

**MINUTES OF ORDINARY COUNCIL MEETING OF THE  
COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY, 23<sup>RD</sup> JULY, 2002 AT 6:29 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:**

Acting General Manager	Mr. M. Savage.
Acting Director Asset & Infrastructure Services	Mr. T. McCarthy.
Acting Director Planning & Community Development	Ms. S. Truuvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Manager Waste	Mr. R. Wade.
Acting Team Leader Strategic Planning	Mr. T. Watson.
Acting Manager Strategic Planning	Mr. K. Armstrong.
Acting Communications Manager	Ms. L. Fragiaco.
Public Officer	Mr. P. Smith.

**1a. COUNCIL PRAYER.**

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

**1b. APOLOGY.**

Nil.

**2. MINUTES.**

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 25<sup>TH</sup> JUNE, 2 2002.**

160 **RESOLUTION:** *(Schick/Procopiadis) that the Minutes of the Extraordinary Council Meeting held on Tuesday, 25<sup>th</sup> June, 2002 (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, 25<sup>TH</sup> JUNE, 2002.**

- 161 **RESOLUTION:** (*Bastic/Notley-Smith*) that the Minutes of the Ordinary Council Meeting held on Tuesday, 25<sup>th</sup> June, 2002 (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, 16<sup>TH</sup> JULY, 2002.**

- 162 **RESOLUTION:** (*Andrews/White*) that the Minutes of the Extraordinary Council Meeting held on Tuesday, 16<sup>th</sup> July, 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:** (*Matson/Greenwood*) that Committee procedures prevail at this Council Meeting with respect to speakers addressing Council, discussion between Councillors and questions being asked of speakers by Councillors.

**RESOLVED:** (*His Worship the Mayor, Cr D. Sullivan/Daley*) that the meeting be adjourned at 6.30 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 Ross Cresdee, 65 Doncaster Avenue, Kensington on Item 6.2, Director Planning & Community Development's Report 42/2002 - 2-4 Frances Street, Randwick.
2. Mr John Hepworth, 458 Wattle Street, Ultimo on Item 6.2, Director Planning & Community Development's Report 42/2002 - 2-4 Frances Street, Randwick.
3. Mr Tony Moody, 86-90 Bay Street, Broadway on Item 6.4, Director Planning & Community Development's Report 44/02 – 8 Pine Street, Randwick.
4. Mr Bruce Nottage, 22 Mount Street, Coogee on Item 6.5, Director Planning & Community Development's Report 45/02 – 45 Ritchard Avenue, Coogee.
5. Ms Nicole Royal, 2/45 Ritchard Avenue, Coogee on Item 6.5, Director Planning & Community Development's Report 45/02 – 45 Ritchard Avenue, Coogee.
6. Mr David White, 59/382 Beauchamp Road, South Maroubra on Item 8.2, NOM by Cr Matthews – Reinstating 377 Bus Service.

The meeting was further adjourned at 7.10 p.m.

**RESOLVED:** (*Procopiadis/Notley-Smith*) that the meeting be resumed at 7.38 p.m. with Standing Orders also resumed.

**4. MAYORAL MINUTES.**

Nil.

**5. DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORTS.**

**5.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 80/2002 - 2002/2003 REGIONAL ROADS MAINTENANCE PROGRAMME BLOCK GRANT. (98/S/0813)**

163 **RESOLUTION:** (*Schick/Andrews*) that:

- a) *Council accept the Block Grant of \$195,000 for Regional Roads Maintenance Programme 2002/2003;*
- b) *The Agreement of Block Grant of Assistance to Council for Regional Roads be executed and forwarded to the Road and Traffic Authority; and*
- c) *Council not accept the Traffic Facility grant of \$184,000 and notify the Roads and Traffic Authority accordingly.*

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

**5.2 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 81/2002 - 40 KILOMETRE SPEED ZONES - DAY CARE CENTRES. (98/S/0974)**

164 **RESOLUTION:** (*White/Bastic*) that the Director Asset & Infrastructure Report 81/2002 be received and noted.

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

**5.3 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 82/2002 - COOGEE LADIES BATHS - DRAFT IMPROVEMENT PLAN. (98/S/1032)**

165 **RESOLUTION:** (*Backes/Daley*) that:

- a) *The draft Coogee Ladies Baths Improvements Plan (2002) be adopted as the guiding document for the management of the Baths;*
- b) *Asset and Infrastructure Services' Department undertake the completion of a Landscape Masterplan that defines and stages future landscape improvements to the Baths;*
- c) *Council officers and the Committee investigate sources of grants which may be available for improvements to the Baths and that an amount of \$ 50 000 be budgeted for the first stage in the upgrading works in the 2003/2004 Budget; and*
- d) *Council adopts, in principle, covering the cost of payment of public liability insurance for the Baths and that Council's officers meet with the Committee of the Ladies Baths to address all the items detailed in this resolution, including the administration of the Baths and public liability, and a report be submitted to the September Council Meeting on this issue.*

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

**6. DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORTS.**

**6.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 41/2002 - RANDWICK DRAFT AMENDING LEP NO 23 AND DRAFT DEVELOPMENT CONTROL PLAN FOR THE BUNDOCK STREET DEFENCE LAND. (98/S/3816)**

166 **RESOLUTION:** *(Andrews/Bastic)* that the Director Planning & Community Development's Report 41/2002 be received and noted and that Council:

- a) *Discontinue the resolution of 21 March 2001 in relation to the preparation of a draft amending Local Environmental Plan based on the superseded Master Plan for the Bundock Street Defence Site;*
- b) *Prepare and exhibit draft Randwick Local Environmental Plan Amendment No 23, under s.54 and s.64 of the Act and the Draft Development Control Plan for the Defence Site Randwick, June 2002, under s.72 of the Act, for public comment and review concurrently for a period of not less than 6 weeks; and*
- c) *Agree the Director, Planning and Community Development, as a delegate of the Director-General of the Department of Planning, issue a certificate pursuant to section 65 (1) of the Environmental Planning and Assessment Act, 1979, so that draft Randwick Local Environmental Plan Amendment No 23 – Bundock Street Defence Land may be publicly exhibited in accordance with section 66 of the Act.*

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

**6.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 42/2002 - 2-4 FRANCES STREET, RANDWICK. (D/1230/2001)**

167 **RESOLUTION:** *(Tracey/Backes)* that this application be deferred to allow for consultation with the NSW Heritage Office in relation to the issue of determining an appropriate curtilage for the heritage items at 2-4 Frances Street, Randwick.

**PROCEDURAL MOTION:** *(Tracey/Backes)* SEE RESOLUTION.

**6.3 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 43/2002 - USE OF STATE ENVIRONMENTAL PLANNING POLICY (SEPP) NO. 1 IN DEVELOPMENT APPLICATIONS - UPDATE REPORT. (98/S/3412)**

168 **RESOLUTION:** *(Daley/Andrews)* that Council receive and note the Director Planning & Community Development's Report 43/2002 and, for the next six (6) months, statistics be kept on the number of SEPP 1 applications submitted and approved or refused.

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

**6.4 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 44/2002 - 8 PINE STREET, RANDWICK. (D/0260/2002)**

169 **RESOLUTION:** *(Backes/Andrews)* that:

- A. *The Council support the objection under State Environmental Planning Policy No.1 (SEPP No.1) in respect to non compliances with Clause 33(3) and Clause 31(3) of the*

*Randwick Local Environmental Plan 1998 (relating to external wall height and minimum landscaped area) on the grounds that the proposed use complies with the objective of the clause and will not adversely affect the amenity of the surrounding locality, and that Planning NSW be advised accordingly:*

- 1. The proposed departure from the wall height standard results from the proposed gable end design of the building only. This building element does not contribute significantly to the visual bulk and scale of the development, nor will they cause any significant adverse amenity impacts.*
  - 2. The design of the roof and building will not have any significant adverse impact upon surrounding residential properties.*
  - 3. The proposed departure from the minimum landscaped area to be provided not over excavated basement areas arises from the corner layout of the site and will have a negligible impact upon the proposed development. Total landscaped area provided complies with the minimum required by the clause, and landscaping on the site will achieve privacy and visual screening, and provide recreational space for the occupant.*
  - 4. The proposal is compatible in bulk and scale with the other forms of development within the street.*
- B. **THAT** Council's Manager Development Assessment under delegated authority from the General Manager, as the consent authority, grant development consent as a Deferred Commencement under Section 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 260/2002 for Demolition of existing dwelling house and garage and construction of a multi unit housing development comprising five townhouses, basement parking, two swimming pools and strata subdivision of the site at 8 Pine Street, Randwick subject to the following conditions:-*

#### ***Deferred Commencement Conditions***

*The consent is not to operate until the following material has been submitted to and approved by the Acting Director Planning and Environment:*

- 1. Details of External Colours, Material and Textures*

*A schedule, sample board and elevation drawings indicating the proposed colours, materials and textures of the external surfaces of the proposed building and front fencing. The colours, materials and textures are to be compatible with the surrounding area, incorporating natural, subdued colours and materials which minimise solar glare and reflectivity.*

*Evidence required to satisfy the above conditions must be submitted to Council within 3 months of the date of this consent in accordance with Clause 95(3) of the Environmental Planning and Assessment Amendment Regulation 1998, or the consent will lapse.*

#### ***Development Consent Conditions***

*Subject to compliance with the deferred commencement conditions, to the satisfaction of the Director Planning and Environment, development consent is granted under Section 80 & 80A*

of the Environmental Planning and Assessment Act 1979 subject to the following conditions:

1. *The development must be implemented substantially in accordance with the plans numbered DA-01, DA-02, DA-03A, DA-04, DA-05, DA-07, DA-08, DA-09, DA-10, DA-11, LA01, undated and received by Council on 28 March 2002 as amended by the additional details received 1 May 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:*

***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 external colours, materials and finishes of the proposal shall be in accordance with the details and plans submitted to and approved by the Director of Planning and Environment pursuant to the deferred commencement condition.*
3. *The consumption of water within the building shall be minimised by the use of triple A rated water efficient plumbing fixtures (taps and shower roses) and water efficient dual flush toilets. Details of compliance are to be provided in the construction certificate plans or specifications.*
4. *Upon completion of the development and prior to the issuing of the strata subdivision, documentary evidence is to be submitted to the Council by the Principal Certifying Authority (or other suitably qualified person on behalf of the owner of the premises, to the satisfaction of Council) which confirms that the development has been carried out in accordance with the relevant development consent conditions.*
5. *Metal roof sheeting is to be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment.*

*Details of the proposed colour of the roof are to be submitted to and approved by the Director of Planning and Environment, in accordance with the section 80A (2) of the Environmental Planning and Assessment Act 1979, **prior to the roofing being installed.***

6. *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.*
7. *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.*
8. *All plumbing and drainage pipes, other than rain water heads, gutters and downpipes, must be concealed within the building.*
9. *Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.*
10. *The enclosure of balconies is prohibited by this consent.*
11. *Internal or external clothes drying facilities are to be provided in accordance with the provisions of the Building Code of Australia.*

*Should external clothes drying facilities be provided, the facilities must be adequately screened by vegetation and details are to be incorporated into the landscaping plans, to the satisfaction of the certifying authority.*

12. *Lighting to the premises shall be designed so as not to cause a nuisance to nearby residents or motorists and to ensure that light overspill does not affect the amenity of the area.*
13. *The development must be designed and constructed to achieve a minimum energy efficiency NatHERS rating of 3.5 stars or equivalent and a NatHERS certificate or equivalent, prepared by a suitably qualified person, is to be submitted to the certifying authority with the **construction certificate** application.*

*The design of the building must be consistent with the development consent and any proposed variations to the building to achieve the energy efficiency rating may necessitate a new or amendment to the development consent prior to the issuing of a construction certificate.*

14. *Vehicular access to the basement carpark shall be readily accessible to visitors at all times. Where a security gate is provided a suitable intercom shall be installed adjacent to the vehicular entrance together with appropriate signage to provide access to visitor spaces.*

***The following conditions have been applied to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:***

15. *The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.*

*In this regard, the use of the premises and the operation of any plant or equipment on the site shall not give rise to an L10 sound pressure level which is 5dB(A) greater than the A-weighted L90 background sound pressure level, measured at any point on a residential boundary or within any residential dwelling.*

***The following conditions are applied to ensure that adequate provisions are made for the management of waste from the development:***

16. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials.*

*A Waste Management Plan is to be submitted to Council and approved by Council's Manager of Waste Services, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979, prior to a construction certificate being issued for the proposed development.*

*The plan shall detail the type and quantity of waste to be generated by the development; demolition waste; construction waste; materials to be re-used or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.*

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

17. *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.*
18. *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 group of conditions have been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:***

19. *A report shall be prepared by a professional engineer and submitted to the certifying authority **prior to the issuing of a construction certificate**, detailing the proposed methods of excavation, shoring or pile construction, including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises that may be caused by the proposed building, excavation and shoring works.*

*Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the **construction certificate**.*

20. *A dilapidation report prepared by a professional engineer or suitably qualified and experienced building surveyor shall be submitted to the certifying authority **prior to the commencement of demolition, excavation or building works** detailing the current condition and status of all buildings, including ancillary structures (i.e.*



*including dwellings, residential flat buildings, commercial/industrial building, garages, carports, veranda's, fences, retaining walls, swimming pools and driveways etc.) located upon all of the premises adjoining the subject site.*

*The report is to be supported with photographic evidence of the status of the buildings and a copy of the report must also be forwarded to the Council and to the owners of each of the above stated premises, **prior to the commencement of any works.***

***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***

21. *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.*

22. *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 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***
23. *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.*
24. *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.*
25. *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.*
26. *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.*

*Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (as applicable), to*

*ensure compliance with the terms of Council's approval:*

- *Sediment control measures.*
  - *Provision of perimeter fences or hoardings for public safety and restricted access to building sites.*
  - *Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.*
27. *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.*
28. *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.*
29. *An Occupation Certificate must be obtained from the principal certifying authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*
30. *In addition to the matters contained in the Environmental Planning and Assessment Regulation 2000, the following matters are to be completed in accordance with the terms and conditions of this development consent, **prior to the occupation** of the building:*
- a) *car parking and vehicular access*
  - b) *landscaping*
  - c) *stormwater drainage*
  - d) *external finishes and materials*
  - e) *swimming pool safety fencing/barriers and acoustic enclosure to pool equipment*
31. *A coloured works-as-executed fire services plan is to be submitted to the Council **prior to occupation** of the development, detailing the location of the essential fire safety measures installed within the building premises.*
32. *A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the **following stage/s of construction**:*
- a) *Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and verifying that the building is being construction at the approved levels.*

- b) *On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying the building has been constructed at the approved levels.*
33. *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.*
34. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.*
35. *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 and debris at all times.*
36. *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.*
37. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*
38. *A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement of demolition, excavation or building works.** The site management plan must include the following measures, as applicable to the type of development:*
- *location and construction of protective fencing / hoardings to the perimeter of the site;*
  - *location of site storage areas/sheds/equipment;*
  - *location of building materials for construction;*
  - *provisions for public safety;*
  - *dust control measures;*
  - *site access location and construction*
  - *details of methods of disposal of demolition materials;*
  - *protective measures for tree preservation;*
  - *provisions for temporary sanitary facilities;*
  - *location and size of waste containers/bulk bins;*
  - *details of proposed sediment and erosion control measures;*
  - *construction noise and vibration management.*

*The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.*

39. *During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.*

*A soil and water management plan (SWMP) must be submitted to and approved by the principal certifying authority and implemented **prior to the commencement of any site works or activities.***

*The soil and water management plan must contain a site plan, detailing:*

- *the slope of the land*
- *site access points and access control measures*
- *location and type of all sediment control measures*
- *location of existing vegetation, to be retained*
- *material stockpile or storage areas and methods of sediment control*
- *location of existing and proposed drainage systems*
- *proposed disposal of site water*
- *location of building operations and equipment*
- *proposed re-vegetation details*

*All soil and water management measures must be maintained at all times throughout demolition, excavation, building and site works and a copy of the soil and water management plan is to be kept on-site and be made available to Council officers upon request.*

40. *Stockpiles of soil, sand, aggregate or other materials must not be located on any drainage line, natural watercourse, footpath, roadway or any public place and the stockpiles must be protected with adequate sediment control measures.*

*Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.*

41. *A warning sign for soil and water management must be displayed in a prominent position on the building site, visible to both the public and site workers. The sign must be displayed throughout the construction period. Copies of a suitable warning sign are available at Council's Customer Service Centre for a nominal fee.*

42. *If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or the building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.*

*If necessary, an awning is to be erected sufficiently to prevent any substance from, or in connection with, the work from falling into the public place or adjoining premises.*

*The public place adjacent to the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place and any such hoarding, fence or awning is to be removed upon completion of the work.*

*The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.*

*If it is proposed to locate any hoardings, site fencing or amenities upon a footpath or public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.*

43. *A temporary timber crossing is to be provided to the site entrance across the kerb and footway area, with splayed edges, unless access is via an existing concrete crossover.*
44. *The applicant/builder is required to hold Public Liability Insurance, with a minimum liability of \$5 million and a copy of the Insurance cover is to be provided to Council.*

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

45. *The building is required to be provided with a smoke alarm system complying with Clause 3 of Specification E2.2a of the B.C.A. or a smoke detection system complying with Clause 4 of Specification E2.2a of the B.C.A. or a combination of a smoke alarm system within the sole-occupancy units and a smoke detection system in areas not within the sole-occupancy units.*

***The following conditions are applied to ensure compliance with the Swimming Pools Act 1992 and to maintain public safety and amenity:***

46. *Swimming pools are to be provided with childproof fences and self-locking gates, in accordance with the Swimming Pools Act 1992 and regulations.*

*The swimming pool is to be surrounded by a fence having a minimum height of 1.2m, that separates the pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises; and that is designed, constructed and installed in accordance with AS 1926-1986.*

*Gates to pool area shall be a maximum width of 1 metre, and be self-closing and latching; the gate is required to open outwards from the pool area and prevent a small child opening the gate or door when the gate or door is closed.*

*Temporary pool safety fencing is to be provided pending the completion of all building work and the pool must not be filled until a fencing inspection has been carried out and approved by the principal certifying authority.*

*A sign shall be erected in a prominent position in the immediate vicinity of the swimming pool, in accordance with the document entitled "Policy Statement No.9.4.1: Guidelines for the Preparation of Posters on Resuscitation", published in 1985 by the Australian Resuscitation Council and the sign must bear a notice that*

*contains the words “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL”, together with details of resuscitation techniques (for adults, children and infants) set out in accordance with the document entitled “Cardio Pulmonary Resuscitation” published by the Australian Resuscitation Council.*

47. *Swimming pools are to be designed and installed in accordance with the following general requirements:-*

- *Backwash of the pool filter and other discharge of water is to be drained to the sewer in accordance with the requirements of the Sydney Water Corporation.*
- *All pool overflow water is to be drained away from the building and adjoining premises, so as not to result in a nuisance or damage to premises.*
- *Pool plant and equipment is to be enclosed in a sound absorbing enclosure or installed within a building, to minimise noise emissions and possible nuisance to nearby residents.*

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

48. *The following damage deposit requirement is to be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to the roadway, footway, verge or any public place; or as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:*

a)     \$2000.00       -       Security damage deposit

*The damage deposit may be provided by way of a cash or cheque with the Council and is refundable upon the applicant advising Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.*

*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.*

49. *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)     \$1000.00       -       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:***

50. *The applicant must meet the full cost for Council or a Council approved contractor to:*
- a) *Construct a full width concrete heavy duty vehicular crossing and layback at kerb opposite the vehicular entrance to the site.*
  - b) *Remove the redundant concrete vehicular crossing and layback and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.*
  - c) *Re-construct a concrete kerb and gutter for both site frontages (200mm kerb in Park Ave & 150mm kerb in Pine St).*
  - d) *Carry out a full depth, 1.50 metre wide, road construction in front of the kerb and gutter along the full site frontage.*
  - e) *Re-construct a concrete footpath along the full site frontage in Pine Street & Park Avenue. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.*
51. *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.*
52. *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.*
53. *The driveway opening at the Pine Street frontage must be 5.00 metres wide **and located at least 1.5 metres clear of the side property.***
54. *The internal driveway must be a minimum 5.00 metres wide for the first 5 metres inside the property.*
55. *A work zone is to be provided to the development site and details of the work zone location and the prescribed fee for the installation of a "work zone" having a minimum length of 12 metres must be paid to Council at least four (4) weeks prior to the commencement of building works.*

***The following conditions are applied to provide adequate provisions for access, transport and pedestrian safety.***

56. *All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level or splayed 1.5 metre by 1.5 metre so that a driver of a stopped vehicle 2 metres behind the street boundary line can observe pedestrians up to 2 metres from the crossings. Details are to be submitted to the Certifying Authority prior to the release of the construction certificate showing compliance with this condition.*
57. *The applicant must, at no cost to Council dedicate a 3m x 3m splay corner for road widening purposes on the north/east corner of the site at the Pine St/Park Ave intersection.*

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

58. *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 driveways, access ramps and pathways or the like, must be as follows:*

***Pine Street Frontage:*** *Match the back of the existing footpath along the full site frontage.*

***Park Avenue Frontage:*** *The proposed gate entrances are to be 150mm above the existing Council footpath levels (this is to ensure no stormwater flow down Pine St will enter the site from the Park Ave frontage)*

*Any enquiries regarding this matter should be directed to Council's Assets & Infrastructure Services Department on 9399 0923.*

*The design alignment level at the property boundary must be strictly adhered to.*

59. *The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the footpath 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.*
60. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$1059.00 calculated at \$16.50 (inclusive of GST) per metre of site frontage. 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:***

61. *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.*
62. *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.*

63. *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.*
64. *Any electricity substation required for the site is to be located within the site and is to be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications. The applicant is to liaise with Sydney Electricity prior to lodging the construction certificate to see if a electricity substation will be required for the development.*

***The following conditions are applied to provide adequate provisions for drainage and associated infrastructure:***

65. *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 a construction certificate being issued for the development. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issue, if the Council is not the certifying authority. The drawings and details shall include the following information:*
  - a) *A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.*
  - b) *A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system. This may involve either connection to the Council's street gutter, or into a Council stormwater pit. Note: All proposals should indicate the location of the closest Council stormwater pit and line regardless of the point of discharge. This information can be obtained by a visual inspection of the area and perusing Council's drainage plans.*
  - c) *Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (ie. above the 1 in 20 year storm) to the proposed drainage system.*
  - d) *The separate catchment areas within the site, draining to each collection point or surface pit are to be classified into the following categories:*
    - i. *Roof areas*
    - ii. *Paved areas*
    - iii. *Grassed areas*
    - iv. *Garden areas*
  - e) *Where buildings abut higher buildings and their roofs are "flushed in" to the*

*higher wall, the area contributing must be taken as: the projected roof area of the lower building, plus one half of the area of the vertical wall abutting, for the purpose of determining the discharge from the lower roof.*

- f) Proposed finished surface levels and grades of car parks, internal driveways and access aisles which are to be related to Council's design alignment levels.*
  - g) The details of any special features that will affect the drainage design eg. the nature of the soil in the site and/or the presence of rock etc.*
  - h) All stormwater run-off naturally draining to the site must be collected and discharged through this property's stormwater system. Such drainage must, if necessary, be constructed prior to the commencement of building work.*
66. *On-site detention must be provided to ensure that the maximum discharge from the above site is not to exceed that which would occur during a 1 in 5 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 year 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 Assets and Infrastructure Services. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.*

*For small areas up to 0.5 hectares, determination of the required cumulative storage must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Run-off Volume 1, 1987 Edition.*

*Where possible the detention tank must have an open base to infiltrate stormwater to the groundwater. Note that the ground water and any rock stratum has to be a minimum of 2.0 metres below the base of the tank.*

67. *All site stormwater leaving the site must be discharged by gravity to the kerb and gutter or drainage system at the front of the property.*

**OR**

*All site stormwater must be discharged by gravity via a private drainage easement through an adjoining private property (or properties) to the kerb and gutter or drainage system. This condition is required to provide a satisfactory overland flow route should a storm in excess of the above parameters occur.*

*Should the applicant demonstrate that all reasonable attempts to procure the private drainage easement referred to in the previous condition have failed, a pump system (or infiltration system subject to Council's requirements and a satisfactory Geotechnical Engineers report) will be permitted. However the detention required must have a minimum factor of safety of 1.5 larger than the volume required for a 1 in 100 year storm event under these circumstances. The pump system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively.*

*The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private*

*Stormwater Code.*

68. *The applicant must provide for a detention volume of up to the 1 in 100 year, plus an additional 50% of storage volume should no overland escape route be provided for storms greater than the design storm.*
69. *The detention area must be regularly cleaned and maintained to ensure it functions as required by the design.*
70. *The stormwater detention area must be suitably signposted where required, warning people of the maximum flood level.*
71. *The floor level of all habitable and storage areas adjacent to the detention area must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be constructed.*

*(In this regard, it must be noted that this condition must not result in any increase in the heights or levels of the building. Any variations to the heights or levels of the building will require a new or amended development consent from the Council prior to a construction certificate being issued for the development).*

72. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*
73. *Should a pump system be required to drain any portion of the site the system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private Stormwater Code.*
74. *A work-as-executed plan prepared and signed by the hydraulic engineer or a registered surveyor, and approved by an accredited certifier, must be submitted to Council's Director of Asset and Infrastructure Services prior to the issuing of an occupation certificate, detailing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. The outlet pipe from the detention basin to its connection with Council's drainage system, must be indicated on this plan in conjunction with the following information:*
  - a) *location*
  - b) *pipe diameter*
  - c) *gradient*
  - d) *pipe material ie PVC or EW etc*
  - e) *orifice size (if applicable)*

75. *A sediment/silt arrester pit must be provided:-*

- a) *within the site at or near the street boundary prior to the site stormwater discharging by gravity to the kerb/street drainage system; and*
- b) *prior to stormwater discharging into any absorption/infiltration system.*

*The sediment/silt arrester pit shall be constructed with:-*

- *The base of the pit located a minimum 300mm under the invert level of the outlet pipe.*
- *The pit must be constructed from cast in-situ concrete, precast concrete or double brick.*
- *The grate is to be a galvanised heavy-duty grate that has a provision for a child proof fastening system.*
- *A minimum of 4 x 90 mm diameter weep holes located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating located over the weep holes.*
- *A galvanised heavy-duty screen (Lysaght RH3030 Maximesh or similar) located over the outlet pipe. (Similar to a Mascot GRC stormwater discharge control pit, product code DS3SDC).*
- *A child proof and corrosion resistant fastening system for the access grate (e.g. similar to a Weldlock spring loaded jay-bolt).*
- *The inlet pipeline located on the side of the pit so that the stormwater will discharge across the face of the screen.*
- *A sign adjacent to this pit stating that:*

*“This sediment/silt arrester pit shall be regularly inspected and cleaned.”*

**Note:** *Sketch details of a standard sediment/silt arrester pit can be obtained from Council’s Drainage Engineer.*

76. *A ‘V’ drain is to be constructed along the perimeter of the property, where required, to direct all stormwater to the detention area.*
77. *Any Absorption Trenches/Pits must be designed in accordance with "Section 8.5 ABSORPTION TRENCHES" as stipulated in Randwick City Council's Private Stormwater Code.*
78. **One** *covered car washing bay shall be provided for this development.*
- a) *The car washing bay must be drained to sewer to the requirements of Sydney Water and proof of compliance is to be submitted to the certifying authority, prior to a construction certificate being issued for the proposed development.*
  - b) *The car washing bay must be located outside any required/approved stormwater detention system and must be suitably signposted.*
  - c) *The car washing bay must be constructed with a minimum 20mm bund around the perimeter of the car washing bay/s (or equivalent)*

*A water tap shall be located adjacent to the car washing bay.*

79. *All drainage details for the site shall be prepared by a suitably qualified hydraulic consultant who shall, at the completion of the works, certify that the drainage works have been constructed in accordance with the approved drainage plans.*
80. *As the above site may be present within a fluctuating water table the basement carpark or similar structures are to be suitably tanked and waterproofed. A Structural Engineer\Geotechnical Engineer shall certify the tanking & waterproofed has been carried out to an acceptable standard and a copy of the certification is to be forwarded to Council.*

**Notes:-**

- a) *Any subsoil drainage is to be disposed of within the site and is not to be charged to Council's kerb & gutter and/or underground drainage system.*
- b) *Adequate provision is to be made for the ground water to drain around the basement carpark (to ensure that the basement will not dam or slow the movement of the ground water through the development site).*
81. *Any seepage water must be drained directly into an absorption pit within the site. Seepage water must **not** be drained from the site.*

**The following conditions are applied to provide adequate provisions for waste management:**

82. *The garbage room areas will have to be designed so as to be able to contain a total of 6 x 240 litre bins (3 garbage bins & 3 recycle bins) whilst providing satisfactory access to these bins. Details showing compliance with this requirement are to be shown on the plans submitted to the certifying authority for the construction certificate.*
83. *The garbage storage areas are to be provided with a tap and hose and the floor is to be graded and drained to an approved floor waste to the requirements of the Sydney Water Corporation.*
84. *Prior to the credited certifier issuing an occupation certificate for the proposed development the applicant is to contact Council's Manager of Waste in regards to meeting Council's requirements for waste services to the additional residence/dual occupancy.*

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

85. *A "restriction as to user and positive covenant" must be placed on the title of the subject property in conjunction with the registration of any future plan of subdivision or strata subdivision for this property. Such restriction and positive covenant shall relate to the onsite stormwater detention system and shall not be released, varied or modified without the consent of the Council.*

**Notes:**

- a. *The "restriction as to user and positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout*

*for the restriction and positive covenant may be obtained from Council's Asset and Infrastructure Services Department.*

- b. The linen plans shall indicate the location and dimensions of the detention/infiltration areas.*

*This condition is to ensure that no works which could affect the design function of the detention system are undertaken without the prior consent (in writing) from Council.*

- 86. The applicant shall create suitable right of carriageway, easements for services and internal stormwater lines, as required. The applicant shall be advised that the minimum easement width for any internal stormwater line is 0.9 metres.*
- 87. The conditions of development consent must be satisfied and all public roads and reserves must be satisfactorily restored prior to the finalisation of the strata subdivision.*
- 88. Prior to release of the Plan of Subdivision the applicant shall provide Council with a subdivider/developer certificate for the proposed lots. The certificate is obtained from Sydney Water.*
- 89. The applicant shall provide Council with a survey plan of the property prior to receiving strata subdivision approval.*

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

- 90. The landscaped areas shown on the plan LA - 01 shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, a certifying authority, prior to the issue of a construction certificate. The landscape drawings and specifications are to be prepared by a suitably qualified landscape designer with relevant qualifications in landscape architecture or horticulture. The documentation is to include:
  - a. A site plan at an appropriate scale showing existing site boundaries, existing trees within the property (clearly identified as being retained or removed), existing street trees (clearly identified as being retained or removed), features on adjoining sites (buildings, trees, other structures etc), council's footway, existing and proposed ground levels shown as spot heights and/or contours over the site, at site boundaries, and at the base of the trees to be retained, proposed building envelope, proposed areas of pavement, and proposed landscaped areas.  
  
*The plan shall clearly show the position, canopy spread (location of dripline), trunk diameter, height and names of all existing trees upon the site and adjoining sites which are likely to be affected by the development.**
  - b. A planting plan at a scale of 1:100 or 1:200 indicating the location of all proposed planting and existing trees to be retained. All plants are to be drawn at their mature size with a dense planting of shrubs, accent plants and ground covers within all garden beds so that a continuous planted cover is achieved. Plant spacings are to be clearly indicated for all accent and groundcovers.**

- c. *A planting schedule listing all plants by botanic & common names, plant numbers, plant spacings for groundcovers and accent planting, pot sizes, the estimated size of the plant at maturity (height & spread) and proposed staking methods when applicable.*
- d. *Additional notation showing soil and mulch details, irrigation details, edging, paving, fencing details, surface finishes, retaining wall details, and any other landscape elements in sufficient detail to fully describe the proposed landscape works.*
- e. *Position of existing and proposed site services including water, gas, electricity, sewer, stormwater, etc.*
- f. *Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.*
- g. *The landscape plan shall show a minimum number of 10 x 45 litre broad canopied trees (not palms) suitably located along the western boundary of the site. The trees selected shall be of a species that attain a minimum height of 3 metres at maturity.*
- h. *All planter boxes and garden beds constructed on slab must have a minimum soil depth of 1m and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape elevations through the site showing the existing and proposed groundlines, building elevations and mature height of proposed planting.*
- i. *Location of easements within the site and upon adjacent sites (if any).*

*The landscaping shall be installed in accordance with the approved documentation prior to the issue of an occupation certificate and shall be maintained in accordance with those plans.*

- 91. *A minimum of five advanced trees reaching a height of 4 metres at maturity shall be planted along the western property boundary to provide privacy screening. Soil depth within the planter boxes is to be increased to a minimum of 1 metre. Details of compliance are to be shown with the construction certificate details.*
- 92. *To ensure satisfactory maintenance of the landscaped areas, an automatic irrigation system shall be installed throughout all the landscaped areas. Such system shall provide full coverage to all the landscaped areas with no overspray onto driveways and pathways.*

*Details of the automatic irrigation system shall be shown on the detailed landscape plans and specifications. The system shall comply with all Sydney Water requirements, and relevant Australian Standards.*

- 93. *The naturestrip upon Council's footway 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. Such works shall be installed 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.*

94. *In order to visually 'soften' the expanses of hard pavement, brick unit pavers or similar shall be used throughout the driveway and carpark areas on the site. Such details shall be shown on the detailed engineering documentation and shall include all structural design details including pavement/subgrade thickness.*

*Such details shall be in accordance with the relevant Australian Standard and shall be submitted to, and approved by, an Accredited Principal Certifying Authority, prior to the issue of the Construction Certificate.*

95. *All detention tanks and stormwater infiltration systems located within the landscaped areas shall have a minimum soil cover of 600mm to ensure sufficient soil depth to permit the establishment of landscaping on top of these services as stipulated by these conditions of development consent.*

*All stormwater documentation submitted for the construction certificate application shall show the top of the detention tanks and stormwater infiltration devices being 600mm below the finished ground level of the landscaped areas.*

### ***Tree Management***

96. *The applicant shall submit payment of \$590.00 to Council,*
- a) *Being the cost for Council to remove the existing street trees of Callistemon species (Bottlebrush) located along the eastern part of the site along Council's nature strip (\$300.00), and*
  - b) *Being the cost for Council to supply and install 2 x 45 litre street trees at the completion of all works (\$290.00), and*

*The contribution shall be paid into Account Number 43450030 at the Cashier on the Ground Floor of the Administrative Centre prior to an occupation certificate being issued for the development.*

*The applicant shall present the receipt at the Asset and Infrastructure Services counter on the First Floor to organise for the works to be undertaken.*

97. *Approval is granted for the removal of the following trees subject to the planting of 2 x 75 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 specimen of Jacaranda mimosifolia (Jacaranda) located towards the northwestern part of the site.*
  - b) *One specimen of Eucalyptus species (Gum Tree) located towards the north-eastern part of the site.*
98. *The applicant shall be required to ensure the retention and long term health of all trees located on adjoining properties adjacent to the proposed development. As a*



*general guide there shall be minimal excavation or root pruning within the dripline/s of the subject tree/s.*

***The following condition/s are applied to satisfy the increased demand for public amenities and public services:***

99. *In accordance with Council's Section 94 Contributions Plan effective from 2 September 1999, the following monetary contribution is to be paid to Council.*

- |    |   |                   |
|----|---|-------------------|
| a) | <i>for the provision or improvement of open space</i>           | <i>\$10928.00</i> |
| b) | <i>for the provision or improvement of community facilities</i> | <i>\$4832.00</i>  |
| c) | <i>Administration fee</i>                                       | <i>\$425.00</i>   |

*The contribution must be paid in cash or by bank cheque **prior to a construction certificate being issued** for the proposed development, together with payment of the required **Section 94 Administration Fee of \$425.00**. Council's Section 94 Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick.*

**A. *ADVISORY MATTERS:***

A1. *The applicant is advised that the Construction Certificate plans and specification must comply with the provisions of the Building Code of Australia (BCA).*

*In this regard, the development consent plans do not show compliance with the deemed-to-satisfy provisions of the BCA, including:*

- |    |                |   |  |
|----|----------------|---|--|
| a) | <i>Part F4</i> | - | <i>Light and ventilation</i>             |
| b) | <i>Part F5</i> | - | <i>Sound Transmission and Insulation</i> |

*Details of compliance with the relevant provisions of the Building Code of Australia and conditions of development consent are to be provided in the plans and specifications for the construction certificate.*

A2. *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.*

A division was called for by Crs Daley and Bastic. Voting was as follows:-

For	Against
-----	---------

Cr Andrews  
Cr Backes  
Cr Bastic  
Cr Daley  
Cr Greenwood  
Cr Matson  
Cr Matthews  
Cr Notley-Smith  
Cr Procopiadis  
Cr Schick

Cr Seng  
His Worship the Mayor, Cr D. Sullivan  
Cr Tracey  
Cr White  
Cr Whitehead

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

**6.5 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
45/2002 - 45 RITCHARD AVE COOGEE. (D/0273/2002)**

170 **RESOLUTION: (Andrews/Backes) 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 273/02 for Alterations and additions to existing multi-unit development at 45 Ritchard Ave Coogee subject to the following conditions:-*

1. *The development must be implemented substantially in accordance with the plans numbered 0108 DA00-05B, dated 5/2/02 and received by Council on 28/3/02, 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. *The carport structure to the western boundary shall be setback 300mm from the boundary. The access stairs as shown on the plans shall be reversed to travel away from the western boundary. Details of the amended structure are to be submitted as part of the Construction Certificate plans to the Principal Certifying Authority.*

4. *A non-trafficable distance of 700mm shall be provided to the western boundary of the timber deck. Planter boxes shall be provided to the western side of the deck within this non-trafficable area. The planter boxes are to have a soil depth of 400mm to allow for plantings to achieve a height of 1500mm.*

5. *Planter boxes shall be provided to the southern perimeter of the timber deck with a soil depth of 400mm and a width of 300mm to sustain plants to achieve a height of 1500mm.*

6. *The balcony located on the first floor to the eastern elevation is to be a maximum depth of 1300mm in line with the existing bay window.*
7. *The proposed front fence shall have a maximum height of 1200mm measured from any point of the fence to natural ground level.*

***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. *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:***

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 group of conditions have been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:***

11. *A Certificate of Adequacy supplied by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) **prior to a construction certificate being issued** for the car port, certifying the structural adequacy of the existing structure to support the trafficable deck area.*

***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:***

12. *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.*
13. *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.*
14. *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.*
15. *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.*
16. *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.*

17. *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.*
18. *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*

19. *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.*

20. *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.*
21. *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.*
22. *Lighting to the premises shall be designed so as not to cause a nuisance to nearby residents, and in particular No. 22 Mount Street, and to ensure that light overspill does not affect the amenity of the area.*

**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 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.*

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

**6.6 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
46/2002 - 10 LIGURIA STREET, SOUTH COOGEE. (D/1222/2001)**

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

A. *Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No.01/01222/GA on property No.10 Liguria Street, South Coogee in the following manner:*

- *Amend Condition No. 1 to read:*
  1. *The development must be implemented substantially in accordance with the plans comprising 3 sheets with Drawing Nos 01/055-Sheets 1 to 3, dated 20 December 2001 and received by Council on 21 December 2001, as amended by plans with Drawing Nos.01/055A- Sheets 1 to 4 dated 2 June 2002 and received by Council on 11 June 2002 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:*
- *Delete Condition No.2(e).*

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

**6.7 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 47/2002 - INTEGRATION OF COUNCIL'S AFFORDABLE HOUSING POLICY AND COUNCIL'S PLANNING INSTRUMENTS. (98/S/2735)**

172 **RESOLUTION: (Tracey/Backes)** *that this matter be deferred to the next Ordinary Council meeting to be held on 27<sup>th</sup> August, 2002.*

**PROCEDURAL MOTION: (Tracey/Backes) SEE RESOLUTION.**

**7. PETITIONS.**

**7.1 SUBMITTED BY CR MATTHEWS ON BEHALF OF THE HOUSE OWNERS IN FLANDERS AVE, MATRAVILLE REQUESTING THAT THE COUNCIL AGREE TO CLOSE FLANDERS AVE FROM 7PM TO 11PM FROM DECEMBER 9<sup>TH</sup> TO 28<sup>TH</sup> 2002 IN RELATION TO CHRISTMAS ACTIVITIES. (R/0843/02)**

173 **RESOLUTION: (Matthews/Schick)** *that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.*

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

**8. MOTIONS PURSUANT TO NOTICE.**

**8.1 BY COUNCILLOR C. MATTHEWS – INSTALLATION OF TOILETS IN MATRAVILLE SHOPPING CENTRE. (98/S/0707 xr 98/S/0178)**

174 **RESOLUTION: (Matthews/White)** *that the Council notes that public toilets are required at the Matraville Commercial Centre and that the matter be considered with the Master Plan for the Theo's Liquor Market Site on Bunnerong Road and the report of Council pending on planning considerations and treatments at Matraville Commercial Centre.*

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

**8.2 BY COUNCILLOR C. MATTHEWS – REINSTATING BUS SERVICE 377. (98/S/0959 xr 98/S/0178)**

175 **RESOLUTION: (White/Matthews)** *that the Mayor contact the office of the Minister for Transport to arrange a meeting between the Mayor, Deputy Mayor, Councillor Charles Matthews, David White from the South Maroubra Tenants' Action Group and a representative from the Minister's office to endeavour to have full bus services reinstated to the South Maroubra area, other areas within the South Ward and the South Coogee Housing Estate.*

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

**8.3 BY COUNCILLOR C. MATTHEWS – INCREASING PENSIONERS RATE REBATE. (98/S/0744 xr 98/S/0178)**

176 **RESOLUTION:** *(Daley/Matthews) that this Council seek the Minister for Local Government, Mr Harry Woods', support to have the Pensioners' Rate Rebate indexed to the general rate increases granted to Councils.*

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

**9. URGENT BUSINESS.**

Nil.

**10. CONFIDENTIAL REPORTS.**

**10.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 83/2002 - GREEN WASTE AND CONCRETE RECYCLING SITE. (98/S/3862)**

**11. COMMITTEE-OF-THE-WHOLE.**

The Mayor invited members of the Public Gallery to address the Council on the proposal by the Council to proceed into a closed Committee-of-the-Whole. No persons indicated they wished to avail themselves of this opportunity.

**RESOLVED: (Daley/White)** that the Ordinary Meeting of the Council be adjourned at 8.40 pm and that the Council meet and sit as a Committee-of-the-Whole.

The Mayor declared the Ordinary meeting of the Council resumed at 8.44 p.m.

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

**12.1 REPORT OF THE DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES TO THE ORDINARY MEETING OF THE COUNCIL, RELATING TO THE COUNCIL MEETING AS A COMMITTEE-OF-THE-WHOLE ON TUESDAY, 23<sup>rd</sup> JULY, 2002.**

The Director reported that the following matter had been considered and the following recommendation to the Council had been formulated by the Committee-of-the-Whole.

**12.2 Exclusion of Press and Public.**

At the commencement of the meeting, the Committee-of-the-Whole **RESOLVED**, pursuant to Section 10 A(2)(d)(i) of the Local Government Act, 1993, that the press and public be excluded from the whole of this meeting of the Committee as the matter under consideration concerned commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it and on which publicity or disclosure of the proceedings of the Committee would, in the opinion of the Committee, be prejudicial and on balance would be contrary to the public interest.

**12.3 Recommendation.**

**DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 83/2002 - GREEN WASTE AND CONCRETE RECYCLING SITE. (98/S/3862)**

That Council:

- a) Agree to the terms of the Heads of Agreement for lease of the recycling site; and
- b) Delegate authority to the General Manager and Mayor to execute the Heads of Agreement.

**12.4 ADOPTION OF THE REPORT OF THE COMMITTEE-OF-THE-WHOLE.**

177 **RESOLUTION:** *(Daley/White) that the recommendation made by the Committee-of-the-Whole at its meeting held on 23<sup>rd</sup> July, 2002 be adopted.*

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

**13. NOTICE OF RESCISSION MOTIONS.**

Nil.

There being no further business, His Worship the Mayor, Cr D. Sullivan, declared the meeting closed at 8.46 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 27<sup>TH</sup> AUGUST, 2002.

.....  
CHAIRPERSON