

**MINUTES OF ORDINARY COUNCIL MEETING OF THE  
COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY, 25<sup>TH</sup> MARCH, 2003 AT 6.21 P.M.**

**PRESENT:**

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

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

North Ward	-	Crs J. Greenwood and P. Tracey
South Ward	-	Crs C. Matthews and A. White
East Ward	-	Crs F. Backes and M. Matson
West Ward	-	Crs P. Schick, M. Whitehead and J.Procopiadis
Central Ward	-	Crs 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. Truuvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Public Officer	Mr. P. Smith.
Communications Manager	Ms. D. Brien.
Manager Development Assessment	Mr. K. Kyriacou.

**1. COUNCIL PRAYER**

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

**2. APOLOGIES.**

Apologies were received from Crs Bastic and Notley-Smith.

**RESOLVED:** (Seng/White) that the apologies be received and accepted and leave of absence be granted to Crs Bastic and Notley-Smith from the Ordinary Council Meeting held on Tuesday, 25<sup>th</sup> March, 2003.

**3. MINUTES**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD ON TUESDAY, 25<sup>TH</sup> FEBRUARY, 2003.**

47 **RESOLUTION:** (White/Andrews) that the Minutes of the Ordinary Council Meeting held on Tuesday, 25<sup>th</sup> February, 2003 (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, 4<sup>TH</sup> MARCH, 2003.**

- 48 **RESOLUTION:** (*Procopiadis/Schick*) that the Minutes of the Extraordinary Council Meeting held on Tuesday, 4<sup>th</sup> March, 2003 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

**RESOLVED:** (/) that the meeting be adjourned at 6.24 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 Karen Mueller, 6 Cobham Street, Maroubra on Item 9.1, Director Planning & Community Development's Report 15/2003 - 6 Cobham Street, Maroubra.
2. Mr Michael Bracken, 10 Bapaume Pde, Matraville on Item 9.2, Director Planning & Community Development's Report 16/2003 - 10 Bapaume Parade, Matraville. (D/0049/2003)
3. Mr Benny Rabiller, 10 Bream Street, Coogee on Item 9.3, Director Planning & Community Development's Report 17/2003 - Section 82A Review of Determination for Extension of Hours of Operation of an Existing Restaurant at No. 10-12 Bream Street, Coogee.
4. Mr John Berne, 3 Bream Street, Coogee on Item 9.3, Director Planning & Community Development's Report 17/2003 - Section 82A Review of Determination for Extension of Hours of Operation of an Existing Restaurant at No. 10-12 Bream Street, Coogee.
5. Mr Lindsay Fletcher, 1/9 Liverpool Street, Rose Bay on Item 9.4, Director Planning & Community Development's Report 18/2003 - 8-12 Ascot Street, Kensington.
6. Mr Jeremy Hunt, 4/45 Ritchard Avenue, Coogee on Item 9.5, Director Planning & Community Development's Report 19/2003 - 45 Ritchard Ave Coogee.
7. Mr Bruce Nottage, 2/22 Mount Street, Coogee on Item 9.5, Director Planning & Community Development's Report 19/2003 - 45 Ritchard Ave Coogee.
8. Mrs Carol Abela, 1587 Anzac Parade, La Perouse on Item 9.6, Director Planning & Community Development's Report 20/2003 - Master Plan For 1-81 Little Bay Road, Little Bay.
9. Ms Sarah Kelly, 50 Margaret Street, Sydney on Item 9.6, Director Planning & Community Development's Report 20/2003 - Master Plan For 1-81 Little Bay Road, Little Bay.
10. Mr Greg Prentice, 75 Piggett St, Dulwich Hill on Item 11.1, Motion Pursuant to Notice by Councillor Matthews – Amendments to Randwick LEP.
11. Ms Rozita Leoni, 3/41 Minneapolis Cres, Maroubra on Item 11.2, Motion Pursuant to Notice by Councillor Matthews – Rental Assistance for Lexington Place Community Centre.

**RESOLVED:** (*Daley/White*) that the meeting be further adjourned at 7.40 p.m. and resumed at 8.19 p.m.

**5. MAYORAL MINUTES.**

**5.1 MAYOR'S MINUTE 12/2003 - HANGING OF BANNER - WAVERLEY COLLEGE ART SHOW - WAIVING OF FEES. (98/S/2311)**

- 49 **RESOLUTION:** (*His Worship the Mayor, Cr D. Sullivan*/) that:

- (a) Council vote \$1,115.00 to cover the fees associated with the event and funds be allocated from the Councillors' Bids Vote for 2002/03; and
- (b) the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.

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

**5.2 MAYOR'S MINUTE 13/2003 - THE COOGEE TO BONDI OCEAN SWIM - REQUEST TO WAIVE FEES. (98/S/1318)**

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

- (a) Council vote \$200.20 to cover the fees associated with the event and funds be allocated from the Councillors' Bids Vote for 2002/03; and
- (b) The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the swimming event.

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

**5.3 MAYOR'S MINUTE 14/2003 - USE OF MAROUBRA BEACH - SURFING NEW SOUTH WALES - REQUEST FOR WAIVING OF FEES. (98/S/1411)**

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

- (a) Council vote \$778.20 to cover the fees associated with the event to be held on Maroubra Beach on the weekend of 17/18 May, 2003, and funds be allocated from the Councillors' Bids Vote for 2002/03; and
- (b) the Organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the Surfing NSW Annual State Eliminations.

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

**5.4 MAYOR'S MINUTE 15/2003 - ST NICOLAS ANGLICAN CHURCH - EASTER DAY DAWN SERVICE ON COOGEE BEACH. (98/S/1318)**

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

- (a) Council vote \$215.50 to cover the fees associated with the service and funds be allocated from the Councillors' Bids Vote for 2002/03; and
- (b) the service organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the Dawn Service.

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

**6. GENERAL MANAGERS' REPORTS.**

**6.1 GENERAL MANAGER'S REPORT 06/2003 - REMOVAL OF VEGETATION WITHIN LONG BAY GAOL COMPLEX. (P/000925 xr D/0753/2002)**

53 **RESOLUTION:** *(White/Procopiadis)* that should the Department of Corrective Services not immediately provide Council with a detailed programme of works for the vegetative rectification works within the Long Bay Gaol complex, Class 5 legal proceedings be initiated in the Land and Environment Court in its Injunctive Jurisdiction against the Department.

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

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

**7.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 10/2003 - COOGEE LADIES BATHS (MCIVERS BATHS) - LANDSCAPE MASTER PLAN AND STAGE 1 WORKS. (98/S/1032)**

54 **RESOLUTION:** *(Backes/Andrews)* that in response to the positive public comment, Council adopt the Randwick Coogee Ladies Baths' Landscape Master Plan (Att 2) and Stage 1 works drawing (Att 3) as the guiding documents for capital works improvements to the Baths.

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

**7.2 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 11/2003 - GREEN WASTE AND CONCRETE RECYCLING SITE - LEASE OPTION. (98/S/3862(2))**

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

- (a) note that, due to the delay in the LEP amendment approval and gazetting process and site remediation, Council will not be able to take over the Bumborah Point Road recycling site by 1 May 2003 as agreed in the Heads of Agreement document; and
- (b) agree to the option to lease in that Council will pay 50% of the agreed rent being \$98,031 for a period of three months from 1 May 2003 to 31 July 2003 and from 1 August 2003 full rent commences for the 20 year lease period.

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

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

**8.1 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION SERVICES' REPORT 05/2003 - INTERNAL REPORTING SYSTEM - PROTECTED DISCLOSURES ACT. (98/S/0661)**

56 **RESOLUTION:** *(Daley/Procopiadis)* that the Director Governance, Management and Information Services' Report 05/2003, reviewing the Internal Reporting System – Protected Disclosures Act, in accordance with Clause 12 of Council's Policy No. 1.04.04, be received and noted.

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

**8.2 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION SERVICES' REPORT 06/2003 - SECTION 12 LOCAL GOVERNMENT ACT - RESTRICTION OF ACCESS TO INFORMATION - 40 COOGEE BAY ROAD, RANDWICK. (98/S/2738 XR P/003225)**

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

- (a) *the contents of the Director Governance, Management and Information Services Report 06/2003 be received and noted;*
- (b) *the Council endorse the restriction placed by the Public Officer on access to documents which were the subject of the Section 12 application submitted by Mr P. Athens relating to 40 Coogee Bay Road, Randwick for the reasons detailed in the Director's Report; and*
- (c) *it will be noted that Mr P. Athens can still exercise his right to request a review by Council on the restriction to access being lifted.*

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

**8.3 DIRECTOR GOVERNANCE MANAGEMENT & INFORMATION SERVICES' REPORT 07/2003 - ACKNOWLEDGEMENT OF INCOMING CORRESPONDENCE AND ACTION ARISING. (98/S/1733 XR 98/S/0911)**

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

- (a) *Council adopt amended Policy No. 3.01.10 attached to the Director Governance, Management & Information Services Report 07/2003 entitled "Acknowledgement of Incoming Correspondence and Action Arising", as further revised by this resolution;*
- (b) *funds in the sum of \$85,050 be provided in the 2003/04 budget to facilitate the implementation of Policy No. 3.01.10, which will take effect from 1st July, 2003;*
- (c) *upon receipt of correspondence in the various Departments, the issues raised be either addressed and completed within 21 days or the responsible Department communicate with the author and provide a response which details the proposed course of action on the issue;*
- (d) *the General Manager investigate lower postage costs for outgoing Council mail available through Australia Post;*
- (e) *infrastructure or services issues and requests be the subject of acknowledgment letters;*
- (f) *Council include a statement in advertisements and notifications for development applications that Council will not, upon receipt, acknowledge submissions from residents; and*
- (g) *the Policy Register be updated accordingly.*

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

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

**9.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
15/2003 - 6 COBHAM STREET, MAROUBRA. (D/0802/2002)**

59 **RESOLUTION:** (*Andrews/Procopiadis*) 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 802/2002 for alterations and first floor addition to the existing semi detached dwelling house at 6 Cobham Street, Maroubra subject to the following conditions:-*

**REFERENCED PLANS:**

1. *The development must be implemented substantially in accordance with the plans numbered 32/02, dated 16/8/02 and received by Council on 23 August 2003, 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. *The sill height of the first floor bedroom window at the western rear elevation is to be increased to be a minimum height of 1.5m above floor level, or alternatively, the window is to be fixed and provided with translucent, obscured, frosted or sandblasted glazing below the specified level.*
3. *The colours, materials and finishes of the external surfaces to the building are to be compatible with the existing building and adjacent development to maintain the integrity and amenity of the building and the street scape, to the satisfaction of Council's Director of Planning and Environment.*
4. *The floor to ceiling height for the proposed upper level shall be reduced to 2.5 metres.*
5. *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.*
6. *There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place.*
7. *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.*

## **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:*

8. *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.*
9. *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 \$5,000.*

*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:*

10. *A Certificate of Adequacy supplied by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) **prior to a construction certificate being issued** for the development, certifying the structural adequacy of the existing structure to support the additional storey.*

## **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:*

11. *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.*
12. *The building works are to be inspected by the Principal Certifying Authority (or other suitably qualified person, to the satisfaction of the Principal Certifying Authority), to monitor compliance with the relevant standards of construction and Council's development consent.*

*The Principal Certifying Authority shall specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the Principal Certifying Authority, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).*

*Documentary evidence of the building inspections carried out and compliance with Council's approval is to be maintained by the Principal Certifying Authority.*

13. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
14. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
15. *A 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.*
  - (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.*
16. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*
17. *Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*

18. *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.*
19. *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.*
20. *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.*
21. *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.*

22. *Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.*

*A temporary safety fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Temporary fences are to have a minimum height of 1.8 metres and be constructed of cyclone wire fencing with geotextile fabric attached to the inside of the fence to provide dust control, or other material approved by Council.*

*Hoarding or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.*

*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.*

#### ***FIRE SAFETY:***

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

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

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

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

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

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

***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) \$700.00 - Vehicular crossing deposit

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

***Traffic conditions/Civil Works Conditions:***

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

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

(a) *Extend the existing concrete layback and construct a concrete vehicular crossing between the layback and property line to suit the modified vehicular entrance to the site.*

26. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's roadway.*

27. *The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and*

*Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.*

***Alignment Level Conditions:***

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

28. *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:*

***100 mm below the back of the existing layback at all points opposite the layback; and  
150 mm below the top of the kerb at all points opposite the kerb, along the full site frontage.***

*Any enquiries regarding this matter should be directed to Council's Assets & Infrastructure Services Department on 9399 0919.*

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

29. *The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the layback/kerb must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.*
30. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$68.20 (inclusive of GST). This amount is to be paid prior to a construction certificate being issued for the development.*
31. *The top of footings of any structures constructed on the boundary alignment must be at least 150mm below the alignment level as specified for the vehicular access. This condition has been attached to accommodate future footpath construction at this location.*

***SERVICE AUTHORITY CONDITIONS:***

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

32. *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.*

33. *The applicant must meet the full cost for Telstra, Energy Australia, Sydney Water or Natural Gas Company to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.*

**LANDSCAPE CONDITIONS:**

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

34. *That part of the naturestrip upon Council's footway which is damaged during the construction of the proposed works shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'ANL Organic Garden Mix', and re-turfed with Kikuyu turf. Such works shall be completed at the applicants expense prior to the issue of the Occupation Certificate.*

*The naturestrip upon Council's footway shall be maintained by the applicant in accordance with Council guidelines. Such maintenance shall include, but not be limited to, watering, mowing, fertilising, and the removal of weeds.*

**ADVISORY CONDITIONS:**

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

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

**9.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
16/2003 - 10 BAPAUME PARADE, MATRAVILLE. (D/0049/2003)**

60 **RESOLUTION: (Daley/White) 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 D/0049/2003 for alterations and ground and first floor rear additions to the existing semi detached dwelling including a pergola, garage, swimming pool and front fence:-*
1. *The development must be implemented substantially in accordance with the plans comprising two sheets prepared by Peter Bandfield numbered 7/03 dated 22/01/2003 and received by Council on 24 January 2003, the application form and on any supporting information received with the application, except as may be amended by the following conditions:*

***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. *This consent does not extend to the pool. A separate application is to be submitted to and approved by the Council for the pool at the rear of the site as there is inadequate*

*details provided to Council to enable proper assessment of the application.*

3. *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.*
4. *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.*
5. *The provisions of Councils tree preservation order are strictly to be observed and it is a requirement that the applicant or their representative obtain any necessary consent required under the tree preservation order.*

*Should compliance require amendment to the plan an amended development application is required to be submitted for consideration and approval **prior to work commencing***

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

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

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

7. *External paths and ground surfaces are to be graded and drained away from the building and adjoining premises in such a manner so as not to result in the entry of water into a building, or cause a nuisance or damage to the adjoining premises.*

***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:***

8. *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 that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:***

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

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

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

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

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

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

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

11. *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 a construction certificate being issued for the development, certifying the structural adequacy of the existing structure to support the proposed building 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:***

12. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991 The Demolition of Structures, as in Force at 1 July 1993.*
13. *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.*
14. *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 standards of construction is to be maintained by the principal certifying authority.*

15. *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 & Building Services.*

16. *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

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

17. *Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*
18. *Building materials, sand, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time.*
19. *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.*
20. *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.*

*Details of the proposed sediment control measures must be submitted to and approved by the principal certifying authority **prior to the commencement of any site works**. The sediment and erosion control measures must be implemented prior to the commencement of any site works and a copy of the approved details must be made available to Council officers upon request.*

21. *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.*

22. *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.*
23. *Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.*

*A temporary hoarding or fence is to be provided to protect the public, located to the*

*perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.*

*Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.*

*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.*

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

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

*Smoke alarms must comply with AS 3786 - Smoke alarms and be connected to the consumer mains electric power supply and provided with a battery back-up.*

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

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

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

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

25. *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.*

26. *The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval,*

*however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.*

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

27. *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.*
28. *The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the roadway/kerb/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.*
29. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$68.20 (inclusive of GST). This amount is to be paid prior to a construction certificate being issued for the development.*
30. *The top of footings of any structures constructed on the boundary alignment must be at least 150mm below the alignment level as specified for the vehicular access. This condition has been attached to accommodate future footpath construction at this location.*

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

31. *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.*
32. *The applicant must meet the full cost for telecommunication companies, gas providers, Energy Australia and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.*

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

33. *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.*

### **Tree Management:**

34. *Approval is granted for the removal of the following trees subject to the planting of 2 x 75 litre broad canopied replacement tree (not palm) within the site. The species selected shall be one that will attain a minimum height of 6 metres at maturity.*
  - a. *One (1) Ligustrum species (Privet) located along the western property boundary, in front of the existing garage.*
  - b. *One (1) Cotoneaster species (Cotoneaster) located along the western boundary in front of the access gates to the rear yard.*
  - c. *One (1) Robinia pseudoacacia 'Frisia' (Golden Robinia) located along the western property boundary, in front of the existing garage.*
35. *Permission is granted for the removal of only those trees falling within the area occupied by the approved works. Removals of the remaining trees on the site are subject to separate application under the Tree Preservation Order.*
36. *The applicant shall be required to ensure the retention and long-term health of all trees located on adjoining properties adjacent to the proposed development. As a general guide there shall be minimal excavation or root pruning within the dripline/s of the subject tree/s.*

### **Tree Protection Measures**

37. *In order to ensure the retention of the Metrosideros excelsa (New Zealand Christmas Bush) tree located within the front yard this property in good health, the following measures are to be undertaken:*
  - 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 specimen with the position of the tree trunk and full diameter of the tree canopy clearly shown on all drawings.*
  - b. *All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application **shall show footings of a pier and beam construction along the proposed fence in order to minimise damage to the roots of this tree.** The plan shall also note that piers are to be located to avoid any roots greater than 30mm in diameter.*
  - c. *There is to be no storage of materials or machinery or site office/sheds, no stockpiling of soil or rubble, nor is cement to be mixed or chemicals spilt/disposed within 2 metres from the outside edge of the tree trunk.*

*Any works required within this 2 metre zone (only as approved on the construction certificate) shall be under the direction of, and to the satisfaction of, a suitably qualified Arborist.*

**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/White) SEE RESOLUTION.**

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

**9.3 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
17/2003 - SECTION 82A REVIEW OF DETERMINATION FOR EXTENSION  
OF HOURS OF OPERATION OF AN EXISTING RESTAURANT AT NO. 10-  
12 BREAM STREET, COOGEE. (D/0434/2002)**

61 **RESOLUTION: (Tracey/Seng)** *that this matter be deferred until the Acoustics Report from the applicant has been assessed.*

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

**9.4 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
18/2003 - 8-12 ASCOT STREET, KENSINGTON. (D/0955/2002)**

62 **RESOLUTION: (Procopiadis/Schick)** *that the application be deferred to:*

A) *Allow the applicant to submit fully dimensioned amended plans in accordance with the sketch plans submitted by the applicant's architect at the Council Meeting of 25<sup>th</sup> March, 2003 and numbered SK-008 which deletes one unit from the top floor southern elevation and provides for the conversion of six single bedroom units into two bedroom units and, further, that the amended plans clarify compliance with:*

- b) storage*
- c) landscaping*
- d) set back requirements*

B) *Allow the applicant to submit an adequate hydrological study to establish that the application is not an integrated development; and*

C) *Allow for the amended plans, in deleting only one unit and reconfiguring, to comply with the floor space ratio.*

**PROCEDURAL MOTION: (Procopiadis/Schick) SEE RESOLUTION.**

**9.5 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
19/2003 - 45 RITCHARD AVE COOGEE. (D/0273/2002)**

63 **RESOLUTION: (Tracey/Backes)** *that:*

A. *Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No.273/02 on property 45 Ritchard Ave Coogee in the following*

manner:

1. Amend Condition No. 1 to read:

*“1. The development must be implemented substantially in accordance with the plans numbered 0108 DA00-05B, dated 5/2/02 and received by Council on 28/3/02, unless modified by the plans received as part of section 96 application ‘A’ plans numbered 0108 DA00D-DA05D, dated Dec 2002 and received by Council on the 3 Jan 2003, the application forms and on any supporting information received with the applications, except as may be amended by any conditions and as may be shown in red on the plans.”*

2. Add Condition No. 23

*The proposed first floor balcony of unit 4 shall have a balustrade constructed of a louvered design which will restrict direct sightlines into the property to the rear (No.22 Mount St) whilst preserving views for the subject unit to the south-east.*

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

**9.6 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
20/2003 - MASTER PLAN FOR 1-81 LITTLE BAY ROAD, LITTLE BAY.  
(98/S/2772)**

64 **RESOLUTION: (Daley/White)** that the Master Plan be deferred to the next meeting of the Health, Building and Planning Committee to be held on Tuesday, 8<sup>th</sup> April, 2003.

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

**9.7 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
21/2003 - 35 DUDLEY STREET, COOGEE. (D/1049/2001)**

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

A. Council as the responsible authority grant its consent under Section 96 pf the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. 1049/01 on property 35 Dudley St Coogee in the following manner:

Amend Condition No. 1 to read:

*“1. The development must be implemented substantially in accordance with the plans numbered 0133 dated 22/10/01 and received by Council on the 5/11/01 and as amended by plans 2590-S96-104B, 201B, 202B, 301B, 102B, 103B, 100A, 938LP/01, and any other additional information received with the original application and Section 96 Application received with the original application and Section 96 Application received by Council on the 20 November 2002.”*

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

**10. PETITIONS.**

**10.1 PETITION SUBMITTED BY CR ANDREWS FROM RESIDENTS SEEKING THE PROVISION OF A HYDROTHERAPY POOL IN THE CITY OF RANDWICK. (98/S/1173(3) xr 98/S/0999)**

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

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

**10.2 PETITION SUBMITTED BY CR ANDREWS REGARDING MAROUBRA BAY HOTEL. (98/S/1173(3) xr D/0974/2002)**

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

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

**10.3 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, COUNCILLOR D. SULLIVAN ON BEHALF OF THE MARINE PARADE RESIDENTS ACTION GROUP REGARDING THE REMOVAL OF ELECTRICITY LINES AND POLES ON MARINE PARADE BETWEEN UNDINE AND WILSON STREETS. (98/S/1173(3) xr R/0500/01 xr R/0737/01 xr R/0775/00).**

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

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

**10.4 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, COUNCILLOR D. SULLIVAN ON BEHALF OF RESIDENTS OPPOSING THE PROPOSED FIVE STOREY STRUCTURE ON THE MAROUBRA BAY HOTEL SITE. (98/S/1173(3) xr D/0974/2002)**

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

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

**10.5 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, COUNCILLOR D. SULLIVAN ON BEHALF OF RESIDENTS OPPOSING THE PROPOSED DEVELOPMENT APPLICATION AT 11 TOWER STREET, COOGEE. (98/S/1173(3) xr D/0118/2003)**

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

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

**10.6 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, COUNCILLOR D. SULLIVAN ON BEHALF OF RESIDENTS REQUESTING COUNCIL CONSTRUCT A SEALED ROAD ADJACENT TO 565-579 BUNNERONG**

**ROAD, MATRAVILLE. (98/S/1173(3) xr P/014636)**

- 71 **RESOLUTION:** *(Andrews/Daley)* that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.

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

**10.7 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, COUNCILLOR D. SULLIVAN ON BEHALF OF RESIDENTS OPPOSING THE DEVELOPMENT APPLICATION AT 22 MINNEAPOLIS CRESCENT, MAROUBRA. (98/S/1173(3) xr D/0090/2003)**

- 72 **RESOLUTION:** *(Andrews/Daley)* that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.

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

**11. MOTIONS PURSUANT TO NOTICE.**

**11.1 By Councillor Matthews – Amendments to Randwick LEP. (98/S/1030 xr 98/S/0178)**

**MOTION:** (Matthews/Seng) that this Council prepare a Local Environmental Plan to amend Clauses 30 (1), 30 (3) and 30 (4), minimum allotments sizes of Randwick Local Environmental Plan 1998, to provide for the reduction in the site area required by Clause 30 (1) from 450m<sup>2</sup> to 425m<sup>2</sup>. Clause 30 (3) from 900m<sup>2</sup> to 850m<sup>2</sup> and Clause 30 (4) from 450m<sup>2</sup> to 425m<sup>2</sup>. **LOST.**

**11.2 By Councillor Matthews – Rental Assistance for Lexington Place Community Centre. (P/002905 xr 98/S/0178)**

- 73 **RESOLUTION:** *(Andrews/Greenwood)* that the issue of the Council seeking the support of the NSW Government to contribute towards the \$400.00 per week rental, on a dollar for dollar basis for the first two years of the lease, for the premises 3-5 Lexington Place, Maroubra South which is to be run as a Community Centre/Neighbourhood Centre be deferred to the Community Services Committee for a report on the matter.

**MOTION:** (Matthews/Seng) that this Council seek the support of the NSW Government to contribute towards the \$400.00 per week rental, on a dollar for dollar basis for the first two years of the lease, for the premises 3-5 Lexington Place, Maroubra South which is to be run as a Community Centre/Neighbourhood Centre.

**PROCEDURAL MOTION:** (Andrews/Greenwood) SEE RESOLUTION.

**11.3 By Councillor Bastic – Overhead Electrical Wiring at Marine Parade between Undine and Wilson Streets, Lurline Bay. (R/0500/01 xr R/0737/01 xr R/0775/00 xr 98/S/0178)**

- 74 **RESOLUTION:** *(Andrews/Daley)* that a report be prepared on the cost of removing the overhead electrical wiring and placing it underground on the section of Marine Parade that runs between Undine Street and Wilson Street, Lurline Bay.

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

**11.4 By Councillor Notley-Smith – Pedestrian Safety, Perouse Road and Dudley Street. (R/0612/02 xr R0249/02 xr 98/S/0178)**

**MOTION: (Seng/Whitehead)** that a report be brought before Council on means to enhance the safety of pedestrians crossing Perouse Road, Randwick in the vicinity of Aeolia Street, and crossing Dudley Street at the intersection of Coogee Bay Road. **LOST.**

**11.5 By Councillor Whitehead –Community Meeting - 159-171 Anzac Parade/Lorne Avenue, Kensington & 240 – 266 Anzac Parade/101-105 Doncaster Avenue, Kensington. (D/1026/2002 xr D/0897/2002 xr 98/S/0178)**

**MOTION: (Whitehead/Greenwood)** that a meeting with the Kensington community be arranged so that the amended plans for:

- DA 02/01026/GG 159-171 Anzac Parade/Lorne Avenue
- DA 02/00897/GG 240-266 Anzac Parade/101-105 Doncaster Avenue

can be explained to the community, and to provide an opportunity for questions to be asked. **LOST.**

**11.6 By Councillor Whitehead – Exhibition Time for Amended Plans for 159-171 Anzac Parade/Lorne Avenue, Kensington & 240 – 266 Anzac Parade/101-105 Doncaster Avenue, Kensington. (D/1026/2002 xr D/0897/2002 xr 98/S/0178)**

**MOTION: (Whitehead/Matson)** that Randwick City Council extend the exhibition time for amended plans noted below to enable the holding of the community meeting so that members of the community can make informed comment on each of the following development applications:

- DA 02/01026/GG 159-171 Anzac Parade/Lorne Avenue
- DA 02/00897/GG 240-266 Anzac Parade/101-105 Doncaster Avenue.

**LOST.**

**11.7 By Councillor Greenwood – Opposition to Military Attack on Iraq. (98/S/4125 xr 98/S/0178)**

This motion was ruled out of order by the Mayor.

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

**11.8 By Councillor Greenwood – Ethical Investment. (98/S/0993 xr 98/S/0178)**

**MOTION: (Greenwood/Matson)** that Council undertake negotiations with the Local Government Association Ethical Investment Section to ascertain whether or not ethical investments are a suitable form of investment for this Council and that a report be brought back to Council. **LOST.**

**11.9 By Councillor Greenwood – Fig Trees. (R/0340/02 xr R/0249/03 xr 98/S/0178)**

75 **RESOLUTION:** (*Greenwood/Matson*) that Council:

- a) *acknowledges the regional significance of the two Ficus "Hilli" present in triangular median strips at Govett Street and Dudley Street, Randwick; and*
- b) *a report be prepared on methods to acknowledge the significant trees in Randwick City.*

**MOTION:** (*Greenwood/Matson*) SEE RESOLUTION.

**11.10 By Councillor Murray Matson – Need for Debate on Place of Public Entertainment License Clovelly Bowling Club. (P/013314 xr 98/S/0178)**

**MOTION:** (*Matson/Greenwood*) that a report be brought back to Council detailing the state of play with the proposed Place of Public Entertainment License for the Clovelly Bowling Club. **LOST.**

**11.11 By Councillor Greenwood – Rainwater tanks for watering of gardens at Randwick Town Hall. (98/S/1736 xr 98/S/0178)**

76 **RESOLUTION:** (*Daley/Seng*) that the matter of the installation of rainwater tanks at Randwick Town Hall be deferred for a report to Council on this issue.

**MOTION:** (*Greenwood/Matson*) that Council:

- a) Purchase and install a rainwater tank of suitable capacity to collect rainwater from the roof of the Randwick Town Hall;
- b) Purchase and install a suitable watering system to use the rainwater so collected for the watering of gardens and lawns around the Town Hall;
- c) The purchase and installation of the items be paid for from the budgeted maintenance costs of the gardens and lawns.

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

**12. URGENT BUSINESS.**

**12.1 URGENT BUSINESS - CR MATTHEWS REQUESTING THE RESCINDING OF THE CONTRACT FOR THE NEW GENERAL MANAGER. (98/S/0823 xr H/01288 xr Personnel file)**

This motion was ruled to be not urgent by the Mayor.

**12.2 URGENT BUSINESS – CR DALEY – REDUCED NOTICE OF MEETING PERIOD – NEW GENERAL MANAGER. (98/S/0823 xr H/01288 xr Personnel File)**

**RESOLVED:** (*Daley/White*) that permission is hereby granted to Councillor Daley to bring forward to the meeting and transact business of great urgency concerning the calling of an Extraordinary Council Meeting to consider the issue of the appointment of the new General Manager.

77 **RESOLUTION:** (*Daley/White*) that the Mayor be delegated authority to call an Extraordinary Council Meeting on the issue of the appointment of the new General Manager with twenty four (24) hours notice.

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This is Page No. 24 of the Minutes of the Ordinary Council Meeting held on Tuesday, 25<sup>th</sup> March, 2003.

(Not all Councillors were present and His Worship the Mayor, Cr D. Sullivan, ruled that the business proposed to be brought forward, concerning the calling of an Extraordinary Council Meeting to consider the issue of the appointment of the new General Manager, was of great urgency.)

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

**13. CONFIDENTIAL REPORTS.**

Nil.

**14. COMMITTEE-OF-THE-WHOLE.**

Nil.

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

Nil.

**16. NOTICE OF RESCISSION MOTIONS.**

Nil.

There being no further business, His Worship the Mayor, Cr D. Sullivan, declared the meeting closed at 9.25 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 22<sup>ND</sup> APRIL, 2003.

.....  
CHAIRPERSON