

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF THE  
COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY, AT 26<sup>TH</sup> FEBRUARY, 2002 AT 6:09 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. Truuvvert.
Director Governance, Management & Information Services	Mr. M. Hummerston.
Public Officer	Mr. P. Smith.
Acting Communications Manager	Ms. S. Malouf.
Team Leader, Strategic Planning	Ms. K. Armstrong.
Manager, Performance Improvement	Ms. K. Walshaw.
Manager, Waste	Mr. R. Wade.
Acting Manager, Development Assessment	Mr. K. Kyriacou.

**1. COUNCIL PRAYER**

The Council Prayer was read by His Worship the Mayor, Cr D. Sullivan.

(Cr Matthews left the Chamber at this stage, the time being 6.10 p.m.)

**2. APOLOGIES.**

Nil.

**RESOLVED: (Daley/Bastic)** that the meeting be adjourned at 6.10 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 Robert W. Brenac – 4 Cottenham Avenue, Kensington, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.

2. Dr Stephen Gatt – 47 Balfour Road, Kensington, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.
3. Mr Peter Navvatil – 596 Crown Street, Surry Hills, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.
4. Mr Christopher Alexandrou – 18 Cottenham Avenue, Kensington, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.
5. Mr Steven Harris – School of Town Planning N.S.W, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.
6. Mr Emanuel Matsos – 17 Moorami Avenue, Kensington, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.
7. Mr Ross Cresdee – 65 Doncaster Avenue, Kensington, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.
8. Ms Finn Thorvaldson – 123 Doncaster Avenue, Kensington, on Item 5.1, Director Planning & Environment's Report 3/2002 – Kensington Town Centre Urban Improvement Program.

The meeting was resumed at 6.40 p.m.

The Meeting was further adjourned by His Worship the Mayor, Cr D. Sullivan at 6.40 p.m.

The Meeting was resumed at 6.57 p.m.

#### **4. MAYORAL MINUTES.**

Nil.

#### **5. DIRECTOR PLANNING & ENVIRONMENT REPORTS.**

##### **5.1 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 3/2002 - KENSINGTON TOWN CENTRE URBAN IMPROVEMENT PROGRAM - PLANNING AND DESIGN STUDY INCLUDING A DRAFT DEVELOPMENT CONTROL PLAN. (98/S/3849)**

(Note: Following the conclusion of this Meeting a Rescission Motion on this Item was submitted and that Rescission Motion was considered with Mayor's Minute No. 14/2002 at the Ordinary Council Meeting held on 26<sup>th</sup> February, 2002).

- 3 **RESOLUTION: (Daley/Seng)** *that the Council's privileged and confidential legal advice on the adoption of the draft DCP, Kensington Town Centre, be returned to the General Manager, following perusal by all Councillors, prior to the conclusion of this item.*

**MOTION: (Daley/Seng) SEE RESOLUTION.**

4 **RESOLUTION: (Procopiadis/Backes) that:**

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 provision 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 (2<sup>nd</sup>) dot point, amend text to read: "Maintain and promote a continuous built form aligned to the street frontage along Anzac Parade."*
      - "Outcomes", second (2<sup>nd</sup>) 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 (6<sup>th</sup>) dot point: Delete entry.*
    - iii) *Item 3.1.8, Outdoor Eating, Page 66, under the heading of: "Guidelines and Controls", fourth (4<sup>th</sup>) 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 (5<sup>th</sup>) 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.*

**MOTION: (Procopiadis/Backes) SEE RESOLUTION.**

**AMENDMENT:(Matson/Greenwood)** that Council adopt the recommendation in the Director Planning & Environment's Report, subject to:

- a) Part 1.a) i. being amended to read "Agree to delete the bonus provision for the Doncaster Plaza site in the draft DCP;"
- b) Deletion of part 1.a) ii;
- c) Deletion of part 3, 4 & 5;
- d) The insertion of a new part reading as follows:

"Council will call a Commission of Inquiry to look at issues such as the reconciliation of the Simpson Report with the study by Jackson Teece Chestman Willis Peter Annand and Associates and Leyshon Consulting and current proposals, the revitalisation of the urban centre of Kensington and clarification of ambiguity in definitions within the draft DCP;

- e) The insertion of a further new part reading as follows:

"That a report be submitted to a Council meeting detailing the implications of the legal advice, as tabled at this meeting, from Mr Tim Robinson." **LOST.**

(Cr Matthews returned to the Chamber at this stage, the time being 7.30 p.m.)

A division was called for by Crs Matson and Greenwood. Voting was as follows:-

<b>For</b>	<b>Against</b>
Greenwood	Andrews
Matson	Backes
Notley-Smith	Bastic
Seng	Daley

Whitehead

Matthews  
Procopiadis  
Schick  
His Worship the Mayor, Cr D. Sullivan  
Tracey  
White

**FURTHER AMENDMENT: (Whitehead/Greenwood)** that in relation to the studio/one bedroom/total mix component of the DCP, part 1. d) the text be amended to read:

“That the draft DCP be amended to require that studio and 1 bedroom units are not to be greater than 25% of the total mix within each development.” **LOST.**

**FURTHER AMENDMENT: (Notley-Smith/Seng)** that:

a) In relation to part 2 of the recommendation in the Director Planning & Environment’s Report it be amended to read:

“Note, in principle, the Background Report (February, 2002) and adopt the draft Public Domain Improvement Strategy (February, 2002), as amended;”

b) Recommendation Nos. 3 , 4 & 5 be deleted;

c) A new part be inserted reading as follows:

“Defer adoption of the draft Development Control Plan (February, 2002), to allow for further community consultation and submissions, particularly on the issue of building heights.” **LOST.**

(Cr Matthews again left the Chamber at this stage, the time being 8.25 p.m.)

(Cr Matthews returned to the Chamber at 8.39 p.m.)

**6. CONFIDENTIAL REPORTS.**

Nil.

**7. COMMITTEE-OF-THE-WHOLE.**

Nil.

**8. REPORT OF THE COMMITTEE-OF-THE-WHOLE.**

Nil.

**9. NOTICE OF RESCISSION MOTIONS.**

Nil.

There being no further business, His Worship the Mayor, Cr D. Sullivan, declared the meeting closed at 8.45 p.m.

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

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CHAIRPERSON