

**MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 14TH OCTOBER, 2003 AT 6:47 P.M.**

PRESENT:

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

North Ward	-	Crs J. Greenwood and P. Tracey
South Ward	-	Cr C. Matthews
East Ward	-	Crs F. Backes (from 8.37 p.m.), B. Notley-Smith and M. Matson
West Ward	-	Crs P. Schick, M. Whitehead and J. Procopiadis
Central Ward	-	Crs C. Bastic and A. Andrews (Deputy Chairperson) (In the Chair)

OFFICERS PRESENT:

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

1. APOLOGIES.

Apologies were received from Crs Daley, Seng and White.

RESOLVED: (Notley-Smith/Procopiadis) that the apologies be received and accepted and leave of absence be granted to Crs Daley, Seng and White from the Health, Building and Planning Committee Meeting of the Council held on Tuesday, 14th October, 2003.

2. MINUTES.

CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 9TH SEPTEMBER, 2003.

H81 **RESOLUTION:** (*Schick/Notley-Smith*) that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 9th September, 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/Schick) that the meeting be adjourned at 6.49 p.m. and be further adjourned at 8.03 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 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 77/2003 - 61 HIGH ST RANDWICK. (PRINCE OF WALES HOSPITAL) SECTION 96 MODIFICATION TO CONSENT TO DELETE CONDITIONS 6, 7, 8, 10 AND 11.

The Applicant Mr Richard Smyth 330 Wattle Street, Ultimo.
(Planning Consultant)

5.2 DEVELOPMENT APPLICATION REPORT - 98-104 BEACH STREET, COOGEE.

The Objector Mr Alexander Burack 29 Arcadia Street, Coogee.

5.3 DEVELOPMENT APPLICATION REPORT - 801-899 BUNNERONG ROAD, CHIFLEY.

The Applicant Mr Peter Neads 11 Prince Edward Street, Malabar.
(Chairman, Chifley Athletic Reserve Trust)

5.4 DEVELOPMENT APPLICATION REPORT - 60 ROBEY STREET, MAROUBRA.

The Applicant Mr Igor Ferdman 60 Robey Street, Maroubra

5.5 DEVELOPMENT APPLICATION REPORT - 48 ROBEY STREET, MAROUBRA.

The Applicant Mr Anthony Reid 48 Robey Street, Maroubra.

5.6 DEVELOPMENT APPLICATION REPORT - 4 WISDOM STREET, COOGEE.

The Objector Ms Phoebe Hoy 2 Wisdom Street, Coogee.

The Applicant Mr John Scerri 4 Wisdom Street, Coogee.

5.7 DEVELOPMENT APPLICATION REPORT - 19 TORRINGTON ROAD, MAROUBRA.

The Applicant Mr Michael Grimshaw 92 Robey Street, Maroubra.

**5.8 DEVELOPMENT APPLICATION REPORT - 18A FIGTREE AVE,
RANDWICK.**

The Objector Mr Peter Murtagh 18A Figtree Avenue, Randwick.

**5.9 DEVELOPMENT APPLICATION REPORT - 212 COOGEE BAY ROAD,
COOGEE.**

The Objector Mr Bruce Grimshaw Junior 2/208 Coogee Bay Road, Coogee.

The Applicant Mr Jim Dimitrio 46 St Paul's Street, Randwick.

**6.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
80/2003 - MAROUBRA JUNCTION TOWN CENTRE - DRAFT LOCAL
ENVIRONMENTAL PLAN (AMENDMENT NO. 33) AND DRAFT
DEVELOPMENT CONTROL PLAN 2003.**

Against Mr Gregors Zylber 10-12 Clarke Street, Crows Nest.
 Mr Garry Gronstein 2 Crystal Street, Petersham.
 Ms Christina Gutierrez 183 Maroubra Road, Maroubra.

The meeting was resumed at 8.36 p.m.

4. MAYORAL MINUTES.

4.1 MAYORAL MINUTE 58/2003 – RAINWATER TANK POLICY. (98/S/5118)

H82 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council adopt the Rainwater Tank Policy and associated guidelines attached to the Director of Planning and Community Development's Report H031002-DPE-1294.*

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

**4.2 MAYORAL MINUTE 60/2003 – 33 - 149 BUNDOCK STREET, RANDWICK.
P/017126**

H83 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that as the resolution adopted at the Ordinary Council Meeting held on 27th September, 2003 has been complied with, no further action should be taken at this stage.*

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

**4.3 MAYORAL MINUTE 61/2003 - COASTCARE WEEK ACTIVITIES
PROGRAM. (98/S/0310)**

H84 **RESOLUTION:** *(His Worship the Mayor, Cr D. Sullivan) that Council:*

- a) *Facilitate a local summer activity program during Coast Care Week, 1st to 7th December 2003;*
- b) *Identify \$900 to cover external professional services and expenses incurred in providing the programs;*

- c) *Notify the Sydney Coastal Councils Group of Council's proposed summer activity program for regional promotion purpose; and*
- d) *Send a letter of thanks to Professor Bruce Thom and Ms Rebecca Hamilton expressing Council's thanks for offering their professional services to the community at no charge.*

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

5. DEVELOPMENT APPLICATIONS.

5.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 77/2003 - 61 HIGH ST RANDWICK (PRINCE OF WALES HOSPITAL) SECTION 96 MODIFICATION TO CONSENT TO DELETE CONDITIONS 6, 7, 8, 10 AND 11. (D/0494/2001)

H85 **RESOLUTION: (Bastic/Procopiadis)** *that Council approves the Section 96 modification to delete conditions 6, 7, 8, 10 and 11 of development consent 494/2001.*

MOTION: (Bastic/Procopiadis) SEE RESOLUTION.

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

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

5.2 DEVELOPMENT APPLICATION REPORT - 98-104 BEACH STREET, COOGEE. (D/0448/2002)

H86 **RESOLUTION: (Backes/His Worship the Mayor, Cr D. Sullivan)** *that:*

- A. *Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No D/0448/2002 for the establishment of footway restaurants, extension of trading hours, and use of coolrooms at rear of the site at 98-104 Beach Street, Coogee, subject to the following conditions:-*

REFERENCED PLANS:

1. *The development must be implemented substantially in accordance with the plan prepared New Age Constructions dated May 2002 and received by Council on 5 June 2003 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. *The part of the application relating to the footway dining shall be deleted from*

the application for the following reasons;

- a. *The footway dining proposal does not comply with requirements of the Development Control Plan – Restaurants on Public Road, Footways, Airspaces above Roads and Public Land*
- b. *Insufficient information has been provided on the nature of the proposed terrace structures over the existing footpath and compliance with Part D3 of the Building Code of Australia and AS1428.1 in relation to access for persons with disabilities.*
- c. *The increase in number of seats for footway dining from ten (10) to thirty two (32) persons is considered excessive and is likely to have a detrimental impact upon the amenity of the nearby residents due to their close proximity.*
- d. *The increase in footway dining hours from 9:00pm to 10:00 & 10:30pm is likely to have an impact upon the amenity of nearby residents due to the additional noise that will be generated.*

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:

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

In this regard, the operation of the plant and equipment (from the premises at 98 – 104 Beach Street Coogee) is not to give rise to a sound pressure level at any point on a residential boundary or within any residential dwelling. that exceeds the background (LA90), 15 min noise level measured in the absence of the noise sources under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq, 15 min and adjusted in accordance with Environmental Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content, in accordance with the relevant provisions of the NSW Environmental Protection Authority’s Environmental Noise Control Manual, Industrial Noise Policy 2000 and The Protection of the Environment Operations Act 1997.

4. *An acoustic report is to be submitted to and accepted in writing by Council prior to the commencement of the extended hours of operation and prior to the issuing of a construction certificate for the building works.*

The report is to be prepared by a suitably qualified and experienced consultant in acoustics and the report and assessment is to be completed in accordance with relevant Australian Standards, the Protection of the Environment Operations Act 1997, NSW Environmental Protection Authority Industrial Noise Policy and conditions of Council’s approval.

The report is to include (but not be limited to);

- a) *an assessment;*

- i. *of the background noise level (LA90) during the day, evening and night periods.*
 - ii. *of all plant and equipment located at 98 – 104 Beach Street during the times of operation. This is to incorporate the use of the three occupancies, when plant and equipment is operated singularly and combined.*
 - iii. *at the most affected residential locations (having regard to the local topography / building levels)*
 - b) *a plan detailing the location of all plant and equipment;*
 - c) *clearly and specifically detailing any noise attenuation measures required.*
5. *The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance.*
6. *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.*
7. *The hours of the operation of 100 – 104 Beach Street are restricted to:-*
- Sunday to Thursday: 9:00am – 9:30pm*
Friday & Saturday: 9:00am – 10:30pm

All food services to customers shall only be provided within the abovementioned hours of operation and all patrons must vacate the premises within 30 minutes of the specified hours.

- 8. *The bi – fold doors at the front of the premises are to be closed at 9:30pm, Sunday to Thursday and 10:30pm, Friday & Saturday.*

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

- 9. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of the certifying authority.*
- 10. *All waste materials must be collected by Council’s Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales. Details of the proposed waste service for the site are to be submitted to Council **prior to occupation of the building.***
- 11. *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.***
- 12. *The garbage storage area is to be fitted with a hose cock and the floor is to be graded and drained to an approved floor waste connected to the sewer.*

Approval is to be obtained from Sydney Water

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

13. *The premises is to be designed and constructed in accordance with Council's Food Premises Code and Food Safety Standards Code under the Food Act 1989 and details of compliance are to be included in the plans and specification for the **construction certificate** to the satisfaction of the certifying authority.*

In the event of conflict between the Food Safety Standards and Council's Food Premises Code, the Food Safety Standards will prevail.

14. *Council is to be notified upon completion or 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 and prior to occupation of the alterations / additions.***

15. *The design and construction of the food premises must comply with the following requirements, as applicable:-*

- *The floors of the food preparation areas, storage areas and the like are to be constructed of materials, which are impervious, light coloured, 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, pipe work, cupboards, counters, bars etc to be supported on wheels or 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*

particleboard 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.*
 - *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 must be easily accessible to refrigerators, cool rooms, other cooling appliances and bain maries or other heated food storage/display appliances.*
 - *Provide adequate light fittings and diffusers within the kitchen/preparation and storage areas.*
16. *No food preparation / cooking is to be conducted within the rear food storage area.*
17. *Food safety practices and operation of the food premises must be in accordance with the Food Act 1989 and the Food Safety Standards Code at all times, including the requirements and provisions relating to:*
- *Food handling – skills, knowledge and controls.*
 - *Health and hygiene requirements.*
 - *Requirements for food handlers and businesses.*
 - *Cleaning, sanitising and maintenance.*
 - *Design and construction of food premises, fixtures, fitting and equipment.*

The following condition is to be applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

18. *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 condition is to be applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

19. *External walls having a minimum Fire Resistance Level of 180/180/180 and being of face brick construction to ensure ready maintenance being provided to the northern, southern and western sides of the rear addition and full details being included on the required plans for a **construction certificate**.*

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:

20. *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.*
21. *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.*
22. *The building works are to be inspected by the Principal Certifying Authority (or other suitably qualified person, approved by the Principal Certifying Authority), to monitor compliance with the relevant standards of construction and Council's development consent.*

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

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

Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person, approved by 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.*
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. *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.*
 25. *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.*

26. *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.*
27. *Public safety and convenience must be maintained at all times during demolition, excavation and construction works.*

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.

Any damage caused to the road or footway must be repaired immediately, to the satisfaction of Council.

28. *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.*
29. *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.*
30. *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.*
31. *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.

32. *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.*
33. *The footpath within and adjacent to the footway dining area must be maintained in a clean condition, free from grease, foodstuffs, litter and waste materials at all times.*

The footpath must be cleaned thoroughly on a regular basis, in a manner that is environmentally satisfactory and waste receptacles (eg. ash trays) must be provided within the area for customers.

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

AMENDMENT: (Whitehead/Matthews) that the cool room enclosure be built using brick. **LOST.**

AMENDMENT: (Matson/Greenwood) that the existing opening hours of both the Rice Restaurant and the Pizza Restaurant be retained as they currently are. **LOST.**

5.3 DEVELOPMENT APPLICATION REPORT - 801-899 BUNNERONG ROAD, CHIFLEY. (D/0891/2001)

H87 **RESOLUTION: (Procopiadis/Schick)** that this matter be deferred until a response is received from the resolution of Councillors Daley and White at the Ordinary Council Meeting held 23rd September, 2003, and until after the meeting between Councillor Daley and the Premiers Department in order to assist the Chifley Athletic Reserve Trust to obtain funding to carry out the works required.

MOTION: (Procopiadis/Schick) SEE RESOLUTION.

5.4 DEVELOPMENT APPLICATION REPORT - 60 ROBNEY STREET, MAROUBRA. (D/0312/2003)

H88 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan/Procopiadis)** that:

A. Council's original determination of Development Application No. 0312/2003 dated 15 May 2003 to construct a hardstand carparking space at the front of the existing dwelling at 60 Robney Street, Maroubra, be confirmed for the following reasons:

1. *The proposed hardstand carspace does not satisfy the objectives and performance requirements of the DCP for Dwellings and Attached Dual Occupancies in that the carspace being sited at the front of the dwelling will detract from the appearance of the dwelling and the streetscape.*
2. *The proposed hardstand carspace does not comply with the preferred solutions of the DCP for Dwellings and Attached Dual Occupancies in that the structure will occupy more than 35% of the width of the allotment and does not meet the minimum dimension requirements for carparking structures.*
3. *Due to the inadequate length of the proposed parking space, some vehicles may extend beyond the property boundary and onto Council's land. The potential exists for injury by parked vehicles of persons using Council's land for pedestrian purposes.*
4. *Approval would not be in the public interest in that it would set a poor and inappropriate precedent for that part of the western side of the Robney Street streetscape that is between O'Sullivan Avenue and Chichester Street.*
5. *The proposal will remove at least one on-street car parking space from Council's road, which is undesirable and not in the public interest.*

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

5.5 DEVELOPMENT APPLICATION REPORT - 48 ROBNEY STREET, MAROUBRA. (D/0181/2003)

H89 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan/Procopiadis) that:**

- A. *Council's original determination of Development Application No. 0181/2003 dated 12 May 2003 to construct a new vehicular crossing and hardstand carparking space at the front of the existing dwelling at 48 Robey Street, Maroubra, be confirmed for the following reasons:*
- 1. The proposed hardstand carspace does not satisfy the objectives and performance requirements of the DCP for Dwellings and Attached Dual Occupancies in that the carspace being sited at the front of the dwelling will detract from the appearance of the dwelling and the streetscape.*
 - 2. The proposed hardstand carspace does not comply with the preferred solutions of the DCP for Dwellings and Attached Dual Occupancies in that the structure will occupy more than 35% of the width of the allotment and does not meet the minimum dimension requirements for carparking structures.*
 - 3. Due to the inadequate length of the proposed parking space, some vehicles may extend beyond the property boundary and onto Council's land. The potential exists for injury by parked vehicles of persons using Council's land for pedestrian purposes.*
 - 4. Approval would not be in the public interest in that it would set a poor and inappropriate precedent for that part of the western side of the Robey Street streetscape that is between O'Sullivan Avenue and Chichester Street.*
 - 5. The proposal will remove at least one on-street car parking space from Council's road, which is undesirable and not in the public interest.*

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

5.6 DEVELOPMENT APPLICATION REPORT - 4 WISDOM STREET, COOGEE. (D/1156/2002)

H90 **RESOLUTION: (Backes/Whitehead) 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 1156/02/GA for alterations and first floor addition at 4 Wisdom Street, Coogee, subject to the following conditions:-*
- 1 The development must be implemented substantially in accordance with the plans having Project No. 00102 and numbered Page 2, Amendment D, dated 10th July 2003 and received by Council on the 29th July, 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 rendered walls and metal roof shall be a neutral colour and non reflective, with balcony balustrades transparent. 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 & Community Development, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979 **prior to commencement of any building works.***

3 *The first floor rear balcony shall be reduced in length along its western elevation by 1.7m and the BBQ relocated to minimise the trafficable length of the balcony along the western elevation and shall be shown as such on the construction certificate plans prior to the approval of the construction certificate.*

4 *The planter shown on the western edge of the first floor balcony is deleted and the balustrade shall be located 1m to the east of the western edge of the first floor rear balcony to minimise view loss from 2 Wisdom Street. Details of such shall be shown on the construction certificate plans **prior to the approval of the construction certificate.***

5 *Windows on the western elevation shall be opaque glass to ensure satisfactory levels of privacy.*

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

7 *The fence on the street alignment and on the side boundaries in front of the building line are to be a maximum height of 1.8m and designed so that the upper two thirds are at least 50% open at any point, to maintain reasonable levels of amenity to the adjoining residential development and the streetscape. Details demonstrating compliance shall be submitted prior to the issue of the construction certificate.*

8 *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.*

9 *Any gate openings shall be constructed so that the gates, when hung, will be fitted in such a manner that they will not open over the footway or public place.*

10 *All plumbing and drainage pipes, other than rainwater heads, gutters and*

downpipes, must be concealed within the building.

- 11 *Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.*
- 12 *A single common television aerial, and/or satellite dish (having a maximum diameter of 700mm and not located on the front or street elevation of the building) is to be installed to serve the development.*
- 13 *The finished ground levels external to the building are to be consistent with the development consent and are not to be raised (other than for the provision of paving or the like on the ground) without the written consent of Council.*
- 14 *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.*

The following conditions are imposed to promote ecologically sustainable development and energy efficiency.

- 15 *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 noted in the construction certificate plans or specifications.*
- 16 *External timber or metal framed and brick veneer walls and roofs are to be provided with insulation (i.e. bulk insulation and a reflective building membrane/reflective sarking/foil insulation), having a minimum total thermal resistance R-value of 3.0 in roofs and 1.5 in external walls. The insulation and reflective building membrane is to be installed in accordance with the relevant requirements of the Building Code of Australia and the manufacturers details.*

Details of compliance with the requirements for insulation are to be noted in the construction certificate application.

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:

- 17 *Surface water/stormwater must be drained and discharged to the street gutter or a suitably designed absorption pit and details are to be included in the construction certificate details for the development.*

Absorption pits or soaker wells must be located not less than 3m from any adjoining premises and the stormwater must not be directed to any adjoining premises or cause a nuisance.

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 & Community Development 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:

- 18 *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.

- 19 *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.*
- 20 *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.*
- 21 *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.*
- 22 *In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

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

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

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

- has been informed of the person's name and owner-builder permit number, or*
- has been given a declaration, signed by the owner of the land that states that the market cost of the labour and materials involved in the work does not exceed \$5,000.*

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

- 23 *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.*

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

- 24 *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.*
- 25 *Driven type piles/shoring must not be provided unless a geotechnical engineer's report is submitted to the certifying authority, prior to the issuing of a construction certificate, which demonstrates that damage should not occur to any adjoining premises and public place as a result of the works.*

Any practices or recommendations specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises or land must be fully complied with and incorporated into the documentation for the construction certificate.

- 26 *The installation of ground or rock anchors underneath any adjoining premises including (a public roadway or public place) must not be carried out without specific written consent of the owners of the affected adjoining premises and (where applicable) details of compliance must be provided to the certifying authority prior to the commencement of any excavation or building works.*
- 27 *A dilapidation report prepared by a professional engineer or suitably qualified and experienced building surveyor shall be submitted to the certifying authority prior to the commencement of demolition, excavation or building works detailing the current condition and status of all buildings, including ancillary structures (i.e. including dwellings, residential flat buildings, commercial/industrial building, garages, carports, verandahs, fences, retaining walls, swimming pools and driveways etc.) located upon:*
- a) *all of the premises adjoining the subject site to the west.*

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

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

- 28 *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.*

29 *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.*

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

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

Documentary evidence of the building inspections carried out and details of compliance with Council's approval is to be maintained by the Principal Certifying Authority. Details of critical phase inspections carried out and copies of certification relied upon, shall be forwarded to Council with the occupation certificate or, upon finalisation of works if no occupation certificate is issued.

31 *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 supported to prevent them from being dangerous to life, property or buildings.*

Retaining walls, shoring or piling 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 and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Retaining walls, shoring, or piling must be designed and installed in accordance with appropriate professional standards and the relevant requirements of the Building Code of Australia and Australian Standards. Details of proposed retaining walls, shoring or piling are to be submitted to and approved by the Principal Certifying Authority for the development prior to commencing such excavations or works.

32 *If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must:*

- *preserve and protect the building /s on the adjoining land from damage; and*
- *if necessary, underpin and support the building and excavation in an approved manner; and*
- *at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land (including a public road or public place), give notice of the intention to do so to the owner of the adjoining land. Particulars of the excavation are to be provided to the owner of the adjoining land and also the owner of the land where the building is being erected or demolished.*

- 33 *A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the following stage/s of construction:*
- a) *Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and verifying that the building is being construction at the approved levels.*
 - b) *On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying the building has been constructed at the approved levels.*
- 34 *Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.*
- 35 *All building, demolition and associated site 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.*
- 36 *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.*

Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy, prepared by a suitably qualified consultant is to be implemented during the works, to the satisfaction of the Principal Certifying Authority.

- 37 *Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy, prepared by a suitably qualified consultant is to be implemented during the works, to the satisfaction of the Principal Certifying Authority.*
- 38 *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

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

39 *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.*

40 *Public safety and convenience must be maintained at all times during demolition, excavation and construction works.*

The roadway, footpath and nature strip must be maintained in a good, safe condition and free from any obstructions, materials, soils or debris at all times. Any damage caused to the road, footway or nature strip must be repaired immediately, to the satisfaction of Council.

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

41 *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.*

42 *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.*

43 *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".*

44 *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.*

45 *Stockpiles of soil, sand, aggregate or other materials must not be located on any footpath, roadway, nature strip, drainage line 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, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.

46 *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.

- 47 *Public safety must be maintained at all times and 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, safe and be constructed in a professional 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.*

- 48 *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.

- 49 *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for*

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

- 50 *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**.*

The following conditions are applied to ensure adequate environmental protection and occupational health and safety.

- 51 *All hazardous or intractable wastes and materials (including asbestos) shall be removed and disposed of in accordance with the requirements of WorkCover NSW and the Environmental Protection Authority, and with the provisions of:*

- *Occupational Health and Safety Act 2000*
- *Occupational Health and Safety (Hazardous Substances) Regulation 2001*
- *Occupational Health and Safety (Asbestos Removal Work) Regulation 2001; and*
- *The Protection of the Environment Operations Act 1997 and relevant Environmental Protection Authority Guidelines*

- 52 *Prior to demolition of any building constructed before 1970, the person acting on this consent shall submit a Work Plan prepared in accordance with Australian Standards AS260-2001, Demolition of Structures by a suitably qualified person. The Work Plan shall outline the identification of any hazardous materials, including materials containing asbestos and surfaces coated with lead paint and the plan should detail the method of demolition, the precautions to be employed to ensure public safety and to minimise any dust nuisance and methods of disposal of any hazardous materials. A copy of the work plan is to be forwarded to the Council prior to commencing such works.*

- 53 *The removal, cleaning and disposal of any lead-based paints must be carried out in accordance with the relevant provisions of AS2601-2001, Demolition of Structures, The Protection of the Environment Operations Act 1997 and the requirements and guidelines of the Environmental Protection Authority.*
- 54 *All site works shall comply with the occupational health and safety requirements of WorkCover NSW.*

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

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

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

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

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

ADVISORY MATTERS:

- A1 *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.

- A2 *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.*

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

MOTION: (Matson/Greenwood) that Council grant development consent subject to the standard conditions outlined in the Director's Report with an additional condition of consent which reads "that the north-west corner of the first floor be set back southward an extra one metre and the southern boundary of the site remain as proposed." **LOST.**

MOTION: (Backes/Whitehead) SEE RESOLUTION.

5.7 DEVELOPMENT APPLICATION REPORT - 19 TORRINGTON ROAD, MAROUBRA. (D/1167/2002)

H91 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan/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 No.. 1167/2002 on property 19 Torrington Road, Maroubra in the following manner:*

1. Amend Condition No. 1 to read:

1. *The development must be implemented substantially in accordance with the plans numbered DA1a-DA5a and DA7a, dated August 2002 and received by Council on 14 March 2003, plan numbered DA6 and DA13 dated November 2002 and received by Council on 12 December 2002 and two sheets of amended draft strata plans stamped received by Council on 31 March, 2003, the application form and on any supporting information received with the application, as amended by the Section 96 plans numbered DA1b- DA7b of Job Number 0289 dated Aug 2002 and stamped received by Council on 16 September, 2003, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, except as may be amended by the following conditions and as may be shown in red on the attached plans*

Condition 42 added to read:

42. *Any proposed roof materials shall not be reflective. Details of compliance shall be provided with the construction certificate.:*

Advisory Conditions

1. *The applicant must still comply with all original conditions of consent 1167/02.*

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

5.8 DEVELOPMENT APPLICATION REPORT - 18A FIGTREE AVE, RANDWICK. (D/0397/2002)

H92 **RESOLUTION: (Tracey/Schick) that:**

A. *Council as the responsible authority refuse its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No.397/02/GA on property 18A Figtree Ave Randwick for the following reasons:*

1. *The proposed modification will result in a proposal substantially different from that originally approved therefore under Section 96 (2) of the Environmental Planning and Assessment Act 1979 Council is unable to approve the application.*

2. *The proposed modification to the colour and finish to the roof of the semi-detached dwelling is considered to be inconsistent with objectives and performance requirements of Development Control Plan Dwelling Houses and Attached Dual Occupancies Part 4.3 Height, Form and Materials in that the modifications are seen to detract from the individual character and appearance of the existing dwelling and do not integrate with the streetscape and the adjoining semi-detached dwelling.*
3. *Approval of modifications lodged as part of this application would result in an unacceptable precedent being established in the locality.*
4. *The proposal is not in the public interest.*

MOTION: (Tracey/Schick) SEE RESOLUTION.

5.9 DEVELOPMENT APPLICATION REPORT - 212 COOGEE BAY ROAD, COOGEE. (D/0028/2003)

H93 **RESOLUTION: (Tracey/Backes)** *that this matter be deferred to the next Health, Building & Planning Committee Meeting to allow for mediation to take place between the applicant and objector, such discussions to be facilitated by the Director, Planning & Community Development.*

MOTION: (Tracey/Backes) SEE RESOLUTION.

6. MISCELLANEOUS.

6.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 78/2003 - REQUIREMENTS FOR DUAL OCCUPANCIES AND SUBDIVISIONS PROVISIONS. (98/S/0897)

H94 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan/Procopiadis)** *that Council:*

- a) *Endorse the proposed further investigations and comprehensive review of dual occupancy provisions in Randwick City;*
- b) *Resolve, under Section 72 of the Environmental Planning and Assessment Act 1979 (as amended) to prepare a draft Development Control Plan to review the Dwelling Houses and Attached Dual Occupancies Development Control Plan; and*
- c) *Resolve to review Council's Subdivision Code (Policy 6.01.22) as part of this dual occupancy review.*

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

6.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 80/2003 - MAROUBRA JUNCTION TOWN CENTRE - DRAFT LOCAL ENVIRONMENTAL PLAN (AMENDMENT NO. 33) AND DRAFT DEVELOPMENT CONTROL PLAN 2003. (98/S/2550)

H95 **RESOLUTION: (Bastic/Matthews)** *that this report be deferred to the next Health, Building*

& Planning Committee Meeting to allow the speakers that addressed tonight's meeting and the Chamber of Commerce to make submissions to Council within the next two weeks.

MOTION: (Bastic/Matthews) SEE RESOLUTION.

**6.3 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT
81/2003 - SYDNEY AIRPORT MASTERPLAN - RANDWICK CITY
COUNCIL SUBMISSION. (98/S/5057)**

H96 **RESOLUTION: (His Worship the Mayor, Cr D. Sullivan/Bastic) that:**

- a) *Council endorse the attached submission and its recommendations, to be forwarded to the Federal Minister for Transport and Regional Services and Sydney Airport Corporation Limited in response to the Draft Sydney Airport Master Plan exhibition; and*
- b) *The attached submission will be forwarded to SSROC for their information and consideration in the regional submission being prepared in response to the Draft Sydney Airport Master Plan exhibition.*

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

7. GENERAL BUSINESS.

Nil.

8. NOTICE OF RESCISSION MOTIONS.

Nil.

The meeting closed at 9.38 p.m.

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CHAIRPERSON