

**MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE  
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY, 8<sup>TH</sup> APRIL, 2003 AT 6:34 P.M.**

**PRESENT:**

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

Councillor M. Daley (South Ward) (Chairperson)

North Ward	-	Crs J. Greenwood and P. Tracey
South Ward	-	Crs C. Matthews and A. White
East Ward	-	Crs F. Backes, 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 (Deputy Chairperson)

**OFFICERS PRESENT:**

General Manager	Mr. G. Messiter.
Director Assets & Infrastructure Services	Mr. M. Savage.
Acting Director Planning & Community Development	Ms. S. Truuvvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Manager Development Assessment	Mr. K. Kyriacou.
Assistant Public Officer	Mr. D. Kelly.
Communications Manager	Ms. D. Brien.

**1. APOLOGIES.**

Nil.

**2. MINUTES.**

**CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 11<sup>TH</sup> MARCH, 2003.**

H27 **RESOLUTION:** *(White/His Worship the Mayor, Cr D. Sullivan) that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 11<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: (Procopiadis/Tracey)** that the meeting be adjourned at 6.36 p.m. and be further adjourned at 6.44 p.m.

**3. ADDRESSES TO THE COMMITTEE BY THE PUBLIC.**

Prior to consideration of the Agenda by the Committee, the following deputation were received in respect of the following matter:

**5.4 DEVELOPMENT APPLICATION REPORT - 5-7 ASCOT STREET, KENSINGTON. (D/0047/2003)**

The Applicant Mrs Gwen Smith 2/5-7 Ascot Street, Kensington

The meeting was resumed at 7.17 p.m.

**4. MAYORAL MINUTES.**

**(Note: Both Mayoral Minutes were considered at the conclusion of the Meeting.)**

**4.1 MAYOR'S MINUTE 18/2003 - NAMING OF DOLPHINS POINT & UNVEILING OF BALI VICTIMS PLAQUE . (98/S/2438)**

H28 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council agrees to cover the costs associated with the unveiling and naming ceremony, including the morning tea for the families and that Council book a table for the Coogee Dolphins fundraising event to be held on 12<sup>th</sup> April and this be funded from the Councillors Bids Vote.*

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

**4.2 CONFIDENTIAL REPORT.**

**4.2.1 MAYOR'S MINUTE 19/2003 – GENERAL MANAGER'S EMPLOYMENT – ORAL REPORT BY MAYOR. (98/S/0823 xr H/01288 xr Personnel)**

**4.2.2 COMMITTEE-OF-THE-WHOLE.**

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

**RESOLVED: (His Worship the Mayor. Cr D. Sullivan/White)** that the Health, Building and Planning Committee Meeting be adjourned at 7.42 p.m. and that the Committee meet and sit as a Committee-of-the-Whole.

Cr Daley declared the Health, Building and Planning Committee Meeting of the Council resumed at 8.01 p.m.

**4.2.3 REPORT OF THE MAYOR TO THE HEALTH, BUILDING & PLANNING COMMITTEE MEETING, RELATING TO THE COMMITTEE MEETING AS A COMMITTEE-OF-THE-WHOLE ON TUESDAY, 8<sup>TH</sup> APRIL, 2003.**

The Director Governance, Management & Information Services reported that the following matter had been considered and the following recommendation to the Council had been formulated by the Committee-of-the-Whole.

**4.2.4 EXCLUSION OF PRESS AND PUBLIC.**

At the commencement of the meeting, the Committee-of-the-Whole **RESOLVED**, pursuant to Sections 10 A(2)(a) & (g) of the Local Government Act, 1993, that the press and public be excluded from the whole of this meeting of the Committee as the matter under consideration concerned respectively, personnel matters concerning particular individuals (other than Councillors) and advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege on which publicity or disclosure of the proceedings of the Committee would, in the opinion of the Committee, be prejudicial and on balance would be contrary to the public interest.

#### **4.2.5 RECOMMENDATION.**

That the Mayor's oral report in relation to the General Manager's employment (Mr Glen Oakley) be received and noted.

#### **4.2.6 ADOPTION OF THE REPORT OF THE COMMITTEE-OF-THE-WHOLE.**

H29 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan/White) that the recommendation made by the Committee-of-the-Whole at its meeting held on 8<sup>th</sup> April, 2003 be adopted.*

#### **5. DEVELOPMENT APPLICATIONS.**

##### **5.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 24/2003 - 11-13 FENTON AVENUE, MAROUBRA. (DEFERRED) (D/1105/02)**

H30 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan/White) that this application be deferred to the next Ordinary Council Meeting to allow the Applicant to give consideration as to whether or not they intend to lodge amended plans.*

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

##### **5.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 25/2003 - SECTION 82A REVIEW OF DETERMINATION FOR EXTENSION OF HOURS OF OPERATION OF AN EXISTING RESTAURANT AT NO. 10-12 BREAM STREET, COOGEE. (DEFERRED) (D/0434/2002)**

H31 **RESOLUTION:** *(Backes/Notley-Smith) that the determination of the Section 96 application to modify Development Consent No. 0434/2002 dated 14 January 2003, for 10-12 Bream Street, Coogee, be confirmed.*

**MOTION:** *(Backes/Notley-Smith) SEE RESOLUTION.*

##### **5.3 DEVELOPMENT APPLICATION REPORT - 21 INGLETHORPE AVENUE, KENSINGTON. (D/1201/2002)**

H32 **RESOLUTION:** *(Backes/Notley-Smith) that Council as the consent authority, grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No.1201/2002 for permission to erect a new carport to the front of the existing dwelling house at No.21 Inglethorpe Street, Kensington subject to the following conditions: -*

1. *The development must be implemented substantially in accordance with the plan numbered DWG No: 64/02 dated 5/12/02 and received by Council on 20 December 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 colours, materials and finishes of the external surfaces for the proposed carport are to be compatible with the existing development to maintain the integrity and amenity of the building and the streetscape.*
3. *There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place.*
4. *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.*

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

5. *In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

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

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

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

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

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

***The following conditions are applied to ensure that the development satisfies relevant***

***standards of construction, and to maintain adequate levels of health, safety and amenity during construction:***

6. *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.*
7. *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.*

8. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
9. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
10. *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.*
11. *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.*
12. *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.*
13. *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.*
14. *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.*

15. *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.*

16. *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.*

#### **Advisory Conditions**

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

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

**MOTION: (Backes/Notley-Smith) SEE RESOLUTION.**

#### **5.4 DEVELOPMENT APPLICATION REPORT - 5-7 ASCOT STREET, KENSINGTON. (D/0047/2003)**

H33 **RESOLUTION: (Schick/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 0047/2003 for Enclosure of existing balconies to dwellings 1 and 2 at 5-7 Ascot Street, Kensington, subject to the following conditions:-*

#### **REFERENCED PLANS:**

1. *The development must be implemented substantially in accordance with the plans numbered Drawing No 0192DA1/4, 0192DA2/4, 0192DA3/4, 0192DA4/4, dated 2 September 2002 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 and as may be shown in red on the attached plans:*

***The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:***

2. *The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.*

*Details of the proposed colours, materials and textures (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) ***a construction certificate being issued for the proposed development.***
3. *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.*

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

4. *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 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:***

5. *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.*
6. *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.*

7. *A copy of the construction certificate, the approved plans and specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
8. *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.*

9. *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.*

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

**5.5 DEVELOPMENT APPLICATION REPORT - 30-32 MCCAULEY STREET, MATRAVILLE. (D/1015/2002)**

H34 **RESOLUTION:** *(White/Procopiadis) that the Council, as the consent authority, grants development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 1015/2002 for permission to remove vegetation on site and construct a three-storey multi purpose centre containing a ground floor car park, 545m<sup>2</sup> of letable floor space on the first floor and a Seafarers Centre/Social Club and Worship Centre on the second floor, at 30-32 McCauley Street, Matraville, subject to the following conditions:-*

1. *The development must be implemented substantially in accordance with the plans designed by Paynter Dixon Constructions Pty Ltd numbered DA06 Issue A, dated 05/03/2003 and received by Council on 07/03/2003, and plans numbered DA01 to DA03 and DA05 Issue B, dated 27/02/2003 and received by Council on 05/03/2003, and plan number DA04 Issue B dated 26/02/2003 and received by Council on 05/03/2003 and plans designed by Site Image Landscape Architects numbered LP101 A, dated 03/03/2003 and received by Council on 07/03/2003 and LP102 dated 25/02/2003 and received by Council 7 March 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:*

***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 separate Development Application is required to be submitted to and approved by Council for the proposed usage of the first floor of the building **prior to the occupancy of the first floor.** Any proposed use of this floor must comply with Clause 36 of RLEP 1998.*



3. *The hours of the operation of the Seafarer's Club and place of worship are restricted to: - **Monday through to Sunday inclusive from 10.00am to 12 midnight.***
4. *The applicant/operator of the club and place of worship shall prepare a Plan of Management for the use. The plan of management shall specify how the premises are to be operated, and shall address issues including, but not restricted to, the following:*
  - *Establishing club rules,*
  - *Patron behaviour,*
  - *Maintaining good relations with neighbours,*
  - *Noise,*
  - *The use of external areas,*
  - *The use of the club for functions*
  - *The consumption of alcohol on the premises,*
  - *The carrying out of activities likely to cause nuisance,*
  - *The registering of complaints,*
  - *Cleaning of premises,*
  - *Disposal of waste.*

*The plan of management shall be submitted for the approval of the Director of Planning & Community Development prior to the commencement of the use of the premises as a club and a place of worship, and the use shall be operated in accordance with the approved plan of management at all times.*

5. *The proposed development is to fully comply with Sydney Water's Guidelines on Precautions to be Taken When Building Over or Adjacent to Sydney Water's Assets,*
6. *A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. Application must be made through an authorised Water Servicing Co-ordinator. For details, please refer to the "Your Business" section of Sydney Water's web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92.*

*Following application, a "Notice of Requirements" will be provided, detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Water Servicing Co-ordinator, as building of water/sewer extensions can be time consuming and may impact on other services and 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.*

7. *The consumption of water within the proposed building shall be minimised by the use of triple A-rated water efficient plumbing features (taps and shower roses) and water-efficient dual flush toilets. Details of compliance are to be provided in the construction certificate.*
8. *The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.*

*Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of `on-the-spot` penalty infringements or service of a notice and order by Council.*

9. *The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 109F of the Environmental Planning & Assessment Act 1979.*
10. *Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.*
11. *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.*
12. *Lighting to the premises shall be designed so as not to cause a nuisance to nearby residents or motorists and to ensure that light overspill does not affect the amenity of the area.*
13. *The 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) 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) *a construction certificate being issued for the proposed development.*

### ***Security Deposit Conditions***

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

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

- a) *\$2000.00 - Security damage deposit*

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

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

15. *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) \$2000.00 - Vehicular crossing deposit

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

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

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

a. *Construct heavy-duty concrete vehicular crossings and laybacks at kerb opposite the vehicular entrance and exit points to the site as well as the garbage room area, if required.*

b. *Construct a concrete footpath along both the McCauley St & Raymond Ave site frontages. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.*

17. *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.*

18. *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.*

19. *The driveway entrances are to be clearly marked entrance only & exit only.*

20. *A work zone is to be provided to site, if required, and details of the work zone location and the prescribed fee for the installation of a "work zone" having a minimum length of 12 metres must be paid to Council at least four (4) weeks prior to the commencement of building works.*

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

21. *The Council's Department of Asset & Infrastructure Services has inspected the above*

*site and have determined that the design alignment level (concrete/paved/tiled level) at the property boundary for driveways, access ramps and pathways or the like, shall be as follows:*

**McCauley Ave Frontage:** *200mm above the top of the kerb at all points opposite the kerb, along the full site frontage.*

**Raymond Ave Frontage:** *100mm above 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 0923.*

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

22. *The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the kerb must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.*
23. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$1,131.00 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.*
24. *The top of footings of any structures constructed on the boundary alignment must be at least 150mm below the alignment level as specified for the vehicular access. This condition has been attached to accommodate future footpath construction at this location.*

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

25. *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.*
26. *The applicant must meet the full cost for Telstra, Energy Australia, Sydney Water or AGL to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.*
27. *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.*
28. *Any electricity substation required for the site as a consequence of this development shall be located within the site and shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications. The applicant must liaise with Sydney Electricity prior to lodging the*

*construction certificate whether or not an electricity substation is required for the development.*

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

29. *Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be submitted to and approved by the certifying authority prior to a construction certificate being issued for the development. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issue, if the Council is not the certifying authority. The drawings and details shall include the following information:*
- a) *A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.*
  - b) *A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system. This may involve either connection to the Council's street gutter, or into a Council stormwater pit. Note: All proposals should indicate the location of the closest Council stormwater pit and line regardless of the point of discharge. This information can be obtained by a visual inspection of the area and perusing Council's drainage plans.*
  - c) *Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. 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 is 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.*
30. *All site stormwater leaving the site must be discharged by gravity to the kerb and gutter in McCauley Street near the southwest boundary.*
31. *All sump pits in the basement car park are to be pumped to a silt arrestor pit located within the site adjacent to the property boundary before gravity feeding to Council's kerb in McCauley St.*
32. *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.*
33. *A sediment/silt arrestor 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; and*

*The sediment/silt arrestor 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 arrestor 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.**

34. *Due to a possible overland flowpath located within McCauley Street & Raymond Avenue all habitable floor levels for the proposed development are to be at a minimum RL of 7.15 A.H.D. Plans submitted for the construction certificate to the certifying authority are to show compliance with this condition*
35. *The proposed garbage room is to be at minimum RL of 7.00 A.H.D. Plans submitted for the construction certificate to the certifying authority are to show compliance with this condition*
36. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*

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

37. *Prior to the issuing of a construction certificate for the proposed development the applicant is to submit to Council and have approved by Council's Compliance Officer Waste Management a Waste Management Plan detailing waste and recycling storage and disposal for the development site, post construction.*
38. *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.*

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

39. *The landscaped areas shown on the plan number DA-01, issue A, dated 14/10/02 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 retained or removed), council's footway, 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. *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. 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.*
  - g. Location of easements within the site and upon adjacent sites (if any).*
- 40. 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.*

- 41. In order to prevent the encroachment of motor vehicles into the landscaped areas a 150mm high concrete edge shall be constructed between the landscaped areas and roadway. Such works shall be installed prior to the issue of a final Occupation Certificate.*
- 42. 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 over spray 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.*

- 43. The nature strip 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.*
- 44. The nature strip 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.*



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

***The following conditions have been applied to ensure the appropriate management of trees on and around the site.***

46. The applicant shall submit a total payment of \$580.00 to Council,
- a. Being the cost for Council to supply and install 4 x 45 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.*

47. Approval is granted for the removal of the following trees subject to the planting of 1 x 1000 litre and 1 x 100 litre broad canopied replacement trees (not palms) within the site. The species selected shall be those that will attain a minimum height of 6 metres at maturity.
- a. One Cupressus species (Pencil Pine) located within the site.
- b. One Pinus species (Pine Tree) located within the site.

48. A refundable deposit in the form of cash or cheque, for the amount of \$5,000.00 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.

***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:***

49. *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.*

50. *The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance.*
51. *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, refrigeration units, and alike) will be able to 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.*
52. *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 (air conditioning, refrigeration units and the like) comply with the provisions of the Protection of the Environment Operations Act 1997 and conditions of Council's approval.*

***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:***

53. *The use and operation of the premises shall not give rise to an environmental health or public nuisance.*
54. *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.*
55. *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 are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:***

56. *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 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:***

57. *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.*
58. *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.*
59. *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).*
60. *Documentary evidence of the building inspections carried out and compliance with Council's approval is to be maintained by the Principal Certifying Authority.*
61. *Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person, to the satisfaction of the Principal Certifying Authority) 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 consent:*
  - *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, sand, soil, debris, waste containers or other obstructions.*
62. *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.*
63. *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.*
64. *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.*
65. *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.*

66. *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**:*
  - i) *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.*
  - ii) *completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks.*
67. *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.*
68. *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.*
69. *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.*
70. *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.*
71. *Public safety and convenience must be maintained at all times during demolition, excavation and construction works.*
72. *A Road Opening Permit must be obtained from the Council and other relevant Authorities prior to excavating or opening-up the road or footway for services or the like.*
73. *Any damage caused to the road or footway must be repaired immediately, to the satisfaction of Council.*
74. *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.*

75. *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.*
76. *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.*

77. *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.*
78. *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*
79. *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.*
80. *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.*
81. *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.*
82. *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.*
83. *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.*

*Fences or hoardings 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.*

*Details of the proposed temporary fences located upon the site are to be submitted to the principal certifying authority and 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.*

84. *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.*
85. *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.*
86. *Any part of Council's nature strip which is damaged as a result of the work must be back-filled, top-soiled and re-turfed with kikuyu turf prior to occupation or*

*finalisation of the development, to Council's satisfaction.*

***The following conditions are applied to provide access and facilities for people with disabilities:***

87. *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.*

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

88. *The premises is to be designed and constructed in accordance with the Council's Food Premises Code and the Food Safety Standards and details of compliance are to be included in the plans and specification for the **construction certificate** to the satisfaction of the certifying authority.*

89. *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 coved, having a minimum radius of 25mm.*
- *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 are to be provided in convenient positions within the kitchen and bar areas. Wash hand basins are to be provided 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 is to be readily accessible to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance.*
  - *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 keeps 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.*
90. *Details of proposed mechanical ventilation systems, detailing compliance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to and approved by the certifying authority, **prior to a construction certificate being issued** for the subject works.*
91. *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**.*
92. *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**.*
93. *Emission control equipment shall be provided in the mechanical exhaust system*



*...serving the cooking appliances, to effectively minimise the emission of odours, vapours and oils. Details of the proposed emission control equipment must be provided in the relevant plans and specifications for the **construction certificate** for the subject works.*

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

94. *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 adequate environmental protection***

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

**ADVISORY CONDITIONS**

1. *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.*

**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. *A Local Approval application is required to be submitted to and approved by Council, in accordance with the provisions of Section 68 of the Local Government Act 1993 in relation to the place of public entertainment, **prior to the commencement of the proposed activity.***

*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 B1 - Structural provisions*

- b) Part C1 - Fire resistance and stability
- c) Clause D1.3 - When fire-isolated exits are required
- d) Part E1 - Fire fighting equipment
- e) Part E2 - Smoke Hazard Management
- f) Part E3 - Lift Installations
- g) Part E4 - Emergency lighting, exit signs and warning systems

*The applicant is advised that it will be necessary to provide a sprinkler system complying with Spec. E1.5 of the Building Code of Australia throughout the premises to comply with Clause D1.3 of the Building Code of Australia.*

**MOTION: (Matthews/Seng)** that this application be deferred to allow for further discussions with affected residents. **LOST.**

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

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

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

**6. MISCELLANEOUS.**

**6.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 26/2003 - MASTER PLAN FOR 1-81 LITTLE BAY ROAD, LITTLE BAY. (98/S/2772)**

H35 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan/White) that:**

1. *Council Adopt the Master Plan for 1-81 Little Bay Road received by Council on 15 November 2002 in accordance with amendments received by Council on 17 February 2003 Attachment 1-Amendments to the Master Plan and subject to the variations and requirements outlined in Part A -Schedule of Variations of this report.*
2. *the applicant be requested to provide a revised Master Plan document, incorporating the amendments in Attachment 1-Amendments to the Master Plan and variations in Part A - Schedule of Variations of this report, prior to the lodgement of any development application.*
3. *the applicant be advised that the issues specified in Part B – Matters to be addressed*

*in Future Development Applications of this report be submitted with future development applications for the proposed development.*

4. *the Master Plan be adopted for 5 years from the date of its adoption being 25 March 2003.*

#### ***Part A – Schedule of Variations***

1. *The relevant section of the Master Plan be amended to provide for a detailed list of design principles specifically addressing the proposed layout, orientation, building design envelope and amenity impacts of the proposed development including (but not limited to) the following:*
  - 1.1 *Building design is to achieve architectural consistency with blocks to be developed in a holistic and cohesive manner.*
  - 1.2 *Building facades to streets are to incorporate the following design characteristics:*
    - Well proportioned and spaced windows appropriate to their orientation;*
    - Architectural features at ground level that reinforce dwelling address such as entrance porches;*
    - Well balanced projected and recessed sections of balconies;*
    - Use of appropriate environmental controls such as verandahs, sliding screens, window hoods and the like;*
    - Coordinated and compatible materials and finishes where neutral colours predominate with strong colours limited to accent elements up to a maximum of 10% of the façade area.*
  - 1.3 *All dwellings are to be designed to achieve cross-ventilation*
  - 1.4 *Building fronts and entries are to be readily apparent from the street and convey a sense of address. Buildings fronting the public street must have their main entrance and windows from some habitable rooms facing the street. Building detailing and articulation must enable dwellings to be identified from the street.*
  - 1.5 *Buildings are to be aligned predominantly parallel to the street boundary and predominantly to the street setback line.*
  - 1.6 *To ensure that garages, parking structures and parking areas are located and designed so they do not to dominate the street frontage.*
  - 1.7 *Carports and garages fronting public streets are to have a maximum opening width of 6 m or 1/3 of the width of the lot, whichever is less.*
  - 1.8 *Garages are to be located within the building envelope of the associated*

*dwelling and behind the front building line.*

- 1.9 *Carports are to be located behind the front building line of the associated dwelling.*
- 1.10 *Carports and garages fronting public streets are to be integrated with building design.*
- 1.11 *Building facades are to provide environmental amenity through sun shading devices, privacy screens and noise barriers combined with useable outdoor areas.*
- 1.12 *Fences on street frontages are designed to address the amenity of the street, surveillance and safety, security of private property, and the use of front garden space.*
- 1.13 *Solid front fences facing the street are to be no higher than 1.2m.*
- 1.14 *Ensure a safe physical environment by promoting crime prevention through design.*
2. *The relevant section of the Master Plan be amended to state clearly that the proposed development will not be a gated estate and that appropriate provisions for 24 hour unrestricted public access into the proposed development are made.*
3. *The table in page 22 of Volume 1 – Master Plan Report be amended to show the following:*

*External wall height for Large Houses, Medium Houses and Small Houses shall be 7.0m*

*Rear setback to Large Houses shall be 6m.*

*Rear setback for Terraces shall be a minimum average setback of 6m with no part of the building closer than 4.5m from the rear boundary, and the maximum length of any one section of wall (without any articulation) is 10m. The minimum length of any step is 3m.*

*Soft landscaped area for terrace houses shall be 25%.*

4. *The allotment sizes shown in the table on page 20 of Volume 1 – Master Plan Report to be substituted with the allotment sizes shown in Figure 3 – Dwelling Mix Plan of the same report.*
5. *The relevant section of the Master Plan be amended to incorporate the following:*

*Justifications and principles for the proposed road design.*

*A clear statement that the Neighbourhood Management Plan for the proposed community title sub-division will contain provisions for management of traffic and control of carparking within the proposed development pursuant to the*

*Community Land Development Act 1989.*

*A clear statement that all roads and other common property within the development will remain Neighbourhood Property under the provisions of the Community Land Development Act 1989 and will not be dedicated to Council.*

6. *The relevant sections of the Master Plan be amended to provide for an increase in the width of proposed roads as follows:*

*The Type A carriageway width be widened to a minimum of 8.75metres, (2.3m parking lane, 3m southbound lane, 3metre northbound lane that is 0.45metres clear of the western kerb alignment). If the total road reserve is to be maintained as the proposed 15 metres, the verge widths will be reduced to approximately 3.12 metres.*

*The Type B carriageway width be widened to a minimum of 5.75metres, (2.3m parking lane, 3m travel lane clear of the parking lane and 0.45metres clear of the kerb alignment). The increased carriageway width will have only a minor impact on the verge widths.*

*The Type C carriageway width be widened to a minimum of 5.75metres, (2.3m parking lane, 3m travel lane clear of the parking lane and 0.45metres clear of the kerb alignment). The increased carriageway width will have only a minor impact on the verge widths however the proposed 1.0metre wide verge cannot have its width reduced.*

7. *The relevant sections of the Master Plan be amended to state and indicate that all footpaths will be suitable for disabled and older persons. Details of designs will be provided at the development application stage.*

8. *The relevant section of the Master Plan be amended to incorporate the following:*

*Justifications and design principles for the proposed use of the creek corridor as open space.*

*A clear statement that the Neighbourhood Management Plan for the proposed community title sub-division will contain provisions for insurance undertakings to cover all liabilities in the subject site pursuant to the Community Land Development Act 1989.*

*Details of the type, extent and provisions of the insurance cover in conjunction with a full risk management assessment in the future proposed development.*

*A clear statement that maintenance of the open space will be undertaken through the community title arrangements proposed for the development under the Community Land Development Act 1989. Provisions for maintenance of the creek corridor will be contained in a Neighbourhood Management Statement required under the Act Council*

9. *The open space will be the subject of detailed design at the development application stage and the issue of management of the open space will also be addressed at the*

*development application stage.*

10. *The relevant section of the Master Plan to be amended to provide for affordable housing in the proposed development which will involve the dedication to Council of one terrace dwelling unit for affordable housing.*

11. *The Ecologically Sustainable Development measures listed in page 34 to 35 of Volume 1 – Master Plan Report be amended as follows:*

*Dot point No. 9, Section 4.19, Page 34 to read: “Provision of rainwater tanks in all detached dwellings for garden watering, irrigation systems, outdoor uses and toilet flushing and washing machine use”.*

*Dot point No. 10, Section 4.19, Page 34 to read: “Provision of gas-boosted 5-star solar hot water heating”.*

12. *The Ecologically Sustainable Development measures listed in page 34 to 35 of Volume 1 – Master Plan Report be extended to include the following additional measures:*

12.1 *All buildings will demonstrate energy efficient design achieving a NatHERS rating of not less than 3.5 stars.*

12.2 *Roof water from all buildings will be directed to private rainwater tanks for non-potable water reuse purposes.*

12.3 *Porous paving will be utilised on all private allotments.*

12.4 *Water smart plumbing fixtures will be integrated into building design.*

12.5 *The gross pollutant traps, located at each discharge point, will be designed to treat all run off to the 3 month ARI magnitude and will remove liquids (grease and oils), litter and sediments. Other innovative methods to reduce nutrients and pathogens in the first flush to be developed in conjunction with Council.*

12.6 *The landscaping, orientation, siting and dwelling layout are to ensure solar access to living areas and private open space and maximise use of cooling breezes.*

12.7 *The design of a development is to minimise overshadowing of neighbours' dwellings, their private open space or any solar collectors.*

12.8 *Windows are to be located, sized and shaded to maximise sunshine access and penetration in winter and exclude it in summer, with large windows facing a northerly direction. Western and south western orientation of large expanses of glass is to be generally avoided or minimised and protected with effective shading devices.*

12.9 *Window shading devices are to be provided and designed for the window's orientation and exposure to hot summer sun. Shading devices can include external screens, hoods, overhanging balconies, eaves, verandahs or pergolas.*

- 12.10 *Trees and plants are to be selected and planted to provide shade in summer yet also allow winter sun entry.*
- 12.11 *The principle living room of dwellings is to have at least 3 hours sunlight reaching 2 m<sup>2</sup> of glazing to that room between 9.00am and 3.00pm on June 21; and sunlight is to be available to the principal area of ground level private open space for at least 3 hours between 9.00am and 3.00pm on June 21.*
- 12.12 *Sunlight is to be available to the principal area of ground level private open space for at least 3 hours between 9.00am and 3.00pm on June 21.*
- 12.13 *Five-star gas or solar heating is provided for pools and spas.*
- 12.14 *Energy efficient lighting and control systems are to be provided in all common and outdoor areas including basement car parks in multi unit developments.*
- 12.15 *Gas is to be plumbed into the kitchen and living rooms and any other rooms as desired.*
- 12.16 *Open fire places are not to be installed.*
- 12.17 *External drying areas are to be available and readily accessible to all dwellings and sited to receive good winter sun and breezes.*
- 12.18 *Water flow reducing fittings or flow reduction valves are to be installed to all service outlets.*
- 12.19 *Windows and building layout should facilitate summer cooling by cross ventilation. No dwelling is to rely solely on air-conditioning for thermal comfort.*
- 12.20 *Internal rooms reliant on artificial lighting and mechanical ventilation should be minimised.*
- 12.21 *All carparking areas should be naturally ventilated.*
- 12.22 *Doors and windows and their openings are to have adequate means of draught control.*
- 12.23 *Where practical and appropriate, skylights and/or wind powered ventilators are installed to enhance natural light and ventilation.*
- 12.24 *Roof spaces are to be ventilated.*
- 12.25 *In all dwellings a maximum of 50% of lighting should be incandescent or low voltage.*
- 12.26 *Materials selection takes into account the life cycle effect of their manufacture, use and disposal.*

- 12.27 *The use of PVC is to be minimised.*
- 12.28 *Water efficient plumbing fixtures are to be integrated into the building design including, but not limited to dual flush toilets and low flow shower heads and tap roses (triple A rated).*
- 12.29 *In-sink food and waste disposal systems are not to be installed.*
- 12.30 *Eight percent (8%) of the floor space of each dwelling is to be provided for storage. Half of the storage area can be in garages, semi-basement enclosures or located externally. Internal storage areas may include linen cupboards, laundry cupboards, under stair areas and built in wardrobes, but kitchen and bathroom storage is excluded from the 8% calculation.*
- 12.31 *The design of landscaped areas is to provide for on-site composting.*
13. *Section 4.10 of Volume 1 - Master Plan Report be amended to incorporate an assessment of each of the measures shown in page 34 to 35 of Volume 1 – Master Plan Report and the additional measures listed above, to demonstrate compliance with the Ecologically Sustainable Development criteria of precautionary approach, intergenerational equity and conservation of biodiversity and ecological integrity.*
14. *Section 4.11 of Volume 1 - Master Plan Report be amended to incorporate the following:*
- 14.1 *A Site Audit Statement (SAS) together with a Summary Site Audit Report (SSAR) in the format defined by the Contaminated Land Management Regulation 1998 will be prepared and submitted with any development application for the site. The site audit statement issued to Council shall be unconditional, in that it requires no further monitoring, on going review or remedial actions, and shall cover both land and groundwater. The site Audit Statement must clearly state, where no standard exists, as with asbestos, that the remediated land is at an asbestos free level or to a level where no unacceptable health risk remains as confirmed in writing by NSW Department of Health. The site must be remediated to not less than the National Environmental Health Forum's health based soil investigation level (NEHF A) standard. Except in relation to Open space, which must be remediated to not less than (NEHF E) standard.*

*The site audit statement will be developed and prepared in accordance with the following:*

- a) *The proponent shall engage the services of a site auditor holding current accreditation in accordance with sections 49 and 50 of the Contaminated Land Management Act 1997.*
- b) *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.*

- c) *The remediation of the site including ground water must fully comply with all relevant Commonwealth and State Legislation, Regulations and Standards.*
- d) *The Consultant and Auditor, in their assessment of appropriate soil investigation levels, must take into account all environmental concerns and the protection of ground and surface water.*
- e) *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.*

14.2 *The Site Audit Statement shall be supplemented by an independent and appropriately qualified professional's opinion confirming that the site, and in particular the prior use of pesticides, herbicides and the like on the site for market gardening, poses a negligible risk in terms of health related effects and the land is suitable for its intended land use. Should the opinion make recommendations to ensure negligible risk, all recommendations are to be carried out and certified.*

*Once approved by Council, the process outlined in the work plan is to be monitored by the site auditor and validated upon completion of the works by an Environmental Consultant and the Site Auditor.*

14.3 *A work plan be prepared in accordance with Australian Standard AS260-2001, Demolition of Structure by a suitably qualified and experienced person, accompanied by written concurrence from the appointed site auditor is to be submitted to Council for their approval. The work plan shall include (but not be limited to);*

14.4 *Appointment of a suitably qualified Environmental/Community Liaison Officer, dedicated to the site to ensure strict compliance onsite with all conditions of consent and in particular to ensure all works comply with relevant provisions of the Protection of the Environment Operations Act 1997. The Officer shall also act as a liaison link, first point of contact with the community to act on any complaints arising. A monthly summary report shall be submitted to Council, detailing any complaints and the rectification actions.*

14.5 *Establishment of a 24-hour complaints hotline, maintained at all times, the number of which is to be displayed on signage around the perimeter of the site and notified to the surrounding community by newsletter.*

#### ***Part B – Matters to be addressed in Future Development Applications***

1. *Demonstrated consistency with all the requirements and variations of the approved Master Plan.*

2. *The design of the proposal will be consistent with the list of design principles required under requirement No. 1 in Part A – Schedule of Variations of this report.*
3. *Details of the design of the roads within the proposed development and management of traffic and parking on these roads to be submitted.*
4. *Increase in the width of the proposed roads as follows:*

*The Type A carriageway width be widened to a minimum of 8.75metres, (2.3m parking lane, 3m southbound lane, 3metre northbound lane that is 0.45metres clear of the western kerb alignment). If the total road reserve is to be maintained as the proposed 15 metres, the verge widths will be reduced to approximately 3.12 metres.*

*The Type B carriageway width be widened to a minimum of 5.75metres, (2.3m parking lane, 3m travel lane clear of the parking lane and 0.45metres clear of the kerb alignment). The increased carriageway width will have only a minor impact on the verge widths.*

*The Type C carriageway width be widened to a minimum of 5.75metres, (2.3m parking lane, 3m travel lane clear of the parking lane and 0.45metres clear of the kerb alignment). The increased carriageway width will have only a minor impact on the verge widths however the proposed 1.0metre wide verge cannot have its width reduced.*

5. *Details of the design of all footpaths showing that footpaths will be suitable for disabled and older persons to be submitted.*
6. *Details of design of the proposed open space and management of the open space including, but not limited to, liability issues.*
7. *Demonstrated consistency with the principles of ecologically sustainable development as stated in the revised Master Plan addressing the design and location of the buildings, open space and roads.*
8. *Demonstrated compliance with Council's DCP in relation to car parking proposed for the relevant components of the development including adequate spaces for ambulance and service vehicles.*
9. *Details to demonstrate that the requirements of the Department of Land and Water Conservation as outlined in the Departments letter dated 10 March 2003 have been met.*
10. *Details to demonstrate that the requirements of Fisheries NSW as detailed in the Departments letter dated 30 January 2003 have been met.*
11. *Details of measures to promote and achieve energy efficiency in the design, construction and use of housing; promote the use of re-usable, recyclable and renewable resources in construction; promote reductions in energy costs in demolition and construction, promote the use of passive solar design; and protect solar access of each proposed dwelling.*

12. *Stormwater is to be drained to a silt arrestor pit prior to discharging to either an infiltration area or the public stormwater drainage system.*
13. *Details of rainwater storage to be provided and integrated into the building design. Suitably sized tanks are to be designed to meet demands of the building. The storage capacity per dwelling house should be 5,000 L unless demonstrated otherwise, multi-unit dwellings will require site-specific analysis of tank size to meet the internal and external demand needs. Rainwater storage shall incorporate the following:*

*Rainwater storage must be fitted with a first flush rainwater diverter, be suitably enclosed to prevent any animals or sediment entering and must also be childproofed.*

*A dual water supply scheme to trickle top up the tank when rainwater level falls below a minimum level shall be utilised.*

*Rainwater storage must be fitted with appropriate backflow devices, standard air gap separation and flotation devices, in accordance with Sydney Water and manufacturer requirements.*

*Rainwater storage and supporting structure must be visually screened and integrated into the building design.*

*Rainwater storage must be mosquito proofed.*

*Rainwater storage water supply taps and any other fixtures must be marked "Rainwater - Not for human consumption".*

*Rainwater storage must be installed in accordance with manufactures recommendations and relevant Australian Standards, with plumbing work being carried out by a licensed plumber.*

14. *An environmental education toolkit and resource package is to be provided for all residents detailing the design features and maintenance requirements for the sustainability features of the development, such as (but not limited to):*

*rainwater tanks;*

*water conservation devices;*

*solar powered devices;*

*energy conservation devices;*

*composting; etc*

*Where practical maintenance instructions are also to be attached to the particular feature, such as a rainwater tank.*

15. *Details of landscaping and landscape design for the site which will include, but not be limited to, full landscape design details for the creek corridor/riparian zone, street*

*trees and species along Bunnerong Road, Little Bay Road and internal roads.*

16. *An on-site meeting between the proponent and council's bushland staff to identify the remnant bushland vegetation on-site and appropriate assessment of the impact of the proposal on the remnant bushland.*
17. *Details of weed control strategy.*
18. *A public utility impact assessment for 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.*
19. *Details showing all public utility services located within the development site shall be suitably located underground and in compliance with the requirements/conditions imposed by the various service authorities.*
20. *Details of civil works to be undertaken in Bunnerong Road, at the intersection of Bunnerong Road and Little Bay Road and Little Bay Road. The civil works may extend past the Bunnerong Road and Little Bay Road site frontages should this be required to produce a better design solution. The civil works shall include, but not be limited to, kerb and gutter construction, drainage works, road construction/reconstruction works, construction of footpaths, (3metres wide for shared pedestrian cycleways), and construction of traffic control measures. All civil works within Bunnerong Road and Little Bay Road shall be undertaken in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". The applicant will meet the full cost for significant*
21. *Details of the design of sections of the internal roads that connect the development site with Little Bay Road such that the internal roads are clearly identifiable as roads under the proposed community title sub-division.*
22. *Details of road pavements where all road pavements must be designed for a minimum forty-year design life.*
23. *Details of all civil works within the development site carried out in accordance with Council's construction specifications.*
24. *Detailed waste management plan setting out the proposed method for collection of domestic waste for the development site. The applicant shall note that satisfactory collection of domestic waste may require minor alterations/modifications to the proposed road network and or travel lane/footpath/parking lane configuration of the road network.*
25. *The applicant will be required to meet the costs for Council to engage an independent consultant to review the flood study as part of the development application assessment. The flood study will need to be approved prior to the flood levels being adopted and the final floor levels set. It is noted that the floor level of all habitable and storage areas shall be a minimum of 300 mm above the determined 1 in 100 year flood level.*

26. *Consideration be given to applicant shall note that Council may request that an easement be created over the creek (up to the 1 in 100 year flow boundaries). Alternatively, consideration may be given to creating a drainage reserve over the creek, with the DLWC as the nominated responsible authority.*
27. *Consideration be given to Council imposing a positive covenant (and possibly a restriction as to user) over the creek area to ensure that the area is suitable maintained.*
28. *Low points along Little Bay Road and one on Binda Crescent should be drained though pipes sized for the 20 year ARI with provision for overland flow up to the 1 in 100 year storm event. The piped stormwater and overland flow shall be discharged to the creek and easements shall be created over the pipes and overland flow paths.*
29. *Details of the size and location of existing pipelines and easements should be determined especially in view of the fact that the piped stormwater and overland flow shall be discharged to the creek and easements shall be created over the pipes and overland flow paths. The velocity depth restriction of VD 0.4 for a 1 in 100 year storm should be applied along the overland flow paths.*
30. *In accordance with Council's current practises, each new dwelling house will be required to provide a minimum 5 metres square base infiltration area. This will reduce stormwater runoff from the development site during smaller storm events.*
31. *The minor stormwater system should be designed for the 20 year ARI as proposed, and the major system shall cater for flows up to the 100 year ARI.*
32. *Details of a maintenance schedule for the GPT's, bioretention swales and creek. In this regard, as part of ongoing stormwater studies relating to stormwater inundation of areas downstream from the Master Plan site, Council may require the construction of an onsite stormwater detention area in that section of Bunnerong Road immediately west of the development site.*

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

**7. GENERAL BUSINESS.**

Nil.

**8. NOTICE OF RESCISSION MOTIONS.**

Nil.

The meeting closed at 8.05 p.m.

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CHAIRPERSON