Mayor, Cr D. Sullivan.

DISSENT MOTION: (Matson/Greenwood) on the Ruling of the Chairperson. LOST.

9.2 BY COUNCILLOR P. SCHICK – PROHIBITING ADVERTISING MATERIAL ON PRIVATE AND PUBLIC PROPERTY. (98/S/0045 xr 98/S/0178)

33 **RESOLUTION: (Schick/Backes)** that, as a matter of urgency, a report be prepared to form part of RCC Local Environment Plan to prohibit placing posters or advertising material on private or public property eg, Telegraph poles, shop building facades.

MOTION: (Schick/Backes) SEE RESOLUTION.

9.3 BY COUNCILLOR C. MATTHEWS –GRANT TO ENCLOSE 50M POOL. (98/S/3927 xr 98/S/0178)

34 **RESOLUTION: (Matthews/Daley)** that this Council seek support from the Federal Government through the Member for Kingsford-Smith and also the State Government's Sport and Recreation Department for a grant to this Council to have the 50 metre pool at the Des Renford Aquatic Centre enclosed.

MOTION: (Matthews/Daley) SEE RESOLUTION.

9.4 BY COUNCILLOR C. MATTHEWS – AMENDMENT OF TREE PRESERVATION ORDER. (98/S/1847 xr 98/S/0178)

35 **RESOLUTION: (Matthews/Andrews)** that a report be prepared on the feasibility of amending Council's Tree Preservation Order to assist local residents in the removal of nuisance and large trees from within the boundaries of their own properties and this report be submitted to the next Council Meeting.

MOTION: (Matthews/Andrews) SEE RESOLUTION.

9.5 BY COUNCILLOR T. SENG – CROSS-CULTURAL TRAINING PROGRAM. (98/S/2020)

MOTION: (Seng/Notley-Smith) that, given the significant multicultural population of Randwick City, this Council introduce a cross-cultural training program and that all employees are encouraged to attend where possible. **LOST**

9.6 BY COUNCILLOR T. SENG – TREE CUTTING POLICY. (98/S/1100)

MOTION: (Seng/Notley-Smith) that Randwick City Council adopt a more liberal Tree Cutting Policy in situations where the continued presence of trees pose a danger to lives and properties. **LOST.**

9.7 BY COUNCILLOR T. SENG – E-BUSINESS. (98/S/4240)

MOTION: (Seng/Notley-Smith) that, given the enormous benefits of e-business and its extensive adoption at other Councils, the General Manager be asked to provide a report on:

- a) The e-business strategy of Randwick Council; and
- b) The extent of efficiency and cost savings to be achieved in monetary terms upon the successful implementation of such strategy. **LOST.**

9.8 BY COUNCILLOR T. SENG – GORDON GARDENS APARTMENT IN KURING-GAI. (98/S/0962)

MOTION: (Seng/Whitehead) that the General Manager be asked:

- a) To provide a brief report on the “Gordon Gardens Apartment” fiasco in Ku-Ring-Gai Council where residents were allowed to move in before an occupancy certificate had been issued. The report to include comments on the extent of such problems throughout NSW; and
- b) How Randwick Council could adopt measures to prevent such incidents occurring in our City. **LOST**

9.9 BY COUNCILLOR C. BASTIC – MAROUBRA BEACH – PARKING SITUATION. (98/S/1531 xr 98/S/0178)

36 **RESOLUTION: (Bastic/Andrews)** that a report be prepared on the parking situation in the vicinity of Maroubra Beach.

AMENDMENT: (Matson/Greenwood) that a report be prepared on the parking situation in the vicinity of Maroubra Beach and the concept of induced traffic flowing from major new road systems. **LOST.**

MOTION: (Bastic/Andrews) SEE RESOLUTION.

9.10 BY COUNCILLOR C. BASTIC – BOWEN LIBRARY AWNING. (98/S/4415 xr 98/S/0178)

37 **RESOLUTION: (Bastic/Andrews)** that a report be prepared on the situation of the Bowen Library awning.

MOTION: (Bastic/Andrews) SEE RESOLUTION.

9.11 BY COUNCILLOR A. ANDREWS – MAROUBRA JUNCTION TRAFFIC MANAGEMENT PLAN. (98/S/1654 xr 98/S/0178)

38 **RESOLUTION: (Andrews/Bastic)** that a report be prepared for the next Works Committee Meeting as to the current status for the Maroubra Junction Traffic Management Plan.

MOTION: (Andrews/Bastic) SEE RESOLUITON.

9.12 BY COUNCILLOR A. ANDREWS – WOMBAT CROSSING AT SOUTH COOGEE PUBLIC SCHOOL. (R/0548/02 xr 98/S/0178)

39 **RESOLUTION:** (*Andrews/Bastic*) that a report be prepared for the next Traffic Committee Meeting for the construction of a wombat crossing at the pedestrian crossing located at South Coogee Public School located on Moverley Road, South Coogee.

MOTION: (*Andrews/Bastic*) SEE RESOLUTION.

9.13 BY COUNCILLOR M. MATSON – DEVIATION FROM GEORGE STREET TREE MASTER PLAN. (R/0325/03 xr 98/S/0178)

40 **RESOLUTION:** (*Daley/Bastic*) that the Mayor and the Director Asset and Infrastructure Services be delegated authority to determine alternate tree planting in George Street and that “habitat” be a consideration in the determination.

MOTION: (*Matson/Greenwood*) that:

- a) The following consultation with Randwick Council staff and residents with an interest in the Tree Master Plan, a report will be brought back to the next Works Committee Meeting addressing the appropriateness of deviating from the Tree Master Plan for George Street, Randwick; and
- b) Alternative replacement trees will include, Glochidion Ferdinandi, Ceratopetalum Apeltalum, Syzygium Paniculatum , Toona Ciliata, Harpulia Pendula, Flindersia Australas, and any other forthcoming suggestions that judged likely to retain the prevailing canopy effect in George Street. **LOST.**

AMENDMENT: (*Daley/Bastic*) SEE RESOLUTION.

9.14 BY COUNCILLOR M. MATSON – EXAMINATION OF COST BENEFIT TO THE COMMUNITY OF RETAINING PROBLEM TREES. (R/0325/03 xr 98/S/0178)

MOTION: (*Matson/Greenwood*) that, as a response to the community reaction to our present policy of removing identified problem trees such Ficus ‘Hillii’ (i.e Figs), Council will host a community forum in the Town Hall to allow debate on the amenity value and cost benefit to the Community of retaining such trees. The outcomes of the forum will be reported back to a Council Meeting. **LOST**

9.15 BY COUNCILLOR M .MATSON – REPORT BACK ON RESPONSE TO PREVIOUS RESOLUTION ON BACKPACKERS. (98/S/3770 xr 98/S/0178)

MOTION: (*Matson/Notley-Smith*) that a report be brought to the next Council Meeting detailing the response to Council’s resolution of 28th November, 2000 to Item 11.4, “LGA Position Relating to Backpacker Establishments.” **LOST**

9.16 BY COUNCILLOR M. MATSON – RESPONSE TO ALCOHOL RELATED RIOT IN COOGEE ON JANUARY, 20TH. (98/S/1285 xr 98/S/0178)

MOTION: (*Matson/Greenwood*) that as a response to the riot situation originating in Coogee Bay Road in the early hours of Sunday, 20th January this year, Council will undertake community consultation with the intent of applying to the Licensing Court of NSW for reductions in the trading hours allowed under the liquor licenses of both the Coogee Bay Hotel and that of the Coogee Beach Palace Hotel. **LOST.**

10. URGENT BUSINESS.

Nil.

11. CONFIDENTIAL REPORTS.

Nil.

12. COMMITTEE-OF-THE-WHOLE.

Nil.

13. REPORT OF COMMITTEE-OF-THE-WHOLE.

Nil.

14. NOTICE OF RESCISSION MOTIONS.

Nil.

There being no further business, His Worship the Mayor, Cr D. Sullivan, declared the meeting closed at 10.47 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 26TH MARCH, 2002.

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CHAIRPERSON