

**MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 9TH APRIL, 2002 AT 6.52 P.M.**

PRESENT:

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

Councillor M. Daley (South Ward) (Chairperson)

North Ward	-	Crs J. Greenwood and P. Tracey
South Ward	-	Crs C. Matthews and A. White
East Ward	-	Crs F. Backes (from 7.13 p.m.), B. Notley-Smith and M. Matson
West Ward	-	Crs P. Schick, M. Whitehead and J. Procopiadis
Central Ward	-	Crs C. Bastic and A. Andrews (Deputy Chairperson)

OFFICERS PRESENT:

General Manager	Mr. G. Messiter.
Director Assets & Infrastructure Services	Mr. M. Savage.
Director Governance Management & Information Services	Mr. M. Hummerston.
Acting Director Planning & Environment	Ms. S. Truuvert.
Assistant Public Officer	Mr. D. Kelly.
Manager, Environmental Health & Building Services	Mr. R. Wereszczynski.
Acting Manager, Communications	Ms. L. Fragiacomio.
Acting Manager, Development Assessment	Mr. K. Kyriacou.

1. APOLOGY.

An apology was received from Cr Seng.

RESOLVED: (Procopiadis/Notley-Smith) that the apology be received and accepted and leave of absence be granted to Cr Seng from the Health, Building and Planning Committee Meeting of the Council held on Tuesday, 9th April, 2002.

2. MINUTES.

CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 12TH MARCH, 2002.

H20 **RESOLUTION:** *(Notley-Smith/White)* that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 12th March, 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: (White/Procopiadis) that the meeting be adjourned at 6.54 p.m. and be further adjourned at 7.20 p.m.

3. ADDRESSES TO THE COMMITTEE BY THE PUBLIC.

Prior to consideration of the Agenda by the Committee, the following deputations were received in respect of the following matters:

5.1 138 HOLMES STREET, KINGSFORD.

The Applicant Mr Mark Ellison 138 Holmes Street, Kingsford.

5.2 24 BATTERY STREET, COOGEE.

The Applicant Mr Simon Stonier 24 Battery Street, Coogee.

5.3 1 BRISBANE STREET, CHIFLEY.

The Applicant Mr Robert Sobel c/-60 Cottenham Avenue, Kensington.

6.3 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 16/2002 - 88-98 KING STREET, RANDWICK - MASTERPLAN AMENDMENT FOR REDEVELOPMENT OF LAND FOR MULTI-UNIT HOUSING AND STA CAR PARKING. THE AMENDMENT REPLACES PART OF THE EXISTING MASTER PLAN ADOPTED FOR THE SIR MOSES MONTEFIORE JEWISH AGED CARE HOME.

The Applicant Mr Alex Delavega 6/111 Jersey Road, Woollahra.

The meeting was resumed at 7.58 p.m.

4. MAYORAL MINUTES.

Nil.

5. DEVELOPMENT APPLICATIONS.

5.1 DEVELOPMENT APPLICATION REPORT - 138 HOLMES STREET, KINGSFORD. (D/1225/2001)

H21 **RESOLUTION:** *(Andrews/Matthews)* that Council as the consent authority, grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 1225/2001 for permission to construct a carport forward of the building line at 138 Holmes Street, Kingsford, subject to the following conditions:

1. *The development must be implemented substantially in accordance with the plans numbered 2001/12-1 and 2001/12-2, dated Nov 2001 and received by Council on 21 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 carport 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.*

Security Deposit Conditions

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

17. *The following vehicular crossing deposit requirement is to be complied with prior to 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.

Traffic conditions/Civil Works Conditions

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

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

Construct a concrete vehicular crossing and layback at the kerb opposite the vehicular entrance to the site.

19. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's 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 roadway.*
20. *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.

Alignment Level Conditions

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

21. *The Council's Department of Asset & Infrastructure Services has inspected the above site and have determined that the design alignment level (concrete/paved/tiled level) at the property boundary for the new driveway/carport must be:*

250 mm above the top of the kerb at all points opposite the kerb.

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

22. *The design alignment levels (concrete/paved/tiled level) 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.*
23. *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.*
24. *The top of footings of any structures constructed on the boundary alignment must be at least 150mm below the alignment level as specified for the vehicular access. This condition has been attached to accommodate future footpath construction at this location.*

Service Authority Conditions

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

25. *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.*

Landscape Conditions

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

26. *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 'ANL Organic Garden Mix', and re-turfed with Kikuyu turf.*

Such works shall be completed at the applicants expense prior to the issue of the Occupation Certificate.

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.

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.

The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's 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 roadway.

MOTION: (Andrews/Matthews) SEE RESOLUTION.

5.2 DEVELOPMENT APPLICATION REPORT - 24 BATTERY STREET, COOGEE. (D/0982/2001/GB)

H22 **RESOLUTION: (White/Andrews)** *that the Determination of Development Application No. 982/01 dated 27th November 2001, which refused the increase in height of the front fence at 24 Battery Street be confirmed.*

MOTION: (White/Andrews) SEE RESOLUTION.

5.3 DEVELOPMENT APPLICATION REPORT - 1 BRISBANE STREET, CHIFLEY. (D/1201/2001)

H23 **RESOLUTION: (Tracey/Andrews)** *that:*

- A. *Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 1201/2001 for Subdivision of the approved attached dual occupancy development into two Torrens Title allotments at 1 Brisbane Street, Chifley for the following reasons:-*
- a) *The proposal does not comply with the minimum subdivision standards applying in the Residential 2A Zone under Clauses 30(1) and (3) of Randwick Local Environmental Plan 1998, and the objection under State Environmental Planning Policy No.1 in relation to these standards is not considered to be well founded;*
 - b) *The proposed subdivision is inconsistent with the existing established subdivision pattern in the locality in terms of the proposed allotment areas and configurations;*
 - c) *The proposal would create an undesirable precedent for future Torrens Title subdivision in the locality due to the significant departures from both the*

subdivision standards of Clauses 30(1) and (3) of Randwick LEP1998, and the established allotment sizes and subdivision pattern in the locality;

- d) *The proposed subdivision is inconsistent with and contravenes the relevant Aims [Clause 2(g)] and 2A Zone Objectives [Clauses 10 (1) (a) and (c)] of Randwick LEP1998, which seek to maintain the character of established residential areas and to protect and enhance local residential amenity; and*
- e) *The proposed subdivision would be inconsistent with and contrary to the desired objective of integrating the design of any future additions to the two dwellings so as to maintain the symmetrical form and appearance of the existing development on the site.*

MOTION: (Whitehead/Matson) that Council, as the consent authority, grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 to Development Application No. 1201/01 for permission to subdivide the property into two Torrens title allotments for 1 Brisbane Street, Chifley. **LOST.**

FURTHER MOTION: (Tracey/Andrews) SEE RESOLUTION.

(Cr Matson requested that his name be recorded in support of the recommendation.)

6. MISCELLANEOUS.

6.1 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 14/2002 - DCP DWELLING HOUSES AND ATTACHED DUAL OCCUPANCIES AMENDMENT - CARPORTS AND GARAGES. (98/S/0897)

H24 **RESOLUTION: (Bastic/Andrews) that:**

- a) *Council resolve to prepare and exhibit the following recommended amendments to the Development Control Plan for Dwelling Houses and Attached Dual Occupancies, under Section 72 of the Environmental Planning and Assessment Act, amending the DCP by deleting; and*

P2

*Not breach the predominant building alignment
Not become an undesirable precedent.*

Council resolve to realign Performance Requirements and Preferred Solutions by renumbering the existing P3 to P2 whilst renumbering the existing S3 to S2.

Council resolve to include a Note: Hard stand parking areas before the building line may be permitted and considered preferable to a garage or carport where it may be demonstrated that it does not dominate or detract from the appearance of the existing development and the local streetscape.

- b) *Council further investigate the validity and possible establishment of a program to reimburse for loss of public parking and/or streetscape amenity associated with parking structures and spaces in front of building lines through out the city area.*

PROCEDURAL MOTION: (Matson/Greenwood) that this matter be deferred to allow for the purpose of deriving a third option that can be put up for public debate and public submissions. **LOST.**

FURTHER MOTION: (Bastic/Andrews) SEE RESOLUTION.

AMENDMENT: (Greenwood/Matson) where there is off-street parking available at the rear of the property, no parking be permitted at the front of the property. **LOST.**

6.2 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 15/2002 - DCP DWELLING HOUSES AND ATTACHED DUAL OCCUPANCIES PROPOSED AMENDMENT - SOLAR ACCESS AND ENERGY EFFICIENCY. (98/S/0897)

H25 **RESOLUTION: (Andrews/His Worship the Mayor, Cr D. Sullivan)** it is recommended that Council:

i) *Agree to amend the Development Control Plan for Dwelling Houses and Attached Dual Occupancies, by preparing and exhibiting a draft DCP, in accordance with section 72 of the Environmental Planning & Assessment Act 1979, by amending the existing Performance Requirement (P1) to read:*

P1 - "Buildings and internal layouts are designed to minimise energy consumed for heating and cooling, eg. by incorporating:

- energy efficient hot water systems;*

ii) *Agree to amend the Development Control Plan for Dwelling Houses and Attached Dual Occupancies, by preparing and exhibiting a draft DCP, in accordance with section 72 of the Environmental Planning & Assessment Act 1979, delete the existing Performance Requirements (P9) and replace as follows:*

P9 - "The design and siting of new buildings, alterations and additions to existing buildings and landscaping minimises loss of solar access to neighbouring properties. Solar access is to be maximised to the north-facing windows of living areas and the principal outdoor recreation space of neighbouring dwellings."

MOTION: (Greenwood/Matson) that Council agree amend the Development Control Plan for Dwelling Houses and Attached Dual Occupancies, by preparing and exhibiting a draft DCP, in accordance with section 72 of the Environmental Planning & Assessment Act 1979, by amending the existing Performance Requirement (P1) to read:

P1 - "Buildings and internal layouts are designed to minimise energy consumed for heating and cooling, eg. by incorporating:

- energy efficient hot water systems. LOST.*

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

For	Against
Greenwood	Andrews

Matson
Whitehead

Backes
Bastic
Daley
Matthews
Notley-Smith
Procopiadis
Schick
His Worship the Mayor, Cr D. Sullivan
Tracey
White

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

(Crs Matson and Greenwood requested that their names be recorded as opposed to the resolution.)

6.3 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 16/2002 - 88-98 KING STREET, RANDWICK - MASTERPLAN AMENDMENT FOR REDEVELOPMENT OF LAND FOR MULTI-UNIT HOUSING AND STA CAR PARKING. (98/S/4404)

H26 **RESOLUTION: (Tracey/Procopiadis) that:**

- A. *The Council adopt the amendments to the Master Plan for 88-98 King Street, Randwick, subject to the following variations and/or requirements:*
1. *The buildings be revised by way of:*
 - *reduction in the length of Buildings C and D to provide for at least 10m separation from Building B (this may require deletion of two units at the end of each level in Buildings C and D, and the 12m setback to King Street is not to be reduced);*
 - *deletion of a section of at least 10m length from the centre of the upper two levels of Building B;*
 - *reduction in the length of Building B at both sides to achieve at least 6m setback from the side boundaries, with landscape buffering provided in the setback area; and*
 - *the total floor space ratio of the development is reduced to no greater than 1.1:1, of which no more than 0.9:1 is located above the level of King Street (this should be able to be achieved through the revisions required above).*
 2. *Compliance with the provisions of Council's Local Environmental Plan for the 2C zone and the Multi-unit Housing DCP. This includes the requirement for SEPP1 objection/s to be made in respect of any non-compliance with the floor space ratio and building height controls under the Local Environmental Plan and for sufficient information to demonstrate that the objectives and performance requirements of the DCP are satisfied.*
 3. *The building heights are not to exceed those indicated in the Master Plan, with*

only minor protrusions above the roof lines for skylights, lift overruns, plant rooms and other service installations which in Council's opinion will not adversely affect the streetscape character or the amenity of adjoining and nearby land.

4. *There are to be no roof top decks.*
5. *The development is to incorporate a minimum landscaped area of 60% of the site area and a minimum landscaped area for deep planting (clear of basement podium) of 40% of the site area.*
6. *Nat HERS certification for each dwelling unit demonstrates that 75% of dwellings achieve a 3.5 star rating, and no dwelling achieve less than 3 stars.*
7. *At least 80% of dwelling units are to be cross ventilated and are to receive at least 3 hrs of directly solar access on 21 June.*
8. *The principal open space area between Buildings A and B is to be accessible to all residents of the site. A substantial part of that area (at least 50%) is to receive at least 3 hours of direct solar access on 21 June, and a small part (at least 150sqm) is to receive direct solar access at any one time between 9am and 3pm on 21 June.*
9. *A forecourt area of at least 150sqm around the base of the chimney on the site is to be accessible to the general public at all times and the forecourt area is to be suitably paved and landscaped to provide for appreciation and interpretation of the chimney. An easement is to be created in favour of Council to provide for 24hr access to the forecourt area by the general public.*
10. *All front fences to be limited to a maximum height of 1.8m and designed so that the upper two-thirds are at least 75 per cent open so as to avoid the effect of a 'walled estate' and 'gated community'. The full width of the forecourt provided to the chimney off King Street is to be unfenced.*
11. *The design of the buildings is to incorporate articulation, modulation, fenestration and external detailing in the facades addressing King Street, the common open space areas within the site, and the adjoining Monetfiore site to the east, so as to reduce the apparent bulk of the buildings, provide visual interest, and encourage casual surveillance of public areas such as King Street, the forecourt around the chimney, and the pedestrian/bicycle path between King Street and .*
12. *The access driveway should be positioned adjacent to (or as close as possible to) the site's western boundary next to the bus depot, in order to achieve adequate separation from traffic at the intersection of King Street and Prince Street.*
13. *Car parking is to be provided on site in accordance with Council's DCP - Parking. (Advisory note - tandem parking and layouts with parallel parking on the opposite side of an aisle from angled parking are not supported).*
14. *The STA staff parking is to be provided in a location separate from the resident*

spaces, and staff vehicles are to exit the site via a ramp to the bus depot at the north-west corner of the site. A device such as a boom gate should be installed to prevent residents and their visitors from accessing the exit ramp to the bus depot.

15. *A pedestrian/bicycle pathway of 3m width is to be provided along the site's eastern boundary from King Street, for a distance approximately halfway to Govett Lane. The pathway is to taper at the end to meet with a connecting pathway to be provided on the adjoining site to the east. An easement is to be created in favour of Council to provide for 24hr use of the pathway by the general public. Landscaping and fences adjacent to the pathway should be designed to enhance its amenity and security for users, and buildings nearby should be designed to provide for casual surveillance.*
16. *One dwelling in each of the four buildings be provided for affordable housing.*

and subject to the following matters being addressed at the future development application stage:

Drainage

17. *Stormwater discharge is to be managed in accordance with the following general requirements:*
 - *Onsite detention of stormwater is required for the redeveloped portion of the site. The maximum discharge from the above site is not to exceed that which would occur during a 1 in 10 year storm of 1 hour duration for the existing site conditions. All other stormwater run-off from the above site for all storms up to the 1 in 20 storm is to be retained on the site for gradual release to the kerb and gutter or drainage system as required by the Director of Asset and Infrastructure Services. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.*
 - *Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be submitted to and approved by the Certifying Authority prior to the issuing of a construction certificate for the proposed development.*
 - *The applicant should undertake sufficient geotechnical investigation to determine if the proposed development would have any affect on, or be affected by, the existing groundwater conditions.*
 - *As the above site may be present within a fluctuating water table and/or affected by the movement of seepage water any basement carpark or similar structure may need to be suitably tanked and waterproofed.*
 - *The applicant shall be required to meet the full cost for the existing Council controlled stormwater pipeline that burdens the site to be reconstructed. The minimum pipe size for the reconstructed pipeline will be 1200 millimetres. A suitable width drainage easement shall be created centrally over the line of the reconstructed pipeline; and there are to be no*

structures located within the easement or encroachments over the drainage easement. Reconstruction of the stormwater pipeline will need to be acceptable to Council and such reconstruction works are not to adversely affect upstream or downstream properties.

- *Prior to lodging any development application for the subject site the applicant shall undertake a suitable flood study/catchment analysis of the area to determine and model an appropriate overland stormwater flowpath through the site. The findings of the flood study/catchment analysis shall be utilised to determine the final habitable floor levels for the proposed development and to establish the crest level of any low level driveway.*
- *The stormwater overland flowpath shall be designed so that the velocity/depth restriction $V100d < 0.4\text{m/s}$*
- *The stormwater analysis shall aim to ensure that the proposed works will not adversely affect the surrounding area for all storms up to and including the 1 in 100 year event.*
- *The final stormwater catchment analysis/flood study to be submitted and approved by Council, shall be carried out using the “Ilsax” or “Drains” computer models with overland flows modelled using the “Hec-Ras” computer model.*
- *Prior to undertaking the flood study/catchment analysis the applicant for the subject property shall liaise with the applicant for the proposed development to the east of this site such that a joint strategy for catering for overland stormwater flows draining from the low point in Govett Lane can be formulated. The overland stormwater flow is likely to drain through the subject development site after travelling through the north-west portion of the property immediately east of the development site.*
- *The applicant shall be responsible for meeting the full cost for all civil works required in the street/s fronting the development site, together with all drainage works associated with the development and the provision of a suitable overland stormwater flowpath to drain the low point in Govetts Lane.*

Roadworks

18. *Provision of traffic calming measures installed along King Street with details. The following devices should be considered:*
 - *The installation of a roundabout at the King Street/Dangar Street intersection.*
 - *A painted median island and road flaps on King Street at Prince Street to restrict vehicles travelling directly from Prince Street into the King Street access to the development.*

- *The installation of pedestrian refuges on King Street to improve pedestrian access to the site.*

Details are to be submitted with the development application, and should be prepared in liaison with Council's traffic engineers.

Chimney

19. *Investigations and works in respect of the chimney are to include:*

- *Provision of interpretative material, in the form of a plaque, in relation to the history of the former Randwick tram and bus depot site, including the use of the former Institute building and the chimney. The plaque should be located in a publicly accessible area. Details of the location and form of the interpretative material are to be provided with the development application submission.*
- *Submission of an archival recording of the former Institute building to Council's Director of Planning and Environment for approval, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development. This recording shall be in accordance with the Guidelines for the preparation of archival recordings set out by the NSW Heritage Office and include any historic photographs, which are available. Three copies of the endorsed archival recording shall be presented to Council, one of which shall be placed in the Local History Collection of Randwick City Library.*
- *Implementation of the Conservation Plan for the brick chimney on the site, prepared by Brian McDonald and Associates in 1994, in conjunction with the works proposed in Masterplan. An architect suitably qualified and experienced in heritage conservation shall be engaged to oversee the implementation of the Conservation Plan, to ensure timely maintenance and repair of the heritage item, based on technically sound and appropriate construction methods. All work shall be carried out in accordance with the principles of the Australia ICOMOS Burra Charter and to the satisfaction of the Director of Planning.*
- *The finished ground levels around the base of the chimney and the extent of excavation and other works associated with the basement car park are to be determined having regard to the Conservation Plan and any necessary structural analysis to ensure the long term stability of the chimney.*
- *Implementation of a maintenance schedule setting out the required conservation works, the responsibility for organisation and funding of the conservation works. The Body Corporate should take responsibility for the conservation works and that a maintenance fund be established. Alternatively a Section 88E instrument could be prepared to cover the chimney and including the schedule of conservation works.*

Section 94 Contributions

20. *Contributions shall be negotiated in accordance with the Major Development section of Council's Section 94 contributions plan.*

Site Contamination

21. *A Statutory Site Audit Statement (in the format defined by the Contaminated Lands Management Regulation 1998) and Summary Site Audit Report is to be compiled by an accredited site auditor and submitted to council prior to any development consent being granted.*

The statutory site audit statement is to include an audit of all available information for the subject site, including but not limited to the site history, detailed contamination reports, investigations, evaluations, Remedial Action Plans, and Validation report for the subject site.

The nature and extent of any contamination of land and/or groundwater and potential for offsite migration is to be identified and addressed so as to deem the land suitable for the proposed residential use.

Noise

22. *An acoustic report, prepared by an independent, suitably qualified and experienced acoustic consultant, is to be submitted to the council prior to any development consent being granted.*

The report is to include assessment of any external noise impacts on the proposed development from the existing and proposed surrounding environments, and full details of any proposed noise attenuation measures. External noise impacts include noise from activities on the adjoining bus depot and university press building, traffic on King Street, and vehicles using the proposed exit ramp from the subject site to the bus depot. The report and assessment are to be completed in accordance with the relevant and Australian Standards and the NSW Environment Protection Guidelines, namely the Industrial Noise Policy and the Environmental Noise Control Manual. In considering the suitability of any proposed noise attenuation measures, consideration should be given not only to their effectiveness for noise control, but also to their visual appearance and potential impacts on views, solar access or other aspects relevant to the amenity of the site and the surrounding area.

- B. *The applicant be requested to provide a revised Master Plan document, incorporating the variations listed above, prior to the lodgement of any development application.*

MOTION: (Tracey/Procopiadis) SEE RESOLUTION.

7. GENERAL BUSINESS.

7.1 COUNCILLOR BACKES – INTEGRATION OF COUNCIL'S AFFORDABLE HOUSING POLICY AND COUNCIL'S PLANNING INSTRUMENTS. (98/S/3428)

H27 **RESOLUTION:** *(Backes/His Worship the Mayor, Cr D. Sullivan) that Council's Affordable Housing Policy be integrated with Council's planning instruments to enable the intent of the Policy to be implemented. A Report and recommendations are to be brought before the July Health, Building and Planning Committee Meeting with a view to advertising changes immediately so Councils Planning Codes reflect the elected representatives intent. If some amendments are more difficult than others to have implemented, the Report to Council should show a separation of recommendations for expediency.*

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

8. NOTICE OF RESCISSION MOTIONS.

Nil.

The meeting closed at 8.40 p.m.

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CHAIRPERSON