

**MINUTES OF ORDINARY COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 22ND OCTOBER, 2002 AT 6.10 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 B. Notley-Smith and M. Matson
West Ward	-	Crs P. Schick, M. Whitehead and J.Procopiadis
Central Ward	-	Crs C. Bastic, T. Seng and A. Andrews

OFFICERS PRESENT:

General Manager	Mr. G. Messiter.
Director Asset & Infrastructure Services	Mr. M. Savage.
Acting Director Planning & Community Development	Ms. S. Truuvvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Public Officer	Mr. P. Smith.
Communications Manager	Ms. D. Brien.
Acting Manager Development Assessment	Mr. K. Kyriacou.
Manager Waste	Mr. R. Wade.
Acting Manager Environmental Planning	Ms. K. Armstrong.

1. COUNCIL PRAYER

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

2. APOLOGY.

An apology was received from Cr Backes.

RESOLVED: (Notley-Smith/Andrews) that the apology be received and accepted and leave of absence be granted to Cr Backes from the Ordinary Council Meeting held on Tuesday, 22nd October, 2002.

PROCEDURAL MOTION: (Daley/Procopiadis) that the Mayor's Minute No. 67/2002 be dealt with at this stage of the meeting.

3. MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 17TH SEPTEMBER, 2002.

- 242 **RESOLUTION:** *(Daley/White)* that the Minutes of the Ordinary Council Meeting held on Tuesday, 17th September, 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, 23RD SEPTEMBER, 2002.

- 243 **RESOLUTION:** *(Daley/Andrews)* that the Minutes of the Extraordinary Council Meeting held on Tuesday, 23rd September, 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, 24TH SEPTEMBER, 2002.

- 244 **RESOLUTION:** *(Daley/Procopiadis)* that the Minutes of the Extraordinary Council Meeting held on Tuesday, 24th September, 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: (His Worship the Mayor, Cr D. Sullivan) that the meeting be adjourned at 6.26 p.m. to permit members of the public entitled and wishing to address the assembled Councillors.

4. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

1. Ms Lindsay Benfeld, 55 Storey Street, Maroubra on Item 7.2, Director Asset & Infrastructure Services' Report 119/2002 - Review Of 1996 Maroubra Junction Traffic Management Scheme and Item 11.5, Motion Pursuant to Notice by Councillor Andrews – Installation of Traffic Signals at Intersection of Anzac Parade/Storey Street.
2. Ms Pat Wilson, 88 Snape Street, Kingsford on Item 7.2, Director Asset & Infrastructure Services' Report 119/2002 - Review Of 1996 Maroubra Junction Traffic Management Scheme.
3. Mr Angelo Torrisi, 47 Bilga Crescent, Malabar on Item 9.2, Director Planning & Community Development's Report 74/2002 - 36 McKeon Street, Maroubra.
4. Ms Genevieve Slattery, 467-471 Elizabeth Street, Surry Hills on Item 9.2, Director Planning & Community Development's Report 74/2002 - 36 McKeon Street, Maroubra.
5. Mr Steven Robinson, 15A Wilson Street, Maroubra on Item 9.3, Director Planning & Community Development's Report 75/2002 - 15A Wilson Street, Maroubra.
6. Mr Ross Trovato, 12 Bundock Street, Randwick on Item 9.4, Director Planning & Community Development's Report 76/2002 – 15B Wilson Street, Maroubra.
7. Mr Joe Borg, 2 Wilson Street, South Coogee on Item 9.5, Director Planning & Community Development's Report 77/2002 - 4 Wilson St, South Coogee.
8. Ms Louise Ryan, 63 Dangar Street, Randwick on Item 9.6, Director Planning & Community Development's Report 78/2002 - 100-120 King Street, Randwick.

9. Mr John Flower, 181A Glebe Point Road, Glebe on Item 9.6, Director Planning & Community Development's Report 78/2002 - 100-120 King Street, Randwick.
10. Ms Kate Collier, 90 Dolphin Street, Coogee on Item 11.12, Motion Pursuant to Notice by Councillor Matson – Consideration of Public Drinking Restrictions In Areas Adjacent to Coogee Beach.

The meeting was further adjourned by the Mayor at 7.11 p.m. and was resumed at 7.25 p.m.

5. MAYORAL MINUTES.

5.1 MAYOR'S MINUTE 67/2002 - RANDWICK BALI VICTIMS' TRUST FUND. (98/S/4286)

- 245 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council agree in principle to investigate and facilitate the establishment of a Randwick Bali Victims' Trust Fund for the benefit of family members of victims who reside within the City of Randwick.*

(Note: This item was dealt with prior to the Confirmation of Minutes.)

(One minute's silence was observed by all present as a mark of respect to the victims of the Bali bombing.)

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

5.2 MAYOR'S MINUTE 68/2002 - KENSINGTON TOWN CENTRE PUBLIC DOMAIN IMPROVEMENTS. (98/S/4605)

- 246 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council endorse the commencement of proposed improvements to Kensington Town Centre including construction of kerbing and guttering, footpath and the provision of furniture including seats and planter boxes on the eastern side of Anzac Parade between Ascot Street and Bowral Street and the western side of Anzac Parade from Duke Street to Peters of Kensington, as the first priority in the allocation of funds available as part of the current budget.*

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

6. GENERAL MANAGERS' REPORTS.

6.1 GENERAL MANAGER'S REPORT 17/2002 - DISCLOSURE OF INTEREST RETURNS. (98/S/0077)

- 247 **RESOLUTION:** *(Daley/Andrews) that:*

- (a) *the contents of the General Manager's Report 17/2002 dated 10th October, 2002 be received and noted; and*
- (b) *it be noted that the Disclosure of Interests Register has been tabled at the Ordinary Meeting of the Council held on 22nd October, 2002.*

MOTION: (Daley/Andrews) SEE RESOLUTION.

6.2 GENERAL MANAGER'S REPORT 18/2002 - AFFIXING OF THE COUNCIL'S SEAL. (D/0002/2002, D/0367/2002, D/0551/2001, P/001140, P/003462, P/004317)

248 **RESOLUTION:** *(Daley/Andrews)* that the Council's Seal be affixed to the licence agreements between Council and:

- (a) *John Janis for the purpose of outdoor dining at Shop 3/73 Belmore Road, Randwick;*
- (b) *Antionette Jowett and Tracey Novak for the purpose of Outdoor Dining at 220 Clovelly Road, Clovelly;*
- (c) *Robert Destro for the purpose of outdoor dining at 236 Coogee Bay Road, Coogee;*
- (d) *Pasquale Stramandinoli for the purpose of outdoor dining at 24-26 St. Pauls Street, Randwick;*
- (e) *Catherine Yip for purpose of outdoor dining at 36 St Pauls Street, Randwick; and*
- (f) *Grahame Bailey, Helen Bailey and Justin Bailey for a lease agreement for 17 Blenheim Street, Randwick.*

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

6.3 GENERAL MANAGER'S REPORT 19/2002 - FINANCIAL REPORTS - 2001/2002. (98/S/0043 XR 98/S/3562)

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

- (a) *the financial reports for the year ended 30 June 2002 be adopted and it be noted that those reports were tabled at this meeting;*
- (b) *in relation to the statements required in accordance with Section 413(2)(c) of the Local Government Act 1993:*
 - i. *Council resolved that in its opinion the general purpose financial report and the special purpose financial reports for the year ended 30 June 2002 and special schedules are properly drawn up in accordance with the provisions of the Local Government Act 1993 and the Regulations there under.*
 - ii. *the statements were approved and signed by the Mayor, another Councillor, the General Manager and the Responsible Accounting Officer.*
- (c) *copies of the financial reports be referred to Council's Auditors for audit;*
- (d) *the audited financial statements presented at a meeting of Council be held on 26 November 2002 in accordance with Section 418 of the Local Government Act, 1993;*

- (e) *the Budget Result Statement (Attachment "1" for the year ended 30 June 2002) be noted;*
- (f) *the items to be carried over from 2001/2002 to 2002/2003, referred to in Attachment "1", be approved and voted for expenditure in 2002/2003 in accordance with the Local Government (Financial Management) Regulation 1999; and*
- (g) *the transfer to the IT Replacement Reserves identified in Attachment "1" be endorsed.*

MOTION: (Daley/Andrews) SEE RESOLUTION.

7. DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORTS.

7.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 118/2002 - KENSINGTON/WEST KINGSFORD LATM SCHEME - PROPOSED TRIAL IN WEST KENSINGTON. (98/S/4405)

250 **RESOLUTION: (Greenwood/Bastic) that:**

- (a) *the Director Asset & Infrastructure Services' Report 118/2002 be received and noted; and*
- (b) *consideration be given to the installation of centre medians in these streets with trees planted on them as a means of speed reduction.*

MOTION: (Greenwood/Bastic) SEE RESOLUTION.

7.2 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 119/2002 - REVIEW OF 1996 MAROUBRA JUNCTION TRAFFIC MANAGEMENT SCHEME. (98/S/1654)

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

- 1. *Following the recent review of the 1996 Maroubra Junction Traffic Management Scheme, the following treatments be either constructed, referred to the RTA for funding assistance, or be further investigated:*

- (a) *Bunnerong Road / Glanfield Street (Proposed PM Peak "No Right Turn" Restriction)*

Defer for further investigation of possible impacts and suitability.

- (b) *Anzac Parade, cross-over median road near Storey Street (Proposed one-way traffic flow)*

One way traffic flow in cross-over not supported.

- (c) *Maroubra Road / Anzac Parade Commercial District (Proposed Pedestrian Safety Study)*

Refer to RTA for investigation.

(d) *Maroubra Road / Royal Street (Roundabout Proposal)*

The intersection be monitored for future consideration of the provision of a roundabout.

(e) *Snape Street - Intersections of Irvine Street and Hannan Street (Proposed mini-roundabouts)*

The above roundabouts be listed for design and construction as a matter of urgency. The residents of Smith Street be advised of the proposed partial closure of Hannan Street, subject to final design of roundabout.

(f) *Storey Street between Percival Street and Hannan Street (Proposed kerb blisters and edge lines.)*

The above treatments, including the provision of a slow point be listed for design and construction as a matter of urgency.

(g) *Boyce Road / Royal Street) Proposed median islands
Boyce Road / Hannan Street) with signage
Gale Road / Royal Street)*

The above treatments be referred to the RTA for funding assistance.

(h) *Storey Street (Anzac Parade - Fowler Crescent) - Proposed kerb blisters and linemarking for parking lanes.*

The treatments be referred to the RTA for funding assistance.

(i) *Gale Road / Flower Street - Proposed median islands with signage.*

The treatments be referred to the RTA for funding assistance.

(j) *Storey Street / Flower Street - proposed mini-roundabout.*

The intersection be monitored for future consideration of the provision of a roundabout.

(k) *Boyce Road / Cooper Street - Proposed mini-roundabout.*

The treatment be referred to the RTA for funding assistance.

(l) *Holmes Street / Garden Street - Proposed mini-roundabout.*

The intersection be monitored for future consideration of the provision of a roundabout.

2. *No action be taken to construct a seagull island in Snape Street at Anzac Parade; and*
3. *No action be taken to close Storey Street at Royal Street.*

MOTION: (Bastic/Andrews) SEE RESOLUTION.

PROCEDURAL MOTION: (Matson/Greenwood) that Item 11.5, Motion Pursuant to Notice by Cr Andrews be brought forward and dealt with in conjunction with this item.
LOST.

**7.3 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
120/2002 - SSROC ENERGY TENDER FOR PUBLIC LIGHTING.
(98/S/0791)**

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

- (a) *Council not proceed to implement its previous decision to accept the offer tendered by Maps and Energex Retail Pty. Ltd. and enter into a contract with Maps and Energex Retail Pty. Ltd for the provision of street lighting energy;*
- (b) *Council adopt the recommendations of SSROC to accept the offer provided by NSW Supply/Energy Australia for the provision of street lighting energy; and*
- (c) *Council enter into a contractual arrangement with Energy Australia, based upon the SSROC Proposed Service Agreement for Public Lighting Services in Energy Australia's Distribution Territory, after consultation with SSROC Next Energy.*

MOTION: (Bastic/Andrews) SEE RESOLUTION.

**7.4 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
121/2002 - PURCHASE OF BEACH CLEANER. (98/S/2453)**

253 **RESOLUTION: (Bastic/Daley) that**

- (a) *Council resolve to purchase the Kassbohrer Beach Tech 3000 tendered by Sno Quip Pty Ltd for the sum of \$133,850 excluding GST; and*
- (b) *a report be submitted to Council on the implementation timeline and the likely costs.*

MOTION: (Bastic/Daley) SEE RESOLUTION.

**7.5 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
122/2002 - GREEN WASTE AND RECYCLING WASTE SITE. (98/S/3862)**

254 **RESOLUTION: (Daley/White) that Council:**

- (a) *Note that the alternative site at Banksmeadow would have been an unsuitable acquisition on the grounds of the extreme state of site contamination and the additional costs of site works and remediation of the site that would impose delay in occupation and loss of revenue; and*
- (b) *Agree to the transfer of \$1,152,000 from the Waste Reserve into the operating budget, to meet outlay and site establishment costs at the Bunnerong site.*

MOTION: (Daley/White) SEE RESOLUTION.

**7.6 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
123/2002 - TENDER 5/02 REPLACEMENT OF GARBAGE
COMPACTORS. (98/S/4565)**

255 **RESOLUTION: (Daley/Andrews)** that Council purchase five Garwood Maxipact garbage compactor units for a total price of \$523,090 excluding GST.

MOTION: (Daley/Andrews) SEE RESOLUTION.

**7.7 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
124/2002 - ENVIRONMENTAL DAMAGE AT MALABAR POOL.
(98/S/2703)**

256 **RESOLUTION: (Daley/White)** that maintenance funds within the existing budget be allocated:

- (a) for the installation of power pole and floodlights to illuminate the carpark and access paths only; and
- (b) signage advising of the appropriate regulatory authority to be contacted upon the discovery of environmental vandalism be provided at key locations around the site to ensure quick response times and minimal effect on the environment.

MOTION: (Daley/White) SEE RESOLUTION.

AMENDMENT: (Matthews/Whitehead) that maintenance funds within the existing budget be allocated:

- (a) for the installation of power pole and floodlights to illuminate the carpark and access paths only;
- (b) signage advising of the appropriate regulatory authority to be contacted upon the discovery of environmental vandalism be provided at key locations around the site to ensure quick response times and minimal effect on the environment; and
- (c) video cameras and a boom gate be installed at the Malabar pool. **LOST.**

A division was called for by Crs Matthews and Whitehead. Voting was as follows:-

For	Against
Cr Matson	Cr Andrews
Cr Matthews	Cr Bastic
Cr Notley-Smith	Cr Daley
Cr Schick	Cr Greenwood
Cr Seng	Cr Procopiadis
Cr Whitehead	His Worship the Mayor, Cr D. Sullivan
	Cr Tracey
	Cr White

**7.8 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
125/2002 - ENERGY AUSTRALIA'S "PURE ENERGY" PROGRAM
(98/S/1242)**

257 **RESOLUTION:** *(Bastic/Greenwood) that:*

- (a) *the Director Asset & Infrastructure Services' Report 125/2002 on renewable energy be noted; and*
- (b) *Council confirms its support for the implementation of the Model Energy Smart Homes Policy developed by SEDA.*

MOTION: (Bastic/Greenwood) SEE RESOLUTION.

**7.9 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT
126/2002 - MALABAR HEADLAND. (98/S/0976 98/S/1706 98/S/0975)**

258 **RESOLUTION:** *(Daley/White) that the Mayor be delegated authority to approach both the Member for Kingsford Smith and the Member for Wentworth to examine the ways in which the federal members might be able to pursue the Commonwealth in respect to information that Council has sought to obtain through its FOI application.*

MOTION: (Daley/White) SEE RESOLUTION.

**8. DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION
SERVICES' REPORTS.**

**8.1 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION
SERVICES' REPORT 36/2002 - LOCAL GOVERNMENT AMENDMENT
(ANTI-CORRUPTION) ACT, 2002. (98/S/1164)**

259 **RESOLUTION:** *(Daley/Andrews) that the contents of the Director Governance, Management and Information Services' Report No. 36/2002, be received and noted.*

MOTION: (Daley/Andrews) SEE RESOLUTION.

**8.2 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION
SERVICES' REPORT 37/2002 - SSROC TENDER FOR STATIONERY.
(98/S/4819)**

260 **RESOLUTION:** *(Daley/Andrews) that the tender from Complete Office Supplies, for the supply of Stationery, Laser Toner Cartridges and Furniture for a period of three years commencing the 1 November 2002, be accepted.*

MOTION: (Daley/Andrews) SEE RESOLUTION.

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

**9.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
73/2002 - SECTION 96 'B' MODIFICATION TO DEVELOPMENT**

**CONSENT NO D/0407/2000 AT 1094-1118 ANZAC PARADE,
MAROUBRA. (D0407/2000 PART4)**

261 **RESOLUTION:** *(Daley/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 407/2000 to increase the size of selected bedrooms, readjust internal stairs, reconfigure the layout of the basement carpark, and increase floor to ceiling heights at 1094-1118 Anzac Parade, Maroubra in the following manner:*

1. *That Condition No. 1 be amended to read:*

“1. The development shall be implemented substantially in accordance with the details set out on the plans numbered DA02 to DA08, stamp-dated received by Council on 4 May 2000, and amended plans numbered DA02, stamp-dated received by Council on 1 November 2000; on the Section 96 plans numbered Sec 96 – 02 to 08, dated received by Council on 23 May 2001; and on the Section 96 plans numbered Sec A01 D, A02 C, A03 C, A04 B, A05 B, A 06 B, A07 C, A08 B, A09 B, A10 C, A11 B, A12 B, A13 B, A14 B, A15 B, and A 16 B dated received by Council on 8 October 2002, and on the application form and on any supporting information received with the application, except as amended by the conditions specified hereunder and/or as may be shown in red on the attached plans.”

2. *That the following conditions be added as follows:*

“98. The pair of stacked carparking spaces marked R59 and R60 on drawing No. A01 D shall be allocated exclusively to one individual dwelling unit.”

“99. Twenty four bicycle storage spaces shall be provided for in the basement carpark.”

“100. The plantings in the planter bed along the Beauchamp Road frontage of the development shall be maintained in a suitable healthy condition at all times by the body corporate of the development.”

MOTION: (Daley/Andrews) SEE RESOLUTION.

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

For	Against
Cr Andrews	Cr Greenwood
Cr Bastic	Cr Matson
Cr Daley	

Cr Matthews
Cr Notley-Smith
Cr Procopiadis
Cr Schick
Cr Seng
His Worship the Mayor, Cr D. Sullivan
Cr Tracey
Cr White
Cr Whitehead

**9.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
74/2002 - 36 MCKEON STREET, MAROUBRA. (D/0353/2002)**

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

- A. *Council support the objection under State Environmental Planning Policy No. 1 (SEPP 1) in respect to non-compliance with Clause 33 and 34 of the Randwick Local Environmental Plan 1998 (as amended) (relating to floor space and building heights) on the grounds that the proposed use complies with the objective of the Clauses, and will not adversely affect the amenity of the surrounding locality, and that Planning New South Wales be advised accordingly.*
- B. *Council as the responsible authority grant its development consent under Section 80(3) (Deferred Commencement) of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 353/2002 to demolition of the existing mixed/commercial building and construction of a new mixed commercial/residential building containing 3 retail units, 30 residential units and associated parking at 36 McKeon Street, Maroubra, 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 Director Planning and Community Development:

1. *The colours, materials and finishes of the external surfaces to the building are to be compatible with adjoining buildings and buildings within the vicinity. Details of the proposed colours, materials and textures (ie. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of Planning & Community Development, prior to the consent being issued.*

Development Consent Conditions

Subject to compliance with the deferred commencement condition, to the satisfaction of the Director Planning and Environment, development consent is granted under section 80 and 80A of the Environmental Planning and Assessment Act, 1979 subject to the following conditions:

REFERENCED PLANS:

1. *The development must be implemented substantially in accordance with the plans numbered:*

<i>Plans numbered</i>	<i>Dated</i>	<i>Received by Council</i>
DA01 and DA02	Rev B	2.4.200224 June 2002
DA 03	Amended plan Rev D	6.8.200218 August 2002
DA 04	Amended plan Rev E	16.9.200225 September 2002
DA 05 to 08	Rev D	2.4.200224 June 2002
DA 09	Rev B	2.4.200224 June 2002
DA 10	Amended plan Rev D	6 .9.200225 September 2002
DA 11 to DA 13	Rev B	2.4. 200224 June 2002
DA 14	Rev C	2.4.200224 June 2002
DA 15 and DA 16	Rev B	2.4.200224 June 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 proposed development shall be in accordance with the details and plans submitted to and approved by the Director of Planning and Community Development pursuant to the deferred commencement condition.*
3. *In accordance with Council's Section 94 Contributions Plan effective from 28 September 1999, the following monetary contribution is to be paid to Council:*

a)	<i>for Open Space</i>	\$ 24,502. 61
b)	<i>for Community Facilities</i>	\$ 10,834.34
c)	<i>for townscape</i>	\$ 8,456.00
d)	<i>Administrative charge</i>	\$ 425.00

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

4. *The Access Report prepared by Access Australia shall be implemented and complied with. Full details to be included in the Construction Certificate Plans.*

5. *The reflectivity index of glass used in the external façade of the development must not exceed 20 percent. The details and samples of the glass to be used are to be submitted with the colour and material schedule for the approval of Council's Director of Planning and Environment, **prior to the commencement of works.***
6. *Separate development applications shall be required for the use and operation of all commercial units.*
7. *A separate development application shall be submitted for the strata subdivision of the building.*
8. *A single common television aerial, and/or satellite dish (having a maximum diameter of 700mm and not located on the front or street elevation of the building) is to be installed to serve the development.*
9. *A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. An application form is available from Council or Sydney Water (call 13 20 92).*

Following the application, a "Notice of Requirements" will detail the water and sewer extensions to be built and charges to be paid. Please contact Sydney Water, as building of water/sewer extensions can be time consuming and may impact on other services and the building, driveway or landscape design.

*The Section 73 Certificate must be submitted to the Principal Certifying Authority **prior to occupation** of the development or release of the linen plan, as applicable.*

10. *All plumbing and drainage pipes, other than rainwater heads, gutters and down pipes, must be concealed within the building.*
11. *Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.*
12. *Adequate lighting for personal safety and security is to be provided in common and access areas of the development. All external lighting is to be neither intrusive nor create a nuisance for nearby residents.*
13. *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.*
14. *External walls sited less than 500mm from the boundaries of the site are to be erected as 'face brickwork' or other maintenance free materials, to ensure that adequate provisions are made for maintenance purposes within the property boundaries.*
15. *The enclosure of balconies is prohibited by this consent.*
16. *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.

17. *Where access is required to adjoining premises for construction purposes, the written consent of the owner/s of the subject adjoining premises must be provided to the satisfaction of the Principal Certifying Authority, prior to carrying out any construction works from or upon the adjoining premises.*
18. *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.*
19. *A sign legible from the street must be permanently displayed to indicate that visitor parking is available on the site and these parking spaces must be clearly marked and accessible at all times.*
20. *The car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes.*
21. *Public access to the visitor's carparking spaces is to be maintained at all times and an intercom system is to be provided adjacent to the vehicular entrance to the carpark, together with appropriate signage providing instructions for use.*
22. *A 1m wide planter box capable of accommodating at a soil depth of at least 600mm shall be provided to the eastern perimeter of the roof terrace to minimise overlooking impacts of the adjoining property. Full details to be included in the construction Certificate Plans.*

The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:

23. *The location of the discharge point serving the car park mechanical ventilation system is to be not less than 6m from a property boundary and it must discharge vertically and satisfy the relevant provisions of the Building Code of Australia and AS 1668.*

*Details of compliance are to be provided in the plans and specifications for the **construction certificate**.*

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:

24. *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:

25. *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:

26. *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.*

27. *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:

28. *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**.*

29. *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 abovestated premises, **prior to the commencement of any works**.*

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

30. *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 accordance with clause 78H of the Environmental Planning and Assessment Regulation 1994.

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.

31. *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.***
32. *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.*
33. *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.*
34. *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.*
35. *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.*

36. *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.*

37. *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.

38. *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.*

39. *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*

40. *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.*

41. *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.

42. *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.*
43. *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.*
44. *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.*
45. *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.*
46. *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".*
47. *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.

48. *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.

49. *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.

50. *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.*

51. *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.

52. *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.*
53. *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:

54. *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 provide access and facilities for people with disabilities:

55. *Access and facilities for people with disabilities must (as a minimum) be provided in accordance with the relevant provisions of the Building Code of Australia, and details are to be provided with the Construction Certificate application.*

The following conditions are applied to maintain reasonable levels of

environmental amenity and public health safety.

56. *The applicant is to engage an EPA Accredited Site Auditor. The Site Auditor is to assess the suitability of the site for its intended development and use. A Statutory Site Audit Statement and Summary Site Audit Report is to be submitted to and accepted by Council, prior to the commencement of works, stating that the site is suitable for the intended development and use.*

The owner of the site must comply with any additional conditions, which may be imposed or recommended by the EPA accredited site auditor as may be listed in the site audit statement. Written confirmation by the owner of the site is to be submitted to the Council stating all (if any) conditions will be adhered to.

57. *All works shall be carried out in accordance with the requirements of the Contaminated Land Management Act 1997, environmental planning instruments applying to the site, guidelines made by the NSW Environment Protection Authority and DUAP, Randwick City Council's Contaminated Land Policy 1999 and the Protection of the Environment Operations Act 1997.*

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:

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

In this regard, 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.

59. *The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance.*

60. *A report prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to and approved by Council **prior to a construction certificate being issued for the development.** The report is to certify that noise and vibration emissions from the development (including the proposed air conditioning units, mechanical ventilation systems and alike) will comply with the provisions of the Protection of the Environment Operations Act 1997, the NSW EPA guidelines, including the Industrial Noise Policy and the Environmental Noise Control Manual.*

61. *A report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council **prior to an occupation certificate being issued** for the development, certifying that noise and vibration emissions from the development comply with the provisions of*

the Protection of the Environment Operations Act 1997, NSW EPA guidelines, including the Industrial Noise Policy and Environmental Noise Control Manual.

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

62. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of the certifying authority.*
63. *Liquid trade waste materials are to be disposed of in accordance with the requirements of Sydney Water, Trade Waste Department and details of compliance are to be submitted to the certifying authority **prior to the commencement of works.***
64. *Garbage storage enclosures are to be fitted with a hose cock and the floor is to be graded and drained to an approved floor waste connected to the sewer. Approval is to be obtained from Sydney Water.*
65. *Washing of vehicles shall be conducted in an approved wash bay, which is covered and bounded to exclude rainwater. All wastewater from vehicle washing must be discharged to sewer under a Trade Waste Agreement from Sydney Water and details of compliance are to be submitted to the certifying authority **prior to the commencement of works.***

The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:

66. *The use and operation of the commercial premises shall not give rise to an environmental health or public nuisance.*
67. *There are to be no emissions or discharges from the commercial premises, which will give rise to an offence under the Protection of the Environment Operations Act 1997 and Regulations.*
68. *Mechanical ventilation systems must satisfy the requirements of the Building Code of Australia and AS 1668. Details of any proposed Mechanical Ventilation Systems (including discharge locations) are to be included with the construction certificate.*

The following conditions are applied to ensure compliance with the Food Act 1989 and Council's Food Premises Code:

69. *All food premises are to be subject to Council's Food Premises Code and the Food Safety Standards under the Food Standards Code and details of compliance are to be shown on future Construction Certificate or Complying Development Certificate Applications (as applicable). All food premises are to be registered with the Council, prior to Occupation and on an annual basis.*

The following conditions have been applied to ensure compliance with Local Government Legislation and Policies of Council:

70. *Legionella control – cooling towers must be registered with the Council on an annual basis and the systems are to be maintained and certified in accordance with the provisions of the Public Health Act, 1991.*

*The premises are to be registered with Council together with payment of the approved fee, **prior to occupancy of the building.***

The following conditions are applied to ensure adequate environmental protection.

71. *All site works shall comply with the occupational health and safety requirements of Work Cover NSW.*

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

72. *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) \$5000.00 - 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.

73. *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) \$5000.00 - 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 and footpath by Council or a Council approved subcontractor.

The following conditions are applied to provide adequate provisions for

access, transport and infrastructure:

74. *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. *Replace any damaged sections of Council's kerb and gutter along the full site frontage.*
 - d. *Reconstruct the McKeon Street site frontage in accordance with Council's McKeon Street Development Plan. It is noted that this will include footpath reconstruction along the full site frontage together with seat installations, bins and tree grates as required by Council's Parks & Recreation Coordinator. The applicant is advised to contact Council's Parks and Recreation Coordinator on 9399 0920 regarding this matter.*
 - e. *Construct a new double grated gully pit with a minimum kerb inlet of 1.8 metres in front of the proposed development, and connect the gully pit to Council's existing trunk main in McKeon Street via a 375 mm diameter RRRCP (rubber ringed reinforced concrete pipe).*
75. *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.*
76. *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.*
77. *Provision shall be made for 1.5 metre splay corners (or similar) on either side of side of the vehicular crossing to ensure that the driver of a vehicle stopped 2 metres behind the street boundary line can observe pedestrians up to 2 metres from the crossings. The plans submitted for the construction certificate shall demonstrate compliance with this requirement.*

78. *The internal driveway must be at least 5 metres wide for the first 5 metres inside the property.*
79. *A work zone is to be provided in McKeon Street. The 'workzone' shall have a minimum length of 12 metres and the prescribed fee for the work zone must be paid to Council at least four (4) weeks prior to the commencement of building works.*
80. *The visitor and commercial/retail parking spaces shall be clearly linemarked and signposted.*

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

81. *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 match the back of the existing footpath along the full site frontage.***
82. *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.*
83. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$596.80 calculated at \$17.60 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.*
84. *The floor level of the front sections of the commercial/retail premises shall be at least 50 mm above the alignment level as specified for the vehicular access (i.e. 50 mm above the back of the footpath). It is noted that this will require the pedestrian entrances to the retail premises being ramped up at least 50mm within the site. This condition has been attached to minimize the potential for stormwater to enter the subject premises during minor storm events. **The applicant shall contact Council's Asset and Infrastructure Services Department on 9399 0919 regarding this matter prior to preparing the plans for the construction certificate.***

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

85. *The applicant must meet the full cost for Telstra to relocate/remove/replace the telephone booths that are currently located in front of the entrance to one of the proposed café/restaurants. The new location shall be approved by both Telstra and Council. The applicant is advised to Contact Council's Parks and Recreation Coordinator on*

9399 0920 regarding the new location for the telephone booth.

86. *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.*
87. *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.*
88. *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.*
89. *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 an electricity substation will be required for the development.*

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

90. *All areas of the retail/commercial premises, the entry foyer, access ramps and fire exits that are located below RL 6.65 (AHD), shall be constructed from materials that will not be adversely affected by flooding/stormwater inundation. Additionally, there shall be no electrical connections nor the storage of any goods that may be adversely affected by stormwater located below RL 6.65 (AHD) in these areas.*
91. ***Prior to the issuing of an occupation certificate, a restriction to user shall be attached to the title of the subject development which prohibits the storage of any goods and the installation of any floor coverings, wall coverings and fixtures that may be adversely affected by stormwater inundation, below RL 6.65 (AHD) within the front portion of the retail/commercial premises.***

Note: The applicant has submitted a draft 88B instrument (received 6 September 2002), which includes an appropriate restriction for the above requirements.

92. *Any part of the proposed building constructed below the flood level (i.e. below RL 6.35 (AHD)) shall be designed to structurally withstand the hydrostatic pressure from floodwater. Details of the proposed flood resistant doors and walls along the McKeon Street site frontage*

together with Structural Engineering certification confirming that all walls and doors constructed below the flood level have been designed to withstand the water pressures, shall be submitted to the certifying authority prior to the issue of a construction certificate.

93. *All stormwater leaving the site must be discharged by gravity to Council's underground drainage system in McKeon Street via a new double grated gully pit (constructed by Council or a Council approved contractor at the applicant's expense). Details of the proposed gully pit shall be submitted to Council for approval and approved prior to a construction certificate being issued.*

Note: Sketch details of a standard double grated gully pit may be obtained from Council's Drainage Engineer

94. *A sediment/silt arrester pit must be provided within the site at or near the street boundary prior to site stormwater discharging by gravity to Council's drainage system. It is noted that the silt arrester pit shall be located in an open area near the property boundary where overflow can be directed to Council's kerb and gutter.*

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.

95. *A reflux valve shall be provide over the pipe draining into the sediment/silt arrester pit to prevent stormwater from McKeon Street and Council's underground drainage system draining back into the subject development site.*
96. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*
97. *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.*
98. *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. It is noted that a silt arrester pit shall be provided prior to water discharging into any absorption pit/trench.*
99. *Two covered car washing bays shall be provided for this development.*
 - (a) *The car washing bays 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 bays must be located outside any required/approved stormwater detention system and must be suitably signposted.*
 - (c) *The car washing bays must be constructed with a minimum 20mm bund around the perimeter of the car washing bays (or equivalent)*

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

100. *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.*
101. *As groundwater may be encountered within the proposed excavation, the basement carpark and/or similar structures are to be suitably tanked and waterproofed. A Structural Engineer\Geotechnical Engineer shall*

certify the tanking & waterproofing 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 discharged 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).*

102. *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:

103. *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.*

104. *Prior to the accredited 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 development.*

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

105. *The landscaped areas shown on the plan number 02028BA 1 revision A, shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, the certifying authority, prior to the issue of a construction certificate. The landscape drawings and specifications are to be prepared by a qualified Landscape Architect who is eligible for membership with the Australian Institute of Landscape Architects (AILA). 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 removed, existing and proposed ground levels shown as spot heights and/or contours over the site, at site boundaries, proposed building envelope, proposed areas of pavement, and proposed landscaped areas.*

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. The planting schedule shall list 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. **The plant schedule shall be amended to list only species capable of tolerating shade and salt winds.***
 - 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 6 x 75 litre broad canopied trees (not palms) suitably located within the site. The trees selected shall be of a species that attain a minimum height of 6 metres at maturity.*
 - h. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape plans.*
 - i. The plan shall respect the prevailing coastal influences and the coast's special design considerations and requirements, and shall be designed accordingly. Generally, species selection shall be restricted to local indigenous coastal species.*
 - j. Location of easements within the site and upon adjacent sites (if any).*
- 106. The landscaping shall be installed in accordance with the approved documentation prior to the issue of a final occupation certificate and shall be maintained in accordance with those plans.*

Documentary evidence is to be obtained from a suitably qualified Landscape Architect and submitted to the principal certifying authority (PCA) (and the Council, if the Council is not the PCA) prior to the issuing of a final occupation certificate which confirms that the landscaping works have been completed in accordance with the

approved landscaping plans and relevant conditions of development consent, to the satisfaction of the PCA.

107. *The applicant shall submit a landscape design for the McKeon Street frontage of the development in accordance with Council's Urban Design Guidelines for Maroubra Beach Commercial Centre. The landscape design shall include pavements, seat installations, bins and tree grates as required by Council's Parks & Recreation Co-ordinator – 9399 0920.*

The Landscape Design plans shall be submitted to and approved by Council's Director A & I Services in accordance with Section 80A(2) of the Environmental Planning and Assessment Act 1979, prior to the certifying authority issuing a construction certificate for the development.

All street furniture is required to be purchased through Council. Due to supply constraints, the applicant is required to place an order and pay for the required furniture three months prior to the estimated date for the completion of street frontage works.

The applicant shall note that the approved landscape works carried out on Council property, shall be in accordance with Council's requirements for Civil Works on Council property. An application for the cost of the landscape works on Council property 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 checking 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.

A refundable deposit in the form of cash or cheque of \$2,000 shall be lodged with Council prior to issue of a construction certificate for the proposed development in order to ensure the construction of the approved landscape works along the McKeon Street site frontage.

108. *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.

109. *Any substation required shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications.*

110. *Any 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 any detention tanks and stormwater infiltration devices being 600mm below the finished ground level of the landscaped areas.

Tree Management

111. The applicant shall submit a total payment of \$440.00 to Council,

- a. Being the cost for Council to supply and install 2 x 100 litre street trees at the completion of all works.*

*The contribution shall be paid into Account Number 43459939 Activity Code R36 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.

112. Approval is granted for the removal of all trees located within the development site.

113. A refundable deposit in the form of cash or cheque, or bank guarantee for the amount of \$15,000.00 shall be lodged with Council prior to a construction certificate being issued for the proposed development to ensure the implementation and maintenance of the landscape works in accordance with the approved landscape documentation.

- a. The refundable deposit will be released twelve (12) months after the issue of a final occupation certificate by the principle certifying authority providing the landscape works have been successfully implemented and maintained in accordance with the approved landscape documentation. Throughout the maintenance/bond period, the applicant shall be responsible for all routine maintenance such as grass cutting, weeding, watering, fertilising, spraying, staking and replacement of all failed plant stock. There must be no alteration to the original design, including substitution of trees and shrubs, without the prior approval of the Principal Certifying Authority.*
- b. Any contravention of Council's landscape conditions at any time during the construction period or prior to the expiration of a period of twelve (12) months from the date a final occupation certificate is issued will result in the Council claiming all or part of the lodged security.*

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) *Part E2* - *Smoke Hazard Management*
- b) *Part E3* - *Lift Installations*
- c) *Part E4* - *Emergency lighting, exit signs and warning systems*
- d) *Part F5* - *Sound Transmission and Insulation*

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 *In order to organise for an inspection for the release of the security deposit, the applicant shall contact the Principal Certifying Authority for the development to liaise with Council's Asset & Infrastructure Department to arrange for an inspection of the landscaping to be carried out. Should the landscaping be found to be unsatisfactory, thus necessitating further inspections, the applicant is advised that each additional inspection will be charged at \$55.00 (incl.GST) and that this amount shall be paid into Account Number 41901939, Code RGJ at the Cashier on the Ground Floor of the Administrative Centre prior to any further inspection being carried out.*

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

MOTION: (Greenwood/Whitehead) that the application be refused for the reason that the side setback between Nos. 36 & 38 is breached. **LOST.**

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

For	Against
Cr Greenwood	Cr Andrews
Cr Matson	Cr Bastic
Cr Notley-Smith	Cr Daley
Cr Seng	Cr Matthews
Cr Whitehead	Cr Procopiadis
	Cr Schick
	His Worship the Mayor, Cr D. Sullivan
	Cr Tracey
	Cr White

FURTHER MOTION: (Bastic/Andrews) SEE RESOLUTION.

PROCEDURAL MOTION: (Matson/Greenwood) that the application be deferred for mediation between the various parties with the intent of resolving the setback issue and resolving the question of amenity loss as a result of the setback issue. **LOST.**

**9.3 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
75/2002 - 15A WILSON STREET, MAROUBRA. (D/0489/02)**

263 **RESOLUTION: (Andrews/Bastic)** that Council, as the responsible authority, grant its consent under Section 82A of the Environmental Planning & Assessment Act 1979 (as amended) to delete condition No. 5 of development consent No. 489/2002.

MOTION: (Andrews/ Bastic) SEE RESOLUTION.

**9.4 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
76/2002 - 15B WILSON STREET MAROUBRA (D/0491/02)**

264 **RESOLUTION: (Andrews/Bastic)** that Council, as the responsible authority, grant its consent under Section 96 of the Environmental Planning & Assessment Act 1979 (as amended) to delete condition No. 5 of Development Consent No. 491/02 "A" for permission to construct a carport at property 15B Wilson Street, Maroubra.

MOTION: (Andrews/ Bastic) SEE RESOLUTION.

**9.5 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
77/2002 - 4 WILSON ST SOUTH COOGEE (D/0500/02)**

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

A. Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 500/02 for demolition of the existing dwelling and erection of a new part two part three storey dwelling at 4 Wilson St, South Coogee subject to the following conditions:-

REFERENCED PLANS:

1. The development must be implemented substantially in accordance with the plans numbered DA 2002 01/DA 01, 02/DA 02, DA 03, DA 04, DA 05, DA 07, DA 08 dated March 2002 and received by Council on 27 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:

ENVIRONMENTAL AMENITY:

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. A privacy screen having a minimum height of 1.8m is to be provided to the

*western perimeter of the first floor rear balcony. Details of compliance are to be provided in the **construction certificate plans**.*

3. *The proposed lift to the dwelling house shall be allowed, subject to there being no access to the roof from the lift. The applicant shall submit details of a lift overrun, the effect of which is to be minimal and the Director of Planning & Community Development be delegated authority to approve details of such overrun.*
4. *The height of the development shall be reduced to provide for a dwelling house more in keeping with existing character of the streetscape by constructing the basement wholly within existing ground level and reducing the floor to ceiling height to 2.7m for the ground and first floor levels. **Amended plans are to be submitted showing these changes as part of the application for a construction certificate.***
5. *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 street scape.*

*Details of the proposed colours, materials and textures (ie. 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 a construction certificate being issued** for the proposed development.*

6. *The southern wall of the building is to be located not less than:-*
 - a) *900mm from the boundary.*
7. *Landscaping shall be provided to the site to reduce the impact of the development upon the amenity of the environment and a landscape plan shall be submitted to and approved by the Director of Planning & Environment, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, **prior to the commencement of any works.***
8. *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.

9. *The roof terrace and associated structures are to be deleted from the plans to reduce the overall height and the floor area of the dwelling. Amended plans are to be submitted as part of the application for **construction certificate**.*

PRESCRIBED CONDITIONS & FIRE SAFETY:

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

10. *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.*
11. *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.

STRUCTURAL:

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

12. *Documentary evidence prepared by a suitably qualified professional geotechnical engineer shall be submitted to the certifying authority **prior to the issuing of a construction certificate**, certifying the suitability and stability of the site for the proposed building and certifying the suitability and adequacy of the proposed design and construction of the building for the site.*
13. *A Certificate of Adequacy prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) **prior to occupation of the building**, certifying the structural adequacy of the building and that the building works satisfy the relevant structural design requirements of the Building Code of Australia.*

CONSTRUCTION MANAGEMENT:

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:

14. *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.*
15. *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.***
16. *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.*
17. *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.

18. *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.*
19. *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.*
20. *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 footings or first completed floor slab (prior to the pouring of concrete), showing the area of the land, building and boundary setbacks.*
21. *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. 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.

22. *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. 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.*
23. *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. 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.*

Security Deposit Conditions

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

24. *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.

Traffic conditions/Civil Works Conditions

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

25. *The applicant must meet the full cost for Council or a Council approved contractor to:*
26. *Construct concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site.*
27. *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.*
28. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the*

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

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

31. *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.*
32. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$201.00 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.*

Service Authority Conditions

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

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

Drainage Conditions

The following conditions are applied to provide adequate provisions for drainage and

associated infrastructure:

35. *Any seepage water must be drained directly into an absorption pit within the site. Seepage water must not be drained from the site. Details showing compliance with this requirement are to be shown on the plans submitted to the Certifying Authority for the construction certificate*
36. *A sediment/silt arrester pit must be provided within the site at or near the street boundary prior to the site stormwater discharging by gravity to the kerb/street drainage system/absorption 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.

Landscape Conditions

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

37. *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.

38. *The applicant shall submit payment of \$86.00 to Council*

a) *Being the cost for Council to supply and install 1 x 25 litre street tree at the completion of all works.*

The contribution shall be paid to 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.

Advisory Conditions

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

MOTION: (Daley/Andrews) SEE RESOLUTION.

(Cr Greenwood requested that her name be recorded as opposed to the resolution.)

9.6 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 78/2002 - PROPOSED AGED CARE FACILITY FOR MONTEFIORRE JEWISH HOME – 100-120 KING STREET, RANDWICK. (D/0551/2002)

266 **RESOLUTION: (Tracey/Daley)** *that 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. 0551/2002 for demolition of existing buildings and erection of an aged care facility containing 277 aged care beds, synagogue, function room, day care centre and associated carparking comprising Stage 1 and Part Stage 2 of the approved Master Plan development for the Montefiore Jewish Home at 100-120 King Street, Randwick, subject to the following conditions:*

- 1. The development must be implemented substantially in accordance with the plans numbered A001 Issue C, A101 Issue D, A102 Issue D, A103 Issue D, A104 Issue D, A105 Issue D, A106 Issue D, A201 Issue D, A202 Issue D dated 12 June 2002 and received by Council on 13 June 2002, and amended plans A101 Issue D-1, A102 Issue D-1, A103 Issue D-1, A104 Issue D-1, A105 Issue D-1, A106 Issue D, A201 Issue D-1, A202 Issue D dated 12 June 2002 received by Council on 15 October 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:*
- 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 (ie. a schedule and brochure/s or sample board) in relation to the elevations of the building 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 a construction certificate being issued** for the proposed building/s.*

3. *The section of the building containing the day-care centre and floors above shall be setback 10m from King Street and details of compliance are to be included in the **construction certificate details**.*
4. *Details of the proposed palisade fence along all boundaries of the subject site shall be submitted to the satisfaction and approval of Council's Director Planning and Community Development prior to issue of a construction certificate in relation to the subject building works.*
5. *The day care centre shall not operate on weekends to ensure the availability of carparking for Synagogue users.*
6. *The applicant shall submit a plan of management for the function room to Council for approval prior to occupation, which includes the following information:*
 - *Details of proposed functions.*
 - *Type of entertainment to be provided.*
 - *Numbers of patrons and staff.*
 - *Management and security provisions.*
 - *Details of proposed measures to minimise potential nuisance and disturbance to nearby residents.*
 - *Hours of operation.*
7. *The objectives and measures contained in the Flora and Fauna Management Plan prepared by Bangalay Botanical Surveys and dated June 2002 shall be implemented at all relevant phases of the proposed development as required in Part 5 (pages 13 to 19) of the Plan.*
8. *Vehicular access to the car parking within the development shall be readily accessible to visitors at all times. Where a security gate is provided restricting access to the basement carparking area, a suitable intercom system shall be installed adjacent to the vehicular entrance together with appropriate instructions signage to provide for access to visitor spaces at all times.*

The following condition is applied to provide adequate provisions for access, amenity and public health safety.

9. *All construction traffic must access the site to and from King Street and be restricted to John Street and Alison Road.*

The following conditions are applied to maintain reasonable levels of environmental amenity and public health safety.

10. *A formal remediation action plan (RAP) is to be prepared by an independent and suitably experienced, Environmental Consultant. This report is to be prepared in accordance with the EPA guidelines and is to be submitted to and approved by the Site Auditor and Council prior to commencing remediation works.*

This RAP is to include procedures for the following:

- *Excavation of Hydrocarbon-contaminated soil*
- *On-site treatment by land farming*
- *Validation sampling and analysis*
- ***Ground water monitoring***
- *Contingency groundwater remediation and validation*

This RAP is to be reviewed by an EPA Accredited Site Auditor. A Site Audit Statement (SAS) and Summary Site Audit Statement (SSAS) is to be issued in respect of this RAP.

11. *A Validation Report shall be submitted to Council upon completion of the remedial works, and prior to commencing any building works. The Validation report shall be prepared with reference to the NSW Environment Protection Authority guidelines, Consultants Reporting on Contaminated Sites, and shall include:*

- *Description and documentation of all works performed.*
- *Results of validation testing and monitoring.*
- *Validation results of any imported fill onto the site.*
- *Demonstrate how all agreed clean-up criteria and relevant regulations have been satisfied.*
- *Clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.*

12. *All remediation works shall be carried out in accordance with the requirements of the Contaminated Land Management Act 1997, environmental planning instruments applying to the site, guidelines made by the NSW Environment Protection Authority and Planning NSW, Randwick City Council's Contaminated Land Policy 1999 and the Protection of the Environment Operations Act 1997.*

13. *The applicant is to engage an Environment Protection Authority (EPA) Accredited Site Auditor. The Site Auditor is to assess the suitability of the site for its intended development and use. A Site Audit Statement and Summary Site Audit Report is to be submitted to and approved by Council, **prior to the commencement of building works**, stating that the site is suitable for the intended development and use.*

Any additional conditions that are specified in the Site Audit Statement and Summary Site Audit Report by the EPA accredited site auditor, form part of this consent and must be complied with. Written confirmation by the owner of the site is to be submitted to the Council stating all (if any) conditions will be complied with.

14. *All hazardous or intractable wastes (including asbestos) shall be removed and disposed of in accordance with the requirements of Work Cover and the Environmental Protection Authority, and with the provisions of:*

- *Occupational health and Safety Act 2000 (NSW)*
 - *Construction Safety Act 1912; Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983 (NSW)*
 - *Occupational Health and Safety (Hazardous Substances) Regulation 1996 (NSW).*
 - *Occupational Health and Safety (Asbestos Removal Work) Regulation 1996 (NSW); and*
 - *Waste Minimisation and Management Act 1995 and Regulations (NSW).*
15. *Any odours from excavated materials shall be mitigated by the use of an odour suppressant, such as Biosolve, and shall not give rise to an offensive odour as defined in the Protection of the Environment Operations Act 1997. Stockpiles shall also be covered and dampened down to reduce odour and dust impacts.*
16. *Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.*
- All trucks and service vehicles leaving the site shall go through a suitably constructed on site truck wash down area, to ensure no tracking of material occurs from the site onto roads adjoining the site. Details are to be submitted to Council in the Site Management Plan.*
17. *Prior to the commencement of works adequate sediment and stormwater control measures shall be in place and maintained on site at all times. Sediment laden stormwater shall be controlled using measures outlined in the manual Managing Urban Stormwater Soils and Construction produced by the NSW Department of Housing.*
18. *All remediation work shall be conducted within the following hours:*
- | | |
|------------------------|------------------|
| <i>Monday – Friday</i> | <i>7am – 5pm</i> |
| <i>Saturday</i> | <i>8am – 5pm</i> |
- No work permitted on Sundays or Public Holidays*

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:

19. *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.*
20. *The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance.*

21. *The hours of operation of the function room shall be restricted to 8.00am to 11.00pm seven days a week.*
22. *The noise level emitted from the development including any music/entertainment and plant/equipment (LA10) shall not exceed 5dB above the background level (LA90) in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) at the nearest affected residential boundary between the hours of 7.00am to midnight. The background level (LA90) shall be measured in the absence of noise emitted from any music/entertainment provided in premises.*
23. *The noise level emitted from the development including any music/entertainment (LA10) shall not exceed the background level (LA90) in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) from 12.00 midnight to 7.00am at the nearest affected residential boundary. The background level shall be measured in the absence of noise emitted from any entertainment provided in premises.*
24. *A report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council **prior to an occupation certificate being issued** for the development, certifying that noise and vibration emissions from the development comply with the provisions of the Protection of the Environment Operations Act 1997, conditions of Council's approval and the acoustic assessment prepared by Wilkinson Murray Pty Ltd, dated June 2002.*

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

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

The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:

26. ***The use and operation of the premises shall not give rise to an environmental health nuisance to the adjoining/nearby premises or environment.***
27. *There are to be no emissions or discharges from the premises which will give rise to an offence under the Protection of the Environment Operations Act 1997 and Regulations.*

The following conditions are applied to ensure compliance with the Food Act 1989 and Council's Food Premises Code:

28. *All kitchens and food storage areas are to be designed and constructed in accordance with the Council's Food Premises Code and details of compliance are to be included in the plans and specification for the **construction certificate** to the satisfaction of the certifying authority.*
29. *The design and construction of food premises must comply with the following requirements, as applicable:-*
 - *The floors of kitchens, food preparation areas and the like are to be*

constructed of materials which are impervious, non slip and non abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer.

- *The intersection of walls with floor and plinths is to be covered.*
- *Walls of the kitchen preparation areas and the like are to be of solid construction finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall to a minimum height of 2m above the floor level, to provide a smooth even surface.*
- *Walls where not tiled are to be cement rendered and finished to a smooth even surface, painted with a washable paint of a light colour or sealed with other approved materials.*
- *The ceilings of kitchens, food preparation areas, storerooms and the like are to be of rigid smooth-faced, non absorbent material i.e., fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material.*
- *All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc. to be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.*
- *.*
- *Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particle board or similar material is not permitted unless laminated on all surfaces.*
- *Adequate fly screens and doors with self-closing devices, (where applicable), are to be provided to all door and window openings, and an electronic insect control device is to be provided within the food premises.*
- *Garbage storage enclosures are to be fitted with a hose cock and the floor is to be graded and drained to an approved floor waste connected to the sewer.*
- *A mechanical ventilation exhaust system hood is to be installed where cooking or heating processes are carried out in the kitchen or in food preparation areas, in accordance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2.*
- *Wash hand basins being provided in convenient positions, including food preparation and serving areas with hot and cold water, together with a sufficient supply of soap and clean towels. Such hot and cold water shall be supplied to the wash hand basins through an approved mixing device.*
- *Ceramic tiles being provided to a height of 450mm above bench tops, wash hand basins and similar fittings.*

- *A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to areas easily accessible to refrigerators, cool rooms, other cooling appliances, bain maries or other heated food storage/display appliances.*
- *All food that is to be kept hot should be heated within one (1) hour from the time when it was prepared or was last kept cold, to a temperature of not less than 60C and keep this food hot at or above the temperature. Food that is to be kept cold should be cooled, within four (4) hours from the time when it was prepared or was last kept hot, to a temperature of not more than 5C and keep this food cold at or below that temperature.*

30. *The food premises must comply with the following requirements:-*

- *Liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be submitted to the certifying authority prior to the commencement of works.*
- *The disposal of waste materials in the domestic garbage service is not permitted. All waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed service to serve the development are to be submitted to Council prior to occupation of the building.*
- *Council is to be notified upon completion of work and prior to occupancy, to enable the premises to be inspected by Council's Environmental Health Officer and the premises must be registered with the Council as a food premises (on an annual basis) prior to the issuing of an occupation certificate.*

The following conditions have been applied to ensure compliance with Local Government Legislation and Policies of Council:

31. *Legionella control – cooling towers, humidifying systems, warm water systems, water cooling systems must be registered with the Council on an annual basis and the systems are to be maintained and certified in accordance with the provisions of the Public Health Act, 1991.*

*The premises is to be registered with Council together with payment of the approved fee, **prior to occupancy of the building.***

The following condition has been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

32. *A Certificate of Adequacy prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) **prior to occupation of the building**, certifying the structural adequacy of the building and that the building works satisfy the relevant structural design requirements of the Building Code of Australia.*

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:

33. *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.*

The following conditions have been applied to ensure compliance with Local Government Legislation and Policies of Council:

34. *An application under Section 68 of the Local Government Act 1993 is required to be made to Council with respect to Places of Public Entertainment and approval is to be obtained prior to operation.*
35. *Places of Public Entertainment are to be registered with the Council on an annual basis and the Council's registration/inspection form is to be completed by the proprietor and together with the appropriate fee, is to be forwarded to the Council, **prior to the issuing of an interim or final occupation certificate.***

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

36. *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.*

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

37. *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.***

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

38. *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 accordance with clause 78H of the Environmental Planning and Assessment Regulation 1994.

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.

39. *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.***
40. *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.*
41. *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.*
42. *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.*
43. *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.*
44. *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.*
 45. *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.

46. *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.*

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.

47. *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*

48. *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.*

49. *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 buildings 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.*

50. *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.

51. *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.*
52. *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.*
53. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time.*
54. *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".*
55. *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 and noise controls measures including, but not limited to, dust and noise controls measures for recycling and re-use of concrete on-site;*
 - *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.

56. *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.

57. *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.

58. *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.*

59. *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.

60. *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.*
61. *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 provide access and facilities for people with disabilities:

62. *Access and facilities for people with disabilities must (as a minimum) be provided in accordance with the relevant provisions of the Building Code of Australia.*

Traffic Conditions/Civil Works Conditions

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

63. *The applicant must meet the full cost for Council or a Council approved contractor to:*
 - a) *Design & construct industrial strength concrete vehicular crossings and laybacks at kerb opposite the vehicular entrance/exit points to the site. Note the width of the Council vehicular crossings are not to exceed 6.00m in width.*
 - b) *Design & construct heavy-duty strength concrete vehicular crossings at the entrance and exit points for the proposed pick up/drop off bay opposite the Synagogue & Function room in Dangar Street. Note the width of the Council vehicular crossings at the entrance & exit points are not to exceed 3.50m in width.*
 - c) *Remove any redundant concrete vehicular crossings and laybacks and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.*
 - d) *Design & reconstruct kerb and gutter for the full site frontages of both King St & Dangar St including a minimum 3.00m wide road reconstruction in front of the reconstructed kerb and gutter.*
 - e) *Design & construct kerb and gutter along the majority of the Govett Lane frontage, including a minimum 1.50m wide road reconstruction, except for the portion of the site frontage at the western end of Govett Lane which has trees (covered by Council's TPO) located on the Govett Lane road reserve.*
 - f) *Design & re/construct concrete footpaths along the full site frontages of both King Street & Dangar St. Any unpaved areas on the nature strip must be*

turfed and landscaped to Council's specification.

g) Design & construct on street traffic calming measures, approved by The Local Traffic Committee, comprising of the following components:

- o A roundabout at the King Street/Dangar Street intersection.*
- o Definition of a parking lane on Dangar Street along the full frontage of the property by line marking to restrict traffic to one lane in each direction. This must cater for cyclists, as Dangar Street is a designated cycle path.*
- o The installation of a pedestrian refuge on King Street.*
- o Provision of 45 degree angled parking and associated kerb blisters in King Street along the frontage of the development.*
- o Install 6 metre length no stopping on each side of the vehicular access points to the site.*

64. Details of the location of vehicle parking spaces for ambulances and service vehicles shall be provided to Council for approval prior to issue of a construction certificate.

65. Prior to a Construction Certificate for the building construction works being issued for the development, the applicant must lodge with Council a Bond (i.e. a deposit refundable in terms of the approval) in the form of cash or cheque, or bank guarantee acceptable under Council policy 3.02.08, for the amount of \$250,000. This Bond is to ensure the construction of the abovementioned civil works.

The Bond will be released upon the applicant meeting the costs and conditions for Council or a Council approved contractor to carry out the abovementioned civil works.

66. Prior to the issuing of a Construction Certificate for the building construction works the applicant is to submit to Council and have approved by Council a design for the reconstructed/diverted Council stormwater pipeline/s which is to run under Dangar & King Streets.

Details required by Council for the design/construction plans for the reconstructed /diverted Council stormwater pipeline/s can be obtained from Council's Manager of Design on 93990907. The details shall include the following:

- Plan view as well as longitudinal Sections showing grades and levels to A.H.D.*
- Method of supply, laying and backfilling of drainage pipeline.*
- Location of public utility services.*
- Location of Council street trees.*
- Junction/Drainage Pit designs.*
- Extent of road excavation/restoration works*

67. *The applicant must meet the full cost for Council or a Council approved contractor to carry out all works associated with the reconstructed/diverted Council stormwater pipeline/s.*
68. *Prior to a Construction Certificate for the building construction works being issued for the development, the applicant must lodge with Council a Bond (i.e. a deposit refundable in terms of the approval) in the form of cash or cheque, or bank guarantee acceptable under Council policy 3.02.08, for the amount of \$250,000. This Bond is to ensure the reconstruction/diversion of the Council stormwater pipeline.*

The Bond will be released upon the applicant meeting the costs and conditions for Council or a Council approved contractor to carry out the drainage works.
69. *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.*
70. *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 to Council prior to the commencement of any works. Any enquiries regarding this matter can be directed to Council's Asset & Infrastructure Services Department on 9399 0922 or 9399 0923*
71. *An approval under the Roads Act 1993 is required to be obtained from Council in relation to all drainage and infrastructure works which are located within the roadway/public place. Details of the proposed works are to be submitted to and approved by the Director of Assets and Infrastructure Services prior to commencing such works.*
72. *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 applicant is to liaise with Council's Traffic Engineer (9399 0927) regarding this matter*
73. *All internal access roads are to be signposted 'No Parking' to prevent queuing occurring on Council's streets. Plans submitted for the Construction Certificate for the building construction works are to show compliance with this requirement.*
74. *The internal access road/driveway off Dangar St is to be amended to have a minimum clear width of 6.00 metres so as to provide 2-way traffic flow. All other internal access roads which have 2-way traffic flow are also to have a minimum*

clear width of 6.00 metres. Plans submitted for the Construction Certificate for the building construction works are to show compliance with this requirement.

75. *The internal access road/driveways gradients are to be shown on the plans submitted for the Construction Certificate for the building construction works and show compliance with the relevant Australian Standards.*
76. *The Port Cochere for the Day Care Centre must be signposted and linemarked as a one-way eastbound movement. Plans submitted for the Construction Certificate for the building construction works are to show compliance with this requirement.*
77. *The Synagogue & Function Room Pick Up/Drop Off area must be totally located within the development site and signposted and linemarked as a one-way northbound movement. Plans submitted for the Construction Certificate for the building construction works are to show compliance with this requirement.*

Splayed Wall/Dedication Conditions

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

78. *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 for the building construction works showing compliance with this condition.*
79. *The applicant must, at no cost to Council dedicate 3m x 3m splay corner for road widening purposes at the King St / Dangar St Intersection.*
80. *The applicant must, at no cost to Council dedicate 2m x 2m splay corner for road widening purposes at the Govett Lane / Dangar St Intersection.*

Alignment Level Conditions

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

81. *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:*

King St Frontage - 175mm above the top of the kerb at all points opposite the kerb, along the full site frontage.

Dangar St Frontage - 200mm above the top of the kerb at all points opposite the kerb, along the full site frontage.

Govett Lane Frontage – 50mm above the centerline of the roadway at all points along Govett Lane

Please note that the driveway entrance levels at the property boundaries

have been raised to take into consideration the proposed reconstruction of the kerb and gutter levels in both King St & Dangar St. 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.

82. *The design alignment levels as issued by Council and their relationship to the roadway/kerb must be indicated on the building plans for the building construction certificate prior to the issuing of the construction certificate.*
83. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$8,353.00 calculated at \$17.60 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a Construction Certificate for the building construction works being issued for the development.*

Service Authority Conditions

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

84. *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.*
85. *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.*
86. *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 building construction certificate being issued for the development.*
87. *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 for the building construction works to see if an electricity substation will be required for the development.*
88. *Prior to the issuing of a Construction Certificate for the building construction works for the development the applicant is to meet the cost for Sydney Electricity to bundle the overhead power lines between the 6 power poles located on Council's nature strip opposite the site frontage in King Street. Documentary evidence of this compliance is to be forwarded to Council should Council not be the Certifying Authority for the Construction Certificate for the building construction works.*

Note: The bundling of the power lines is to facilitate the street tree planting

reaching their mature height so as to ensure satisfactory screening of the proposed development.

Drainage Conditions

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

89. *Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be submitted to and approved by the Director of Assets and Infrastructure Services prior to a construction certificate being issued for the building works. 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.*
90. *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.

91. *The detention pits and basin should be piped to a drainage/junction pit/s constructed over the Council stormwater pipeline system.*

Notes

- i) *a reflux valve should be constructed within the outlet pipe from the detention pit (and located within the development site that can be serviced by the owner of the lot).*
 - ii) *the detention pits adjacent to King Street should be piped to the future Council stormwater pit adjacent to the driveway (in King Street)*
 - iii) *Areas that drain to the detention pits should be generally higher in level than the top of the pit (to ensure that should the Council system block or surcharge or alternatively rainfall in excess of the design storm occur, then the internal stormwater system will safely overflow to the road)*
92. *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 (note that this will be required over the stormwater detention system that will service the Moriah Pre School and the other lower western sections of the development site).*
93. *The proposed above ground stormwater detention system adjacent to the University Building and the adjacent Lot 201 should be constructed with a suitable permanent berm to contain the stormwater within the site.*

Note that should the stormwater pondage depth be greater than 300 mm, a suitable child proof fence shall be constructed around the perimeter of the detention basin.

94. *A "restriction as to user and positive covenant" shall be placed on the title of the subject property prior to the issuing of an occupation certificate. 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.

95. *The detention area must be regularly cleaned and maintained to ensure it functions as required by the design.*
96. *The stormwater detention area must be suitably signposted where required, warning people of the maximum flood level.*
97. *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 proposed buildings).

98. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*
99. *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.*
100. *A work-as-executed plan prepared and signed by the hydraulic engineer or a registered surveyor, 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)*

Certification is to be provided to Council by the consulting hydraulic engineer prior to occupation, which confirms compliance with relevant conditions of consent to the satisfaction of Council.

101. 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 generally 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.

102. *A 'V' drain is to be constructed along the perimeter of the property, where required, to direct all stormwater to the detention area.*
103. *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.*
104. *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.*
105. *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).*
106. *Three covered car washing bays shall be provided for this development.*
 - a) *The car washing bays 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 bays must be located outside any required/approved stormwater detention system and must be suitably signposted.*
 - c) *The car washing bays 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 bays.

External Stormwater Works

107. *Prior to the release of the construction certificate for the building construction works, the applicant shall submit for approval and have approved by the Director of Asset & Infrastructure Services, a plan with drainage calculations (compiled by a suitably experienced and qualified Civil Engineer) that determines the 1 in 100 year flood event for this area using the "ILSAX" or "DRAINS" Urban*

Drainage Simulation Models. Drainage calculations shall also be submitted using the HEC RAS computer model for the determination of overland flow profiles. A hydraulic grade line analysis for the proposed or relocated pipelines shall also be submitted for approval.

Notes:- Rainfall intensities are to be calculated following the procedure demonstrated in chapter 2 Australian Rainfall & Runoff-1987 edition.

The applicant is advised to contact Council's Department of Asset & Infrastructure Services for further information.

The following information must be submitted to the Council for checking and record purposes:

- a) *All data files on 3 1/2" MS-DOS formatted diskettes together with a suitable index to relate data files to the various run parameters*
- b) *Plans showing:*
 - *Total catchment area.*
 - *sub-catchments and areas and nomenclature used to define the various piped reaches.*
 - *Overland flow paths.*
 - *Location and sections of all drainage lines showing:*
 - *Pipe sizes and grades*
 - *Pit/gully surface levels as well as invert levels of inlet and outlet pipe.*
 - *Proposed finished surface levels and 0.2m contours over the development site.*
 - *All levels to Australian Height Datum.*
- c) *Stormwater drainage plans, longitudinal sections, details and calculations in general accordance with the recommendations of the "Floodplain Management Manual" and "Australian Rainfall and Runoff, 1997 Edition".*

Note that all utility services shall be investigated and accurately located, levelled and shown on the submitted plans and longitudinal sections.

- d) *The stormwater drainage details should be constructed in general accordance with the facsimile submitted to Council on 03-10-2002 Job No 011477 from Taylor Thomson Whitting and subject to the following conditions and amendments:*
 - i. *The proposed culvert that will drain the overland flow from the low point in Dangar Street shall be designed and constructed:-*
 - *To drain and discharge the 1 in 100 year storm.*
 - *With a 50% blockage factor for the pit inlet capacity in Dangar Street.*
 - *with a self scour velocity for a 1 in 3 month storm event.*
 - *to minimise blockage.*
 - *to connect to the existing Council stormwater pit located to the west of lot 201 King Street. (Note that should the development within lot 201 not proceed, this culvert shall be designed with a temporary*

connection to the kerb and gutter at a suitable location downstream (west) of Lot 202 in King Street).

- *located under the kerb and gutter in Dangar Street.*
- *generally located within the road carriageway in King Street.*

ii. *The proposed “aqueduct” system to drain the stormwater overflow from Govett Lane shall be designed and constructed:*

- *with a velocity x depth ratio for the 1 in 100 year storm event less than or equal to 0.4 (ie $VD < 0.4$) for use as a footpath.*
- *with a minimum width of 3.0 metres.*
- *an easement for stormwater overflow shall be created over the resultant structure (for the length and width of the resultant 1 in 100 year flow within the site). Note that description of this easement shall state that the structure shall be maintained and repaired by the owner/s of this property in perpetuity.*
- *outside the 2.0 metre easement for support (adjacent to the University Building)*
- *with galvanised handrails and safety rails (for pedestrian safety)*
- *in conjunction with the adjacent development in Lot 201 King Street*

Notes:

- *Subject to further stormwater calculations to determine the quantity and depth of stormwater overflow in Govett Lane, and, if required by the Director of Asset & Infrastructure Services, a suitably sized stormwater pipeline shall be extended upstream of the Govett Street low point. This condition is required to ensure that the velocity x the depth of flow is less than 0.4 ($VD < 0.4$) for pedestrian safety in Govett Lane and to minimise the possibility of overland flow entering the property.*
- *A right of carriageway should be created in favour of Council over the proposed “aqueduct” system for a public pedestrian access between Govett Lane and King Street.*
- *Should the applicant elect to construct an alternate stormwater system (ie in lieu of the aqueduct system) to drain the overflow from a 1 in 100 year storm from the low point in Govett Lane, such stormwater system:*
 - *should be designed and constructed in conjunction with the proposed development in Lot 201 King Street.*
 - *shall be submitted to and approved of by the Director of Asset & Infrastructure Services.*

Further, a minimum 3.0 metre pathway should be constructed (in lieu of the aqueduct system) through the development site from Govett Lane towards King Street in conjunction with the development within lot 201 King Street. Details of such pathway shall be submitted and approved by Council. A Right of Way in favour of Council shall be created over this pathway.

iii. *The proposed culvert that will drain the intersection of King and Church Streets and through the development site, shall be designed and*

constructed with a minimum 1200 mm diameter pipeline.

Notes

- *The applicant shall design and have approved by the Director of Asset and Infrastructure Services, a suitably sized orifice plate that is placed on this pipeline adjacent to the development alignment in King Street. This orifice plate is required so that the downstream lots are not adversely affected by any increase of stormwater flow in the pipeline (until the downstream sections of this pipeline has been upgraded to its outlet in Centennial Park).*
 - *A suitably sized stormwater pipeline shall be constructed to connect from this 1200 mm pipeline to the intersection of King and Dangar Streets. Note that prior to the final drawings being submitted to the Director of Asset & Infrastructure Services, the applicant shall be required to undertake a CCTV of the existing two pipelines systems that are presently located at this intersection (and that drain in a westerly direction along King Street) to determine the extent of the catchment area and if both pipes are “live”.*
108. *Should the aqueduct system to drain stormwater overflow from Govett Lane be adopted, all details of the design, finishes, materials, height and levels for the proposed aqueduct and its associated pedestrian accessway, and its relationship to finished ground levels, shall be submitted to the satisfaction and approval of Council’s Director Planning and Community Development prior to issue of a construction certificate for the proposed building/s.*
109. *The floor level of all habitable and storage areas shall be a minimum of 300mm above the calculated 1 in 100 year flood level. This condition has been imposed to minimise the possibility of localised floodwater entering the subject habitable, storage and office areas.*
110. *The applicant shall ensure that no portion of any window, vent, or other opening is at a level lower than the 1 in 100 year storm event flood level. This condition is required to minimise the possibility of floodwater entering the proposed building for storm events up to and including the 1 in 100 storm event.*
111. *The proposed internal access road/driveway shall be designed with a minimum 150 mm high point above the 1 in 100 year storm event flood level and in such a manner as to ensure that floodwater cannot enter the building.*
112. *Prior to the release of the construction certificate for the building construction works, the applicant shall submit and have approved by the Director of Asset & Infrastructure Services a specification for the:*
- *Supply, laying and backfilling of the stormwater pipelines and box culverts.*
 - *Construction of stormwater pits and other associated structures.*

The applicant shall note the following when preparing the specification:

- i) *All future Council stormwater pipelines shall be constructed with spigot and socket rubber ringed jointed, steel reinforced concrete pipeline (RRRCP). The Council stormwater pipelines shall be a minimum of 375mm diameter. Prior to backfilling, the pipeline shall be inspected and approved by the Director of Asset & Infrastructure Services.*

Generally backfill material for the pipeline trench shall be:-

- *clean sand.*
- *watered in.*
- *compacted in 150 mm layers with a minimum 97% relative compaction.*

Notes

- *Should an alternate pipeline be preferred, then the following parameters of that pipeline are to be compared against an equivalent rubber ringed steel reinforced concrete pipeline (RRRCP):-*
 - *hydraulic performance.*
 - *service life (eg abrasion etc) with a minimum 80 year service life.*
 - *structural loading.*
 - *maintenance.*

The alternate pipeline must clearly demonstrate an equivalent and/or superior quality to a rubber ringed steel reinforced concrete pipeline for all the above parameters. All details shall be submitted to and approved of by the Council.

ii) *All standard extended kerb inlet pits shall be constructed:-*

- *in "situ" (a precast pit will be acceptable only in a park or reserve).*
- *in accordance with Council's drawings SD 3 or SD 8 (subject to the depth and/or the size of the pipeline).*
- *with a minimum concrete strength of 32 Mpa.*

iii) *All standard junction pits shall be constructed:-*

- *in "situ" (a precast pit will be acceptable only in a park or reserve).*
- *in accordance with Council's drawing SD 4.*
- *with a minimum concrete strength of 32 Mpa.*

iv) *All other pits that cannot be constructed to the above details shall be designed by a structural engineer. The detail of the pit/s shall in general, be similar to SD 3 (for an inlet pit) or SD 4 (for a junction pit). Note that all pits shall be:-*

- *benched with a minimum 75 mm concrete.*
- *constructed with a minimum concrete strength of 32 Mpa.*

113. *The applicant must meet full cost of all work required by the Council to be carried out in connection with the relocation of any stormwater pipeline within the property or adjacent to the site, such work to be carried out in accordance with plans and specifications approved of by the Director of Assets and*

Infrastructure Services. No buildings or structures must be located within the easement.

114. *The applicant must meet the full cost of the creation of a drainage easement over the line of any existing or relocated stormwater pipelines within the site, under the control of Council. Minimum easement widths over the relocated storm water pipeline within the site shall be 4.0 metres.*

An easement for overland flow shall be created over any future stormwater system through the site from the localised low point in Govett Lane. The width of this easement shall be determined after the approval by Director of Asset and Infrastructure Services of the final stormwater details.

115. *Where an easement exists or is proposed through any property, the footing of any proposed structure adjacent to or traversing the easement must be founded on rock, or; extend below a 30 degrees line taken from the level of the pipe invert at the edge of the easement (angle of repose) and the building works must be inspected by the applicant's engineer to ensure that these footings and/or piers extend below the "angle of repose" and documentary evidence of compliance is to be submitted to Council, prior to proceeding to the subsequent stages of construction.*
116. *Prior to the release of the Construction Certificate for the building construction works, details of the proposed (and any existing) stormwater pipeline that burdens the site shall be submitted to and approved by the Director of Asset and Infrastructure Services;*

The details shall include the pipeline location and the offset distance/clearance from the outside edge of the pipeline to the proposed development including the eaves overhang.

Note that:

- ***the eaves must not encroach (overhang) onto the easement.***
- ***the levels of the pipeline and the footings of the proposed development are to be accurately shown.***

117. *A work-as-executed plan prepared and signed by the hydraulic engineer (and a registered surveyor where the Council pipelines are located through the site), must be submitted to Council's Director of Asset and Infrastructure Services prior to the issuing of an occupation certificate. The work-as-executed plan shall detail the location and invert levels of the stormwater culverts and the finished surface levels.*
118. ***Prior to the final inspection or occupation, the applicant shall submit to Council CCTV videos of the Council stormwater pipelines that have been reconstructed. Such CCTV shall inspect all stormwater pipes for any post construction damage.***

The applicant shall note that should this pipeline be damaged, Council will remove the damaged pipeline and construct a new equivalent diameter R.R.R.C.P. with concrete encasement and associated junction pits. All costs associated with removing and constructing the pipeline and associated works shall be met by the applicant.

Waste Management Conditions

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

119. *Prior to the issuing of a construction certificate for the proposed building/s, the applicant is to submit to Council and have approved by Council's Manager of Waste a Waste Management Plan detailing waste and recycling storage and disposal for both the residential and commercial components of the development site, post construction.*

It is recommended that the applicant liaise with Council's Manager of Waste on 9399 0945 prior to lodging a Waste Management Plan.

120. *Any 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.*

Landscape Conditions

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

121. *The landscaped areas shown on the plan number DA-L02 dated 12 June 2002 shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, the certifying authority, prior to the issue of a construction certificate for the building/s. The landscape drawings and specifications are to be prepared by a qualified Landscape Architect who is eligible for membership with the Australian Institute of Landscape Architects (AILA). 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 within 6 metres of the common property boundary (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 tree/s 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 within 6 metres of the common property boundary 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. *All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape plans.*
 - h. *The plan shall respect the prevailing coastal influences and the coast's special design considerations and requirements, and shall be designed accordingly. Generally, species selection shall be restricted to local indigenous coastal species.*
 - i. *Location of easements within the site and upon adjacent sites (if any).*
122. *The landscaping shall be installed in accordance with the approved documentation prior to the issue of a final occupation certificate and shall be maintained in accordance with those plans.*

Documentary evidence is to be obtained from a suitably qualified Landscape Architect and submitted to the principal certifying authority (PCA) (and the Council, if the Council is not the PCA) prior to the issuing of a final occupation certificate which confirms that the landscaping works have been completed in accordance with the approved landscaping plans and relevant conditions of development consent, to the satisfaction of the PCA.

123. *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.*
124. *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 a final Occupation Certificate.*
125. *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.

126. *Any substation required shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications.*
127. *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

128. *The applicant shall submit a total payment of \$1,200 to Council,*
- a. *Being the cost for Council to supply and install 6 x 100 litre street trees at the completion of all works in King St/Dangar St.*

*The contribution shall be paid into Account Number 43459939 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.

129. *The applicant is to meet the cost for Council to remove any Council street tree as a result of the development. The costs will also include replacement planting and the calculated amenity value of the tree using the Draft Australian Standard Formula. The cost for removing, replacement planting and amenity value of the subject trees can be obtained by contacting Council's Tree Preservation Co-ordinator (B. Bourke – 9399 0609).*
130. *Approval is granted for the removal of the following trees subject to the planting of 10 x 200 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.*

Trees numbered 1-4, 6, 29-37 and 43-52 on the existing trees schedule shown on the Tree Survey Plan, number DA-L01, dated 12 June 2002.

131. *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 driplines of the subject trees.*

Tree Protection Measures

132. *In order to ensure the retention of trees numbered 5, 7-28, 38-42 and 53-54 on*

the existing tree schedule shown on the Tree Survey Plan, number DA-L01, dated 12 June 2002.

- a. *All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application shall show the retention of the existing tree specimens with the position of the tree trunks and full diameter of the tree canopies clearly shown on all drawings.*
- b. *The trees are to be physically protected by the installation of protective fencing around the trees using 1.8 metre high steel mesh/chainwire fencing. This fencing shall be located to a minimum radius of 3 metres from the outside edge of the tree trunks.*

This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until all works are completed.

- c. *Within this zone there is to be no storage of materials or machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of in the area and no stockpiling of soil or rubble.*

Any works required within this zone (only as approved on the construction certificate) shall be under the direction of, and to the satisfaction of, a suitably qualified Arborist.

- d. ***Any excavations required for footings, structures, retaining walls, basement carparks, services, pipes, detention tanks, stormwater infiltration systems, paving etc within the driplines of the subject trees shall be undertaken by hand and under the direction of, and to the satisfaction of, a suitably qualified Arborist with all roots being cleanly cut.***
- e. *The installation of woodchip mulch to a depth of 75mm within the fenced off protection area as described in Point c.*
- f. *Watering of the tree (within the fenced off area) three times a week for the duration of the construction period.*
- g. *The erection of signage on the fence with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER"*

133. *A refundable deposit in the form of cash or cheque, or bank guarantee for the amount of \$20,000.00 shall be lodged with Council prior to a building construction certificate being issued for the proposed development to ensure the implementation and maintenance of the landscape works in accordance with the approved landscape documentation.*

- a. *The refundable deposit will be released twelve (12) months after the issue of a final occupation certificate by the principle certifying authority providing the landscape works have been successfully implemented and maintained in accordance with the approved landscape documentation. Throughout the*

maintenance/bond period, the applicant shall be responsible for all routine maintenance such as grass cutting, weeding, watering, fertilising, spraying, staking and replacement of all failed plant stock. There must be no alteration to the original design, including substitution of trees and shrubs, without the prior approval of the Principal Certifying Authority.

- b. *Any contravention of Council's landscape conditions at any time during the construction period or prior to the expiration of a period of twelve (12) months from the date a final occupation certificate is issued will result in the Council claiming all or part of the lodged security.*

Advisory Matters

- A1. *In order to organise for an inspection for the release of the security deposit, the applicant shall contact the Principal Certifying Authority for the development to liaise with Council's Asset & Infrastructure Department to arrange for an inspection of the landscaping to be carried out. Should the landscaping be found to be unsatisfactory, thus necessitating further inspections, the applicant is advised that each additional inspection will be charged at \$55.00 (incl.GST) and that this amount shall be paid into Account Number 41901939, Code RGJ at the Cashier on the Ground Floor of the Administrative Centre prior to any further inspection being carried out.*

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

- A2. *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 B1</i> | - | <i>Structural provisions</i> |
| b) | <i>Clause C2.6</i> | - | <i>Vertical separation of openings in external walls</i> |
| c) | <i>Clause C3.2&C3.4</i> | - | <i>Protection of openings in external walls</i> |
| d) | <i>Part D1</i> | - | <i>Provisions for escape</i> |
| e) | <i>Clause D1.4</i> | - | <i>Exit travel distances</i> |
| f) | <i>Clause D1.5</i> | - | <i>Distance between alternative exits</i> |
| g) | <i>Part D3</i> | - | <i>Access for people with disabilities</i> |
| h) | <i>Clause D3.5</i> | - | <i>Car parking for people with disabilities</i> |
| i) | <i>Part E1</i> | - | <i>Fire fighting equipment</i> |
| j) | <i>Part E2</i> | - | <i>Smoke Hazard Management</i> |
| k) | <i>Part E3</i> | - | <i>Lift Installations</i> |
| l) | <i>Part E4</i> | - | <i>Emergency lighting, exit signs and warning systems</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.

MOTION: (Tracey/Daley) SEE RESOLUTION.

(Cr Matson requested his name be recorded as opposed to the resolution.)

10. PETITIONS.

Nil.

11. MOTIONS PURSUANT TO NOTICE.

**11.1 By Councillor Schick – Waiving of Fees – Salvation Army Christmas Carols.
(98/S/0178 xr 98/S/0492 (3))**

267 **RESOLUTION:** (*Schick/Procopiadis*) that in view of previous discussions between Councillor Schick and Region Captains Phil and Di Gluyas, located at the Salvation Army Headquarters at Maroubra, Council agree to support a Community Christmas Carols event at Kokoda Park, Kensington on the evening of Saturday, 7th December, 2002 and that Council vote the sum of \$3,989 from the Councillors' Donations Vote to cover the cost of Council's stage and additional waste services and all of the relevant application and hire fees for this purpose.

MOTION: (Schick/Procopiadis) SEE RESOLUTION.

**11.2 By Councillor Andrews – Frequency of Cleaning Council's Toilets.
(98/S/0178 xr 98/S/0707)**

268 **RESOLUTION:** (*Andrews/White*) that Item 11.11, Motion Pursuant to Notice by Cr Notley-Smith be considered in conjunction with this item.

269 **RESOLUTION (FURTHER): (Andrews/Notley-Smith) that:**

- (a) a report be brought to Council as to the frequency in which Council's toilets are cleaned, in particular public toilets and restrooms over the summer months; and
- (b) this report to the next meeting of Council also outline the state of repair and cleanliness of all public toilet facilities in the City of Randwick. Further, the report is to also contain the specifications and schedules currently used for the cleaning and maintenance of such facilities, and detail what immediate action is required to be taken to bring the amenities up to an acceptable standard.

PROCEDURAL MOTION: (Andrews/White) SEE RESOLUTION.

MOTION: (Andrews/Notley-Smith) SEE RESOLUTION (FURTHER).

11.3 By Councillor Andrews – Improvements to Council Toilets at Maroubra Beach Pavilion. (98/S/0178 xr 98/S/0707)

270 **RESOLUTION:** (*Andrews/White*) that works commence immediately on the improvements to Council toilets and restrooms at Maroubra Beach at the Pavilion.

MOTION: (Andrews/White) SEE RESOLUTION.

11.4 By Councillor Andrews – Upgrading of Intersection on Anzac Parade/Maroubra Road. (98/S/0178 xr 98/S/1654 (2))

271 **RESOLUTION:** *(Andrews/White) that an on-site meeting be held with the RTA and Council representatives prior to any traffic consultant being appointed to prepare a report on traffic treatment options which would improve traffic flow at the intersection of Anzac Parade and Maroubra Road, Maroubra Junction.*

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

11.5 By Councillor Andrews – Installation of Traffic Signals at Intersection of Anzac Parade/Storey Street. (98/S/0178 xr R/0031/02 xr R/0694/02)

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

- (a) a report be prepared on the installation of traffic signals at the intersection of Anzac Parade and Storey Street as a result of this intersection being identified as a “blackspot”; and*
- (b) the report also consider the ramifications and impact on the Maroubra Junction Traffic Management Scheme if the proposal for the installation of the Anzac Parade/Storey Street traffic signals was to proceed.*

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

11.6 By Councillor Andrews – Installation of Traffic Signals at Intersection of Haig Street/Anzac Parade crossover. (98/S/0178 xr R/0350/02 xr R/0031/02)

273 **RESOLUTION:** *(Andrews/Bastic) that Council seek funding from the R.T.A for traffic signals to be installed at the intersection of Haig Street/Anzac Parade crossover.*

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

11.7 By Councillor Andrews – Registration of Graffiti Tags. (98/S/0178 xr 98/S/2143)

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

- (a) a report be brought to the next meeting of Council on the proposed scheme between Council and local police to register Graffiti tags in order that offenders may be prosecuted and ordered to remove graffiti; and*
- (b) the report also include details on the system operating at Auburn Council on its graffiti registration programme.*

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

11.8 By Councillor Seng – Risk Management Strategy. (98/S/0178 xr 98/S/3833)

MOTION: *(Seng/Notley-Smith) that, given the increasing complexity of Local Government and the potential exposure to expensive litigation, the General Manager prepare a report outlining Randwick Council’s existing Risk Management Strategy. The*

report should include the relevant Australian Standards and give a summary of Randwick's compliance to these standards. **LOST.**

A division was called for by Crs Seng and Notley-Smith. Voting was as follows:-

For	Against
Cr Greenwood	Cr Andrews
Cr Matson	Cr Bastic
Cr Matthews	Cr Daley
Cr Notley-Smith	Cr Procopiadis
Cr Schick	His Worship the Mayor, Cr D. Sullivan
Cr Seng	Cr Tracey
Cr Whitehead	Cr White

(The Mayor indicated that he used his casting vote against the motion.)

11.9 By Councillor Seng – Receipt of Correspondence. (98/S/0178 xr 98/S/1733)

275 **RESOLUTION:** *(Seng/Notley-Smith) that Randwick Council adopt the following interim policy and a report be submitted back to Council on this interim policy in compliance with the requirements of Policy No. 1.01.01:*

- a) *that the General Manager is to acknowledge receipt of all correspondence within 14 days; and*
- b) *that Council endeavour to finalise the issue to which the correspondence pertains within 21 days.*

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

11.10 By Councillor Notley-Smith – Doncaster Avenue. (98/S/0178 xr R/0031/05 xr R/0240/02)

276 **RESOLUTION:** *(Notley-Smith/Procopiadis) that Randwick City Council Traffic Committee investigates the installation of pedestrian crossings at the intersection of Anzac Parade and Doncaster Avenue and report back to the next Works Committee Meeting.*

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

11.11 By Councillor Notley-Smith – Public Toilet Facilities. (98/S/0178 xr 98/S/0707)

(Note: This item was dealt with in conjunction with Item 11.2, Motion Pursuant to Notice by Cr Andrews.) (See Minute No. 268)

11.12 By Councillor Matson – Consideration of Public Drinking Restrictions In Areas Adjacent to Coogee Beach. (98/S/0178 xr 98/S/1285)

277 **RESOLUTION:** *(Matson/Greenwood) that:*

- (a) *a report be provided before a Council Meeting detailing proposals from the three East Ward Councillors and relevant staff for the implementation of alcohol restrictions in the various reserves in the Ward; and*
- (b) *the report be provided to the Coogee Precinct Committee prior to its submission to Council.*

MOTION: (Matson/Greenwood) SEE RESOLUTION.

12. URGENT BUSINESS.

Nil.

13. CONFIDENTIAL REPORTS.

Nil.

14. COMMITTEE-OF-THE-WHOLE.

Nil.

15. REPORT OF COMMITTEE-OF-THE-WHOLE.

Nil.

16. NOTICE OF RESCISSION MOTIONS.

Nil.

17. PRESENTATION OF KEYS TO THE CITY TO JANE AND NATALIE SAVILLE. (98/S/0100)

His Worship the Mayor, Cr D. Sullivan, presented the Keys to the City at this meeting to Jane and Natalie Saville, in compliance with a previous resolution of Council.

There being no further business, His Worship the Mayor, Cr D. Sullivan, declared the meeting closed at 8.44 p.m.

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

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CHAIRPERSON