

**MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 10TH JUNE, 2003 AT 6:33 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 - Cr C. Matthews

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 and T. Seng

OFFICERS PRESENT:

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

1. APOLOGIES.

Apologies were received from Crs Andrews and White.

RESOLVED: (His Worship the Mayor, Cr D. Sullivan/Schick) that the apologies be received and accepted and leave of absence be granted to Crs Andrews and White from the Health, Building and Planning Committee Meeting of the Council held on Tuesday, 10th June, 2003.

2. MINUTES.

CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 13TH MAY, 2003.

H44 **RESOLUTION:** (Procopiadis/His Worship the Mayor, Cr D. Sullivan) that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 13th May, 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/Backes) that the meeting be adjourned at 6.35 p.m. and be further adjourned at 6.58 p.m.

3. ADDRESSES TO THE COMMITTEE BY THE PUBLIC.

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

5.1 6 BEDFORD PLACE COOGEE

The Applicant Mr Ivan Brown 6 Bedford Place, South Coogee

5.2 24 INMAN STREET, MAROUBRA

The Objector Mr Richard Bobitt 26 Inman Street, Maroubra

5.3 RANDWICK COOGEE (MCIVERS) LADIES BATHS, 151-191R BEACH STREET, COOGEE

The Objector Ms Catherine O'Brien PO Box 28, St Pauls

5.4 2-4 ALEXANDRIA PARADE, SOUTH COOGEE

The Objector Mr Stephen Goddard C/-23 Cairo Street, South Coogee

The Applicant Ms Helen Snyders 4 Alexandria Parade, South Coogee

The meeting was resumed at 7.15 p.m.

4. MAYORAL MINUTES.

4.1 MAYOR'S MINUTE 32/2003 - RANDWICK - FIRST PLASTIC BAG FREE CITY. (98/S/4921)

(Note: This item was considered as the last item of business on the agenda.)

H45 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan)* that Council support the initiative to reduce the use of plastic shopping bags in Randwick City.

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

(Note: This resolution was unanimously carried by Council.)

5. DEVELOPMENT APPLICATIONS.

5.1 DEVELOPMENT APPLICATION REPORT - 6 BEDFORD PLACE, COOGEE. (D/0936/2002)

H46 **RESOLUTION:** *(Bastic/Backes)* that the Council as the consent authority, grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to vary conditions of Development Consent No.396/02 for permission to

carryout alterations and additions to the dwelling at 6 Bedford Place Coogee as follows:-

Condition No.1 is altered to read as follows

- “1. The development must be implemented substantially in accordance with the plans numbered 20/02, dated 29th December 2002 and received by Council on the 6th 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

PROCEDURAL MOTION: (Matson/Greenwood) that this application be deferred to allow for greater consultation with the neighbours to ensure a more satisfactory outcome for all parties. **LOST.**

MOTION: (Bastic/Backes) SEE RESOLUTION.

5.2 DEVELOPMENT APPLICATION REPORT - 24 INMAN STREET, MAROUBRA. (D/0522/2002)

H47 **RESOLUTION: (Bastic/Procopiadis) that:**

A. Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No.522/02 for demolition of the existing dwelling house and to erect a new two storey dwelling house with double garage under at 24 Inman Street, Maroubra for the following reasons:-

1. The proposal does not meet the aims and Residential 2A zoning objectives as stated under Clauses 2(g) and 10(c)of Randwick Local Environmental Plan1998 in that the proposal will have an adverse and unreasonable impact on the amenity of the neighbouring southern property and dwelling at No.26 Inman Street by way of overshadowing and loss of northerly coastal views;
2. The proposal will adversely affect the amenity of the adjoining southern and northern residential properties by way of overlooking from the rear first floor balcony and south facing window openings of the development;
3. The proposal does not meet the objectives and performance requirements or the preferred solutions of Clause 4.2 of Randwick Development Control Plan- Floor Area;
4. The proposal does not meet the objectives and performance requirement P6 of Clause 4.2 of Randwick Development Control Plan- Height, Form and Materials; and
5. Insufficient information has been provided with the application to accurately assess the proposal's impact upon the amenity of the adjoining northern and southern dwellings.

MOTION: (Bastic/Procopiadis) SEE RESOLUTION.

5.3 DEVELOPMENT APPLICATION REPORT - RANDWICK COOGEE (MCIVERS) LADIES BATHS, 151-191R BEACH STREET, COOGEE. (D/0283/2003)

H48 **RESOLUTION:** (*Backes/Bastic*) 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 283/2003 to the upgrading of ladies baths involving construction of a catch drain, reconstruction and repaving of northern stairs, creation of larger grassed areas, relocation and addition of seats, increase height of privacy wall, extended fencing, miscellaneous repairs and upgrading of balustrade fencing, making good disturbed areas at Randwick Coogee (McIvers) Ladies Baths, 151 – 191R Beach Street, Coogee subject to the following conditions:-

1. The development must be implemented substantially in accordance with the plans numbered L01 to L04, L08 and L10 all dated March 03 and received by Council on 8 April 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.
2. The colours, materials and finishes of the external surfaces to the development are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the street scape.

Details of the proposed colours, materials and textures (ie. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of Planning & Community Development, 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. Ballustrading to stairs and landings or the like, which is greater than 4m above the surface below is to be constructed with vertical members with no greater than 125mm gaps between the members.
4. All new steps within the proposal are to be treated to ensure that they have a non-slip surface.
5. The proposed bench on the southern side of the site (located near the open shower) is to be relocated to a position where it will not affect the privacy of patrons showering, swimming or sunbaking and where it will not adversely impact on the natural flora and fauna of the site.
6. Two garbage bins are to be provided within the site in Waste Management.
7. The existing rock face, both natural and previously cut should be maintained with minimal interference. The proposed drainage slot between the new stairway and the cliff face is to be formed by excavation of the existing stone beneath the path level, and allowed to naturally oxidise due to the effects of surface water runoff.

8. *Where construction of stairways involves the removal of existing stair formations, care should be taken to maintain the underlying mass concrete footings, near the bottom of the stairway, that relate closely to the masonry of the main pool wall.*
9. *New concrete paving is to be of a soft sandy colour, rather than the strong grey white colour of Portland cement. New concrete paving should incorporate bush sand or other means of providing a colour finish to match the existing rock face and aged concrete.*

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:

10. *The use and operation of the baths shall not give rise to an environmental health or public nuisance.*
11. *There are to be no emissions or discharges from the baths which will give rise to an offence under the Protection of the Environment Operations Act 1997 and Regulations.*

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

12. *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:

13. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993.*
14. *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.*
15. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
16. *The building works are to be inspected by the Principal Certifying Authority (or other suitably qualified person, to the satisfaction of the Principal Certifying Authority), to monitor compliance with the relevant standards of construction and Council's development consent.*
17. *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).*

18. *Documentary evidence of the building inspections carried out and compliance with Council's approval is to be maintained by the Principal Certifying Authority.*
19. *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.*
20. *All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property.*
21. *Retaining walls or shoring must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land, if the soil conditions require it, and adequate provisions are to be made for drainage.*
22. *Retaining walls and shoring are to be designed and installed in accordance with the relevant requirements of the Building Code of Australia and Australian Standards and details of any proposed retaining walls are to be submitted to the Principal Certifying Authority for consideration prior to installation.*
23. *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.*
24. *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.*
25. *The use of any rock excavation machinery or any mechanical pile drivers is restricted to the hours of 8.00am to 5.00pm (maximum), Monday to Friday inclusive and from 8.00am to 1.00pm on Saturday, to minimise the noise levels during construction and loss of amenity to nearby residents.*
26. *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.

27. *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.*
28. *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.*
29. *Public safety and convenience must be maintained at all times during demolition, excavation and construction works.*
30. *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.*
31. *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.*
32. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*
33. *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;*
 - *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;*

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.

34. *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*
35. *Details of the proposed sediment control measures must be submitted to and approved by the principal certifying authority **prior to the commencement of any site works.** The sediment and erosion control measures must be implemented prior to the commencement of any site works and a copy of the approved details must be made available to Council officers upon request.*
36. *Details of proposed sediment and erosion control measures shall include; a site plan; indicating the slope of land, access points & access control measures, location and type of sediment & erosion controls, location of existing vegetation to be retained, location of material stockpiles and storage areas, location of building operations and equipment.*
37. *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.*
38. *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.*
39. *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.*
40. *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.*
41. *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.

ADVISORY MATTERS:

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*

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

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.

ADVISORY NOTE:

That the additional issues of shading, external showers and the security of belongings on the premises be referred to the Ladies Baths Committee for consideration.

MOTION: (Backes/Bastic) SEE RESOLUTION.

5.4 DEVELOPMENT APPLICATION REPORT - 2-4 ALEXANDRIA PARADE, SOUTH COOGEE. (D/0937/2002)

H49 **RESOLUTION: (Backes/Notley-Smith) that:**

- A. *Council as the responsible authority grant its development consent as a Deferred Commencement under Section 80 (3) of the Environmental Planning and Assessment Act 1979 (as amended), to Development Application No. 937/02 for demolition of existing pergola and addition of a family/meals room, master bedroom, bathroom, balcony and terrace over two levels at 2 – 4 Alexandria Parade, South Coogee subject to the following condition:-*

Deferred Commencement Conditions

The consent is not operate until the following matter has been submitted to and approved by the Director of Planning and Community Development:-

The proposed blade wall to the western side of the balcony to Bedroom 4 and its associated roof shall be deleted. An amended plan detailing the above changes must be submitted to and approved by Council's Director of Planning & Community Development.

Evidence required to satisfy this condition must be submitted to Council within 6 months of the date of this consent.

Development Consent Conditions

Subject to compliance with the deferred commencement condition, to the satisfaction of the Director of Planning and Community Development, development consent is granted under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) subject to the following conditions:-

REFERENCED PLANS

1. *The development must be implemented substantially in accordance with the plans numbered 0123 DA 01 to 0123 DA03, dated 25 March 2003 and received by Council on 26 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:*
2. *The following security deposit requirements are to be complied with **prior to the commencement of any works**, 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 and defect on such public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:*
 - a) \$600.00 - Security damage deposit
 - b) \$450.00 - Vehicular crossing deposit

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:

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

*Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of Planning & Environment, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979 **prior to commencement of any building works.***
4. *The consumption of water within the building shall be minimised by the use of triple A rated water efficient plumbing fixtures (taps and shower roses) and water efficient dual flush toilets. Details of compliance are to be provided in the construction certificate plans or specifications.*
5. *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.*

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

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

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

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

- 7 *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.*

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

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

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

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

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

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

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

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

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:

- 10 *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in force at 1 July, 1993.*
- 11 *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.*
- 12 *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.*
- 13 *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
- 14 *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

- 15 *A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the **following stage/s of construction:***

- (a) *On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying the building has been constructed at the approved levels.*

- 16 *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*
- 17 *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

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

- 18 *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.*
- 19 *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.*
- 20 *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.*

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

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

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

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

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

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

A *ADVISORY MATTERS:*

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

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

- | | | | |
|----|-----------------|---|---------------------------|
| a) | <i>Part 3.1</i> | - | <i>Site preparation</i> |
| b) | <i>Part 3.2</i> | - | <i>Footings and slabs</i> |

c)	Part 3.3	-	Masonry construction
d)	Part 3.4	-	Framing (floors, walls and roofs)
e)	Part 3.5	-	Roof and wall cladding
f)	Part 3.6	-	Glazing
g)	Part 3.7	-	Fire safety
h)	Part 3.7.1	-	Fire separation
i)	Part 3.7.2	-	Smoke alarms
j)	Part 3.7.3	-	Heating appliances
k)	Part 3.8	-	Health and amenity
l)	Part 3.8.2	-	Room heights
m)	Part 3.8.3	-	Facilities
n)	Part 3.8.4	-	Natural and artificial lighting
o)	Part 3.8.5	-	Ventilation requirements
p)	Part 3.8.6	-	Sound insulation
q)	Part 3.9	-	Safe movement and access
r)	Part 3.9.2	-	Balustrades, design, location and height
s)	Part 3.11	-	Structural design manuals

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

A2 *The applicant is advised that the development consent plans do not indicate compliance with the deemed-to-satisfy provisions of the Building Code of Australia and compliance may necessitate variations to the development consent plans. In this regard, any variations which alter the configuration, size, for, layout or design of the building, may necessitate an amendment to the development consent (or a new development application), and Council's Building Surveyor or an Accredited Certifier should be consulted prior to the lodgement of an application for a **Construction Certificate**.*

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

AMENDMENT: (Whitehead/Greenwood) that the length of the addition be reduced by moving the northern wall back 1 metre to reduce the loss of views at 23 Cairo Street, Coogee.
LOST.

5.5 DEVELOPMENT APPLICATION REPORT - 100-120 KING STREET, RANDWICK. (D/0551/2002)

H50 **RESOLUTION: (Bastic/Procopiadis) that:**

A. *Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to modify Development Consent 551/2002 to amend the design comprising changes to internal floor level heights and layout, alterations to external building form, changes to the setback of the building to King Street, relocation of the building footprint westward, changes to internal accessways, and rearrangement of basement carpark layout including provision of 2 additional carparking spaces at 100-120 King Street, Randwick in the following manner:*

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

“1. The development must be implemented substantially in accordance with the plans numbered A001 Issue C, A101 Issue D, A102 Issue D, A103 Issue D, A104 Issue D, A105 Issue D, A106 Issue D, A201 Issue D, A202 Issue D dated 12 June 2002 and received by Council on 13 June 2002, amended plans A101 Issue D-1, A102 Issue D-1, A103 Issue D-1, A104 Issue D-1, A105 Issue D-1, A106 Issue D, A201 Issue D-1, A202 Issue D dated 12 June 2002 received by Council on 15 October 2002, and Section 96 plans numbered A101 Issue H, A102 Issue H, A103 Issue H, A104 Issue H, A105 Issue H, A106 Issue F, A201 Issue F, and A202 Issue F, and the application form, and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:”

2. *That Condition No. 121 be amended to read as follows:*

“121. The landscaped areas shown on the plan number DA-L02 Rev. C dated 7 February 2003 shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, the certifying authority, prior to the issue of a construction certificate for the building/s. The landscape drawings and specifications are to be prepared by a qualified Landscape Architect who is eligible for membership with the Australian Institute of Landscape Architects (AILA). The documentation is to include:

a. A site plan at an appropriate scale showing existing site boundaries, existing trees within the property (clearly identified as being retained or removed), existing street trees (clearly identified as being retained or removed), features on adjoining sites within 6 metres of the common property boundary (buildings, trees, other structures etc), council’s footway, existing and proposed ground levels shown as spot heights and/or contours over the site, at site boundaries, and at the base of the tree/s to be retained, proposed building envelope, proposed areas of pavement, and proposed landscaped areas.

The plan shall clearly show the position, canopy spread (location of dripline), trunk diameter, height and names of all existing trees upon the site and adjoining sites within 6 metres of the common property boundary which are likely to be affected by the development.

b. A planting plan at a scale of 1:100 or 1:200 indicating the location of all proposed planting and existing trees to be retained. All plants are to be drawn at their mature size with a dense planting of shrubs, accent plants and ground covers within all garden beds so that a continuous planted cover is achieved. Plant spacings are to be clearly indicated for all accent and groundcovers.

c. A planting schedule listing all plants by botanic & common names, plant numbers, plant spacings for groundcovers and accent planting, pot sizes, the estimated size of the plant at maturity (height & spread) and proposed staking methods when applicable.

- d. *Additional notation showing soil and mulch details, irrigation details, edging, paving, fencing details, surface finishes, retaining wall details, and any other landscape elements in sufficient detail to fully describe the proposed landscape works.*
 - e. *Position of existing and proposed site services including water, gas, electricity, sewer, stormwater, etc.*
 - f. *Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.*
 - g. *All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape plans.*
 - h. *The plan shall respect the prevailing coastal influences and the coast's special design considerations and requirements, and shall be designed accordingly. Generally, species selection shall be restricted to local indigenous coastal species.*
 - i. *Location of easements within the site and upon adjacent sites (if any)".*
3. *That the following conditions be added as follows:*
- "134. The Construction Certificate for the subject site shall show the following details and be submitted to Council for approval:*
- a. *The entry/exit point in King Street be redesigned so as to have a 1.00m wide traffic island located between the entry & exit points of this driveway for a distance of 6.00m within the site. The split entry and exit internal roadways are to have minimum clear widths of 3.50m wide each*
 - b. *Car space No1 of the south carpark be relocated within the carpark and the northern entrance to the south carpark redesigned to allow 2-way traffic flow (minimum clear width 5.50m).*
 - c. *The proposed storage areas at the eastern end of the south carpark be redesigned/relocated to allow the proposed turning area at this location to work efficiently.*
 - d. *The Dangar Street entrance be 4.00m wide (clear width) for a distance of 6.00m along the internal roadway prior to narrowing to minimum of 3.50m before intersecting with the northern approach to the south carpark.*
 - e. *The western end of the Dangar Street internal roadway where it intersects with the King Street internal roadway be narrowed to a width of 3.50m and clearly signposted "No Entry" from the King Street internal road into the Dangar Street internal road.*

- f. The northern entrance road to the south carpark at its intersection with Dangar Street be signposted “Left Turn Only” to ensure vehicles exiting the south carpark along this internal road are aware of traffic flows.”*

MOTION: (Bastic/Procopiadis) SEE RESOLUTION.

6. GENERAL BUSINESS.

Nil.

7. NOTICE OF RESCISSION MOTIONS.

Nil.

The meeting closed at 7.40 p.m.

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CHAIRPERSON