

**MINUTES OF ORDINARY COUNCIL MEETING OF  
THE COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY 22<sup>ND</sup> JUNE, 2004 AT 6:24 P.M.**

**PRESENT:**

His Worship the Mayor, Cr. M. Matson (East Ward) (Chairperson)

Councillor B. Notley-Smith (East Ward) (Deputy Mayor)

North Ward	-	Cr M. Woodsmith
South Ward	-	Crs R. Belleli, M. Daley & A. White
East Ward	-	Cr D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews, C. Bastic (from 6.48 p.m.) & T. Seng

**OFFICERS PRESENT:**

General Manager	Mr. G. Messiter.
Director Asset & Infrastructure Services	Mr. M. Savage.
Director Planning & Community Development	Ms. S. Truvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Public Officer	Mr. P. Smith.
Communications Manager	Ms. D. Brien.
Manager, Policy, Planning & Performance	Ms. K. Walshaw.

**1. COUNCIL PRAYER**

The Council Prayer was read by Cr Belleli.

**1a. LEAVE OF ABSENCE.**

Leave of Absence has been granted to Cr Tracey until 23 June, 2004.

**2. APOLOGY.**

An apology was received from Cr Kenny.

**RESOLVED:** (Notley-Smith/Procopiadis) that the apology be received and accepted and leave of absence be granted to Cr Kenny from the Ordinary Council Meeting held on Tuesday, 22<sup>nd</sup> June, 2004.

**3. MINUTES**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 25<sup>TH</sup> MAY, 2004.**

- 114 **RESOLUTION:** *(Notley-Smith/White)* that the Minutes of the Ordinary Council Meeting held on Tuesday, 25<sup>th</sup> May, 2004 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 1<sup>ST</sup> JUNE, 2004.**

- 115 **RESOLUTION:** *(Notley-Smith/Nash)* that the Minutes of the Extraordinary Council Meeting held on Tuesday, 1<sup>st</sup> June, 2004 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 8<sup>TH</sup> JUNE, 2004.**

- 116 **RESOLUTION:** *(Notley-Smith/Hughes)* that the Minutes of the Extraordinary Council Meeting held on Tuesday, 8<sup>th</sup> June, 2004 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

**RESOLVED: (Notley-Smith/Procopiadis)** that the meeting be adjourned at 6.25 p.m. to permit members of the public entitled and wishing to address the assembled Councillors.

**4. ADDRESSES TO THE COUNCIL BY THE PUBLIC.**

1. Mr Lindsay Fletcher, PO Box 715, Miranda, on Item 9.1, Director Planning & Community Development's Report No. 36/2004 – 308-310 Arden Street & 3 Alexander Street, Coogee.
2. Mr Gregor Zylber, 103/10-12 Clark Street, Crows Nest, on Item 9.3, Director Planning & Community Development's Report No. 38/2004 – 9 French Street, Maroubra.
3. Mrs Margery Whitehead, 10 Inglethorpe Avenue, Kensington, on Item 9.5, Director Planning & Community Development's Report No. 40/2004 – 8 Inglethorpe Avenue, Kensington.
4. Mr Eduardo Rotunno, 181 Holt Road, Taren Point, on Item 9.5, Director Planning & Community Development's Report No. 40/2004 – 8 Inglethorpe Avenue, Kensington.

(Cr Bastic attended the meeting at this stage, the time being 6.48 p.m.)

The Meeting was further adjourned at 6.15 p.m.

The meeting was resumed at 7.08 p.m.

**5. MAYORAL MINUTES.**

**5.1 MAYOR'S MINUTE 39/2004 - WAIVING OF FEES - SURFING NSW STATE OPEN SURFING TITLES. (98/S/1411)**

117 **RESOLUTION: (His Worship the Mayor, Cr M. Matson) that:**

- a) *Council vote \$1,186.00 to cover the fees associated with the event to be held at Maroubra Beach on the weekend of 3rd, 4th and 5th September, 2004, and funds be allocated from the Councillors Donations Vote for 2004/05; and*
- b) *The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.*

**MOTION: (His Worship the Mayor, Cr M. Matson) SEE RESOLUTION.**

**5.2 MAYORAL MINUTE 41/2004 – CAROLS AT COOGEE BEACH. (98/S/3057)**

118 **RESOLUTION: (His Worship the Mayor, Cr M. Matson) that:**

- a) *Council continue to provide financial support for the Coogee Carols, and allocate the Australia Day Festival budget to the Carols at Coogee; and*
- b) *Council waive all Council fees associated with organising the Coogee Carols.*

**MOTION: (His Worship the Mayor, Cr M. Matson) SEE RESOLUTION.**

**5.3 MAYORAL MINUTE 42/2004 - WATER CONSERVATION. (98/S/4508)**

119 **RESOLUTION: (His Worship the Mayor, Cr M. Matson) that a report be prepared for Frank Sartor, Minister for Energy and Utilities by 10 July 2004.**

**MOTION: (His Worship the Mayor, Cr M. Matson) SEE RESOLUTION.**

**6. GENERAL MANAGERS' REPORTS.**

**6.1 GENERAL MANAGER'S REPORT 14/2004 - COUNCIL'S SEAL ON SALE OF LAND - SUB STRATUM GARAGES VICTORY ST CLOVELLY AND PART OF ROAD RESERVE LITTLE BAY ADJOINING PRINCE HENRY HOSPITAL SITE. (R/0744/00 xr R/0031/01)**

120 **RESOLUTION: (Sullivan/Notley-Smith) that:**

- a) *Council's Seal be affixed to the application to transfer the title of Lots 1-4 DP1064600, road verge on Anzac Parade Little Bay;*
- b) *Council's Seal be affixed to the application to transfer the title of Lot 5 DP 1061335, substratum adjoining 4 Victory St Clovelly;*
- c) *Council's Seal be affixed to the application to transfer the title of Lot 4 DP 1061334, substratum adjoining 6 Victory St Clovelly;*
- d) *Council's Seal be affixed to the application to transfer the title of Lot 3 DP 1061333, substratum adjoining 8 Victory St Clovelly; and*
- e) *Council's Seal be affixed to the application to transfer the title of Lot 2 DP 1061336, substratum adjoining 10 Victory St Clovelly.*

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

**6.2 GENERAL MANAGER'S REPORT 15/2004 - RENTAL DETERMINATION & AFFIXING OF THE COUNCIL SEAL TO LEASE BETWEEN RANDWICK CITY COUNCIL AND THE BENEVOLENT SOCIETY. (P/007530)**

121 **RESOLUTION:** *(Sullivan/White) that:*

- a) *Authority is granted for Council to enter into a lease agreement with the Benevolent Society over the property at 23 Adina Avenue, Phillip Bay for a ten (10) year period at a documented rental of \$52,800.00 (increased annually by C.P.I.). Further, the lease agreement will note that Council will provide a rental subsidy with an actual rental of \$1 per annum to be charged, increased annually by C.P.I.;*
- b) *Authority be granted for a clause to be incorporated into the agreement, requiring six (6) months notice to terminate should either party wish to cancel the agreement; and*
- c) *Upon finalisation of the lease agreement, amended to include the above conditions, that Council's Seal be affixed to the agreements between the Council and The Benevolent Society in relation to a ten (10) year lease for the purpose of an aged care facility at 23 Adina Avenue, Phillip Bay.*

**MOTION: (Notley-Smith/White)** that the recommendation in the General Manager's Report No. 15/2004 be adopted.

**AMENDMENT: (Sullivan/White) SEE RESOLUTION.**

**6.3 GENERAL MANAGER'S REPORT 16/2004 - AFFIXING THE COUNCIL SEAL. (P/012293 xr P/001879 xr 98/S/1526 xr 98/S/2994)**

122 **RESOLUTION:** *(Notley-Smith/Procopiadis) that authority be granted for the Council's Common Seal to be affixed to the agreements between Council and:*

- a) *Pat Miller (T/As Sydney Carvery) in relation to a licence for the purpose of outdoor dining at 236 Coogee Bay Road, Coogee;*
- b) *Yaowalug Rojpalakorn (T/As Nooddi Nooddi) in relation to a licence for the purpose of outdoor dining at 31 St. Pauls Street, Randwick;*
- c) *Gordons Bay Amateur Fishing and Volunteer Sea Rescue Club Inc. in relation to a licence of land comprised in Certificate of Title Folio Identifier 1/108165, more particularly described as the parcel of land including Fishing Club, Boat Ramps and Storage area situated within Gordons Bay;*
- d) *Maroubra Swimming Club Inc. in relation to a licence to use the Clubhouse at the Des Renford Aquatic Centre; and*
- e) *Eastern Suburbs Swimming Association in relation to a licence to use the Clubhouse at the Des Renford Aquatic Centre.*

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

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

**7.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 28/2004 - TENDER FOR SOUTH SYDNEY - CENTENNIAL PARK DRAINAGE CATCHMENT STUDY AND SHEAS CREEK - VICTORIA BRANCH STORMWATER INFRASTRUCTURE PLAN FOR THE GREEN SQUARE REDEVELOPMENT AREA. (T018/04)**

123 **RESOLUTION:** (*Notley-Smith/Hughes*) that:

- a) *Council accept the tender from Webb McKeown & Associates Pty Ltd for the South Sydney - Centennial Park Drainage Catchment Study & Sheas Creek – Victoria Branch Stormwater Infrastructure Plan for the Green Square Redevelopment Area;*
- b) *Approval is granted to allow the General Manager and Mayor to sign and affix the official Seal of Council to the contract documents; and*
- c) *Randwick City Council re-allocates the balance of funds from its 2004/2005 Drainage Budget to fund any shortfall in its share of the joint catchment management project.*

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

**7.2 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 29/2004 - RESIDENTS PERMIT PARKING - COOGEE BEACH. (98/S/2714)**

124 **RESOLUTION:** (*Sullivan/Notley-Smith*) that:

- a) *The recommendations of the Coogee On-Street Parking Report be adopted in principle;*
- b) *The proposal be referred to the Randwick Traffic Committee for concurrence; and*
- c) *The proposal be placed on public display.*

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

125 **RESOLVED: (PROCEDURAL MOTION): (Bastic/Andrews)** that Motion Pursuant to Notice No. 11.4 be brought forward and be dealt with at this stage of the meeting. See Minute No. 139.

**7.3 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 30/2004 - MCIVERS LADIES BATHS - CONSTRUCTION OF POOL ENTRY STEPS AND ASSOCIATED LANDSCAPE TENDER NO. T010/04. (98/S/5581 PT 1 & PT 2)**

126 **RESOLUTION:** (*Notley-Smith/Sullivan*) that:

- a) *The tender from Glascott Group P/L ACN 001 281 572, for the - McIVERS LADIES BATHS CONSTRUCTION OF POOL ENTRY STEPS AND ASSOCIATED LANDSCAPE TENDER No. T 010/04 for the lump sum price of \$138 550 (excl GST)*

*under s19 (1) (a) of the Local Government (Tendering) Regulation 1999 be accepted;*

- b) Authority is granted for Council's Common Seal to be affixed to the Agreement for the McIVERS LADIES BATHS CONSTRUCTION OF POOL ENTRY STEPS AND ASSOCIATED LANDSCAPE TENDER No. T 010/04 with the Glascott Group P/L ; and*
- c) The unsuccessful tenders are notified of the tender result.*

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

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

**8.1 DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORT – 15/2004 – COUNCILLORS' MOBILE PHONES – COUNCILLORS' EXPENSES & PROVISION OF FACILITIES POLICY. (98/S/0090)**

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

- a) Part 3, 4 & 5 of the Council's Policy on the Payment of Expenses & Provision of Facilities, No. 1.03.10, be amended:*
  - (i) to place a limitation of \$150 as the maximum cost of calls per month to be borne by Council for each Councillor's usage of the Council provided mobile phone;*
  - (ii) to place no limitation on the monthly mobile phones call cost for the Mayor and Deputy Mayor;*
  - (iii) to include reference to the requirement for utilisation of the "Call Select" (\*) or other mobile provider's facility which allows for private mobile phone calls made by Councillors to be segregated for billing purposes and which allow the raising of Sundry Debtors accounts relating to such private use.*
- b) The restriction of the current mobile phone carriers for Councillors be removed to allow Council to participate with other carriers which may offer on-going attractive capped or other rates; and*
- c) The Policy Register be updated accordingly.*

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

**8.2 DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORT – 16/2004 – DELEGATIONS OF AUTHORITY. (98/S/1238)**

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

- a) Following a review of its delegations as required by Section 380 of the Local Government Act, Randwick City Council pursuant to Section 377 of the Local Government Act, and subject to compliance with all Council policies and lawful directions made by Council or any public authority, hereby delegates to the General*

*Manager authority to exercise or perform on behalf of Council all the powers, authorities, duties and functions as detailed on the Policy Document No. 2.01.04, subject to in:*

- (i) *RA001 in paragraph (p) delete “Food Act, 1989 & Regulations” and insert “Food Act 2003 & Regulations”*
  - (ii) *RN001 – in paragraph (a) delete the whole of the paragraph and insert (a)” to issue under Part 5 of the Food Act 2003, improvement notices and prohibition orders for premises or equipment”*
  - (iii) *RN001 – in paragraph (b), delete “Food Act 1989” and insert “Food Act 2003”*
- b) *Council notes that, in accordance with Section 378 of the Local Government Act, the General Manager may sub-delegate any of those powers, authorities, duties and functions to other staff; and*
- c) *The Policy Register be updated accordingly.*

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

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

### **9.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 36/2004 - 308-310 ARDEN ST AND 3 ALEXANDER ST COOGEE. (D/0420/2003)**

- 128 **RESOLUTION:** *(Daley/White) that this item be deferred for a period of three weeks to allow for clarification and relevant consultation to take place between the applicant and Council staff and the matter be placed on the agenda of the next Health, Building & Planning Committee Meeting.*

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

### **9.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 37/2004 - 33 OBERON STREET, RANDWICK. (D/0183/2003)**

- 129 **RESOLUTION:** *(Sullivan/Andrews) that 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. 03/00183 on property 33 Oberon Street, Randwick in the following manner:*

- *Amend Condition No. 1 to read:*

*The development must be implemented substantially in accordance with the plans number 3, job no.909, dated 20/5/2003 and received by Council on 29/5/2003, and plans numbered 1 and 2, job no.909B, dated 30/05/2004 and received by Council on 3 June 2004, 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 and, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application:*

- Amend Condition No. 3 to read:

*The proposed fence to Lion Street is to be a maximum height of 1.2m between the proposed front building alignment and Oberon Street.*

- Delete condition No. 5.

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

**9.3 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
38/2004 - 9 FRENCH STREET, MAROUBRA. (D/0159/2004)**

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

- A. Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 159/2004 for Demolition of existing residential flat building, subdivision of the land into two allotments and construction of a freestanding dwelling house with basement garage on each of the new allotments at 9 French Street, Maroubra subject to the following conditions:-
1. *The development must be implemented substantially in accordance with the plans numbered Job Number 0278 and drawing numbers 01A-04A drawn by Ercole Palazzetti PtyLtd, dated November 2003 and stamped received by Council on 25 May 2004, 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 subdivision of the subject property into two allotments shall be registered with the Land Titles Office prior to the issue of a Construction Certificate for the construction of the dwellings. This condition is imposed to ensure the proposal maintains permissibility in the 2(a) zone.*

***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 terrace to the study on the ground floor of house 1 is to be a maximum of 2 metres in length. Likewise, the terrace to the living area of this house is to be a maximum of 6.22 metres wide. The area between the two terraces is to be made non-trafficable or be made into a planter box of sufficient depth to maintain screen planting to a minimum height of 1.2 metres from finished floor level. The area of the first floor balcony outside the dressing room (approximately 2 metres by 2 metres in area) is to be made non-trafficable or replaced with a planter box of sufficient depth to maintain screen planting to a minimum height of 1.2 metres from finished floor level. This condition is imposed to prevent visual privacy impacts on the adjoining properties to the south.*
4. *The fence on the French Street street alignment is to be a maximum height of 1.8m and be designed so that the upper two thirds of the fence is at least 50%*

*open, to maintain reasonable levels of amenity to the adjoining residential development and the streetscape.*

- 5. The existing sandstone wall on the Little Street frontage is to be re-used on the Little Street boundary of the site to maintain the existing character of the street and to minimise the refuse generated by construction.*
- 6. There must be no encroachment of any part of the structures onto the adjoining premises or onto Council's road reserve, footway or public place.*
- 7. 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.*
- 8. All plumbing and drainage pipes, other than rainwater heads, gutters and downpipes, must be concealed within the buildings.*
- 9. Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.*

*In this regard, prior to occupation of the buildings, an application must be submitted to and approved by Council's Director Planning & Community Development, together with the required fee, for the allocation of an appropriate street number/s to the development.*

- 10. The garages shall not be let, adapted or used for separate occupation or commercial purposes*
- 11. No cooking facilities or sanitary fittings other than those indicated on the approved plans are to be installed in the premises without the prior written consent of the Council.*
- 12. Power supply and telecommunications cabling to the development shall be underground.*
- 13. Internal or external clothes drying facilities are to be provided in accordance with the provisions of the Building Code of Australia.*

*Should external clothes drying facilities be provided, the facilities must be adequately screened by vegetation and details are to be incorporated into the landscaping plans, to the satisfaction of the certifying authority.*

- 14. The hot water system installed in the development must achieve a minimum greenhouse score of 3.5 as detailed SEDA's Energy Smart Homes Policy. Any electric clothes dryers to be provided in the development must also have a minimum 2 star energy rating.*
- 15. Landscaping shall be provided to the site to enhance its amenity and reduce the impact of the development upon neighbouring properties. A landscape plan shall be submitted to and approved by the Director of Planning & Community Development, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, prior to a construction*

*certificate being issued.*

*Landscaped areas must contain a predominance of species that require minimal watering once established or species with water needs that match rainfall and drainage conditions.*

*Landscaped areas must include an area and facilities dedicated for onsite composting and porous paving should also be used in all pathways, wherever practicable, to maximize on-site absorption of rainwater and details are to be provided on the landscape plans.*

- 16.** *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 a construction certificate being issued for the relevant building works.*

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

- 17.** *The development must be designed and constructed to achieve a minimum energy efficiency NatHERS rating of 3.5 stars or equivalent and a NatHERS certificate or equivalent, prepared by a suitably qualified person, is to be submitted to the certifying authority with the **construction certificate** application.*

*The design of the building must be consistent with the development consent and any proposed variations to the building to achieve the energy efficiency rating may necessitate a new or amendment to the development consent prior to the issuing of a construction certificate.*

- 18.** *The consumption of water within the building shall be minimised by the use of triple A rated water efficient plumbing fixtures (taps and shower roses) and water efficient dual flush toilets. Details of compliance are to be noted in the **construction certificate** plans or specifications.*

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

- 19.** *Hot water service pipes are to be provided with insulation and must also satisfy any relevant requirements of Building Code of Australia and AS 3500.*
- 20.** *A rainwater tank, of sufficient size to provide water for irrigation of landscaped areas, toilet flushing, clothes washing (cold water tap only) within the development, is to be provided to the development in accordance with Council's Rainwater Tank Policy*

*The tank is to be located a minimum of 500mm from the side boundaries and is to*

*have a maximum height of 2.4 metres. The tank is to be installed behind the front building line and is to be located at ground level and be incorporated into the relevant construction certificate plans, to the satisfaction of the Certifying Authority.*

*The noise level from the pump is not to exceed 5dBA above ambient background noise, measured at the property boundary and the pump must not be audible within any dwelling located upon any other premises between 10pm and 8am.*

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

- 21. 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.*

- 22. 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.*
- 23. 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.*
- 24. 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.*
- 25. 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.*
- 26. In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

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

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

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

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

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

27. *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:***

28. *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 located upon:*

- *All of the premises adjoining the subject site*

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

29. *A report shall be prepared by a professional engineer and submitted to the certifying authority **prior to the issuing of a construction certificate**, detailing the proposed methods of excavation, shoring or pile construction, including details of vibration emissions. The report, must demonstrate the suitability of the proposed methods of construction to overcome any potential damage to nearby land/premises and the report is to detail any possible damage which may occur to adjoining or nearby premises that may be caused by the proposed building, excavation and shoring works.*

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

*A copy of the engineers report is to be submitted to the Council, if the Council is not the certifying authority.*

30. *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.***

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

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

32. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***
33. *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.*
34. *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.*

*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 the relevant site management, public safety and sediment and erosion requirements specified in Council's consent are being satisfied.*

35. *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.*

**36.** *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.*

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

- a) *Prior to construction of the footings or first completed floor slab (prior to the pouring of concrete), showing the area of the land, building and boundary setbacks and verifying that the building is being constructed 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.*

**38.** *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.*

**39.** *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.*

- 40. 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.*

- 41. 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.*
- 42. 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.*

- 43. 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.*
- 44. 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.*
- 45. 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".*
- 46. 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.*

- 47. During demolition excavation and construction works, dust emissions must be minimised, so as not to result in a nuisance to nearby residents or result in a potential pollution incident.*

*Adequate dust control measures must be provided to the site prior to the works commencing and the measures and practices must be maintained throughout the demolition, excavation and construction process, to the satisfaction of Council.*

*Dust control measures and practices may include:-*

- *Provision of geotextile fabric to all perimeter site fencing (attached on the prevailing wind side of the site fencing).*
  - *Covering of stockpiles of sand, soil and excavated material with adequately secured tarpaulins or plastic sheeting.*
  - *Installation of a water sprinkling system or provision hoses or the like.*
  - *Regular watering-down of all loose materials and stockpiles of sand, soil and excavated material.*
  - *Minimisation/relocation of stockpiles of materials, to minimise potential for disturbance by prevailing winds.*
  - *Revegetation of disturbed areas.*
- 48. 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.*

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

*Details of the proposed temporary fences located upon the site are to be submitted to the principal certifying authority and the public safety provisions and temporary fences must be in **place prior to the commencement** of any demolition, excavation or building works and be maintained throughout construction.*

*If it is proposed to locate any hoardings, site fencing or amenities upon a footpath or public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.*

**49.** *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.*

*All soil and water management measures must be maintained at all times throughout demolition, excavation, building and site works and a copy of the soil and water management plan is to be kept on-site and be made available to Council officers upon request.*

**50.** *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*

**51.** *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.*

**52.** *The applicant/builder is required to hold Public Liability Insurance, with a minimum liability of \$5 million and a copy of the Insurance cover is to be provided to Council prior to commencement of works.*

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

**53.** *The building is required to be provided with a smoke alarm system complying with Clause 3 of Specification E2.2a of the B.C.A.*

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

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

- a) \$2000.00 - Security damage deposit
- b) \$2000.00 - Vehicular crossing deposit.

*The damage deposit may be provided by way of a cash or cheque with the Council and is refundable upon a satisfactory inspection by Council that no damage has occurred to the Council assets such as roadway, kerb, guttering, drainage pits footway, or verge . The applicant is to advise Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.*

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

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

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

*The French Street Frontage:*

- a) *Construct a concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site.*
- b) *Remove the redundant concrete vehicular crossing and layback and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.*
- c) *Re-construct a kerb and gutter and associated road reconstruction works for the full site frontage except opposite the vehicular entrance and exit points.*
- d) *Construct a 1.3m wide concrete footpath along the full site frontage. The footpath shall be located behind the kerb. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.*

*The Little Street Frontage*

- e) *Construct a concrete vehicular crossing and layback at kerb opposite the*

*vehicular entrance to the site.*

56. *The Occupation Certificate is not to be issued for either of the proposed dwellings until all the required civil works have been completed and all public roads and reserves must be satisfactorily restored.*
57. *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.*
58. *The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.*
59. *Along the Little Street frontage where it is proposed to have retaining walls along the boundary. All walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level for a distance of 1.50m within the site or splayed 1.5 metre by 1.5 metre to provide satisfactory sight lines. Details are to be submitted to the Certifying Authority prior to the release of the construction certificate showing compliance with this condition.*

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

60. *The Council's Department of Asset & Infrastructure Services has inspected the above site and have determined that the design alignment level (concrete/paved/tiled level) at the property boundary for driveways, access ramps and pathways or the like, shall be:*

*For the French Street Frontage:  
750 mm below the top of the kerb.*

*For the Little Street Frontage:  
Match the top of the kerb.*

*Any enquiries regarding this matter should be directed to Council's Assets & Infrastructure Services Department on 9399 0923.*

61. *The design alignment levels issued by Council and their relationship to the roadway/kerb/footpath must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.*

62. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$770.00 calculated at \$27.50 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.*
63. *The top of footings of any structures constructed on the boundary alignment must be at least 150mm below the alignment level as specified for the vehicular access. This condition has been attached to accommodate future footpath construction at this location.*

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

64. *A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.*
65. *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.*
66. *A Section 73 Compliance Certificate under the Sydney water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92.*

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

*The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.*

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

67. *Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be submitted to and approved by the certifying authority prior to a construction certificate being issued for the development. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issue, if the Council is not the certifying authority. The drawings and details shall include the following information:*

- a) *A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.*
  - b) *A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system. This may involve either connection to the Council's street gutter, or into a Council stormwater pit. Note: All proposals should indicate the location of the closest Council stormwater pit and line regardless of the point of discharge. This information can be obtained by a visual inspection of the area and perusing Council's drainage plans.*
  - c) *Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. above the 1 in 20 year storm) to the proposed drainage system.*
  - d) *The separate catchment areas within the site, draining to each collection point or surface pit are to be classified into the following categories:*
    - i. *Roof areas*
    - ii. *Paved areas*
    - iii. *Grassed areas*
    - iv. *Garden areas*
  - e) *Where buildings abut higher buildings and their roofs are "flushed in" to the higher wall, the area contributing must be taken as: the projected roof area of the lower building, plus one half of the area of the vertical wall abutting, for the purpose of determining the discharge from the lower roof.*
  - f) *Proposed finished surface levels and grades of car parks, internal driveways and access aisles which are to be related to Council's design alignment levels.*
  - g) *The details of any special features that will affect the drainage design e.g. the nature of the soil in the site and/or the presence of rock etc.*
  - h) *All stormwater run-off naturally draining to the site must be collected and discharged through this property's stormwater system. Such drainage must, if necessary, be constructed prior to the commencement of building work.*
- 68.** *On-site detention (OSD) must be provided on each of the proposed allotments if the site is not subdivided prior to the commencement of works on the site. On-site detention must be provided on one allotment if the site is subdivided prior to the commencement of works on the site. The Assets, Infract structure*

*and Services Department requires the subdivision to be approved by Council and registered with the Land and Property Information division, Department of Lands, for the site to be subdivided.*

*This is to ensure that the maximum discharge from the OSD burdened allotment/s, must not to exceed that which would occur during a **1 in 10** year storm of 1 hour duration for the existing site conditions. All other stormwater run-off from the above site for all storms up to the 1 in 20 year storm is to be retained on the site for gradual release to the kerb and gutter or drainage system as required by the Director of Assets and Infrastructure Services. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.*

*For small areas up to 0.5 hectares, determination of the required cumulative storage must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Run-off Volume 1, 1987 Edition.*

*Where possible the detention tank must have an open base to infiltrate stormwater to the groundwater. Note that the ground water and any rock stratum has to be a minimum of 2.0 metres below the base of the tank.*

- 69. All site stormwater leaving the Little Street frontage allotment must be discharged by gravity to the kerb and gutter or drainage system at the front of the property.*
- 70. All site stormwater from the French Street frontage allotment must be discharged by gravity via a private drainage easement through the Little Street frontage allotment to the kerb and gutter or drainage system. This condition is required to provide a satisfactory overland flow route should a storm in excess of the above parameters occur. The overland flow path through the private drainage easement shall be designed to contain the overland flow wholly within the private drainage easement.*
- 71. A "restriction as to user and positive covenant" shall be placed on the title of the subject property prior to the issuing of a final occupation certificate. Such restriction and positive covenant shall relate to the onsite stormwater detention system and shall not be released, varied or modified without the consent of the Council.*

*Notes:*

- a. The "restriction as to user and positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout for the restriction and positive covenant may be obtained from Council's Asset and Infrastructure Services Department.*
- b. The linen plans shall indicate the location and dimensions of the detention/infiltration areas.*

*This condition is to ensure that no works which could affect the design function of the detention system are undertaken without the prior consent (in writing) from Council.*

- 72. The detention area must be regularly cleaned and maintained to ensure it functions as required by the design.*

73. *The stormwater detention area must be suitably signposted where required, warning people of the maximum flood level.*
74. *The floor level of all habitable and storage areas adjacent to the detention area must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be constructed.*

*(In this regard, it must be noted that this condition must not result in any increase in the heights or levels of the building. Any variations to the heights or levels of the building will require a new or amended development consent from the Council prior to a construction certificate being issued for the development).*

75. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*
76. *Should a pump system be required to drain any portion of the site the system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump wet well shall be sized for the 1 in 100 year, 2 hour storm assuming both pumps are not working.*

*The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private Stormwater Code.*

77. *A work-as-executed plan prepared and signed by the hydraulic engineer or a registered surveyor, and approved by an accredited certifier, must be submitted to Council's Director of Asset and Infrastructure Services prior to the issuing of an occupation certificate, detailing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. The outlet pipe from the detention basin to its connection with Council's drainage system, must be indicated on this plan in conjunction with the following information:*

- a) *location*
- b) *pipe diameter*
- c) *gradient*
- d) *pipe material i.e. PVC or EW etc*
- e) *orifice size (if applicable)*

78. *A sediment/silt arrester pit must be provided:-*

- a) *within the site at or near the street boundary prior to the site stormwater discharging by gravity to the kerb/street drainage system; and*
- b) *prior to stormwater discharging into any absorption system.*

*The sediment/silt arrester pit shall be constructed with:-*

- *The base of the pit located a minimum 300mm under the invert level of the*

outlet pipe.

- *The pit must be constructed from cast in-situ concrete, precast concrete or double brick.*
- *The grate is to be a galvanised heavy-duty grate that has a provision for a child proof fastening system.*
- *A minimum of 4 x 90 mm diameter weep holes located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating located over the weep holes.*
- *A galvanised heavy-duty screen (Lysaght RH3030 Maximesh or similar) located over the outlet pipe. (Similar to a Mascot GRC stormwater discharge control pit, product code DS3SDC).*
- *A child proof and corrosion resistant fastening system for the access grate (e.g. similar to a Weldlock spring loaded jay-bolt).*
- *The inlet pipeline located on the side of the pit so that the stormwater will discharge across the face of the screen.*
- *A sign adjacent to this pit stating that:*

*“This sediment/silt arrester pit shall be regularly inspected and cleaned.”*

**Note:** *Sketch details of a standard sediment/silt arrester pit can be obtained from Council’s Drainage Engineer.*

79. *Any Absorption Trenches/Pits must be designed in accordance with "Section 8.5 ABSORPTION TRENCHES" as stipulated in Randwick City Council's Private Stormwater Code.*
80. *All drainage details for the site shall be prepared by a suitably qualified hydraulic consultant who shall, at the completion of the works, certify that the drainage works have been constructed in accordance with the approved drainage plans.*

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

81. *Prior to the credited certifier issuing an occupation certificate for the proposed development the applicant is to contact Council’s Manager of Waste in regards to meeting Council’s requirements for waste services to the additional residence/dual occupancy*

**The following conditions are applied to satisfy the provisions of Council’s environmental plans, policies and codes for subdivision works:**

82. *The applicant shall create suitable right of carriageway, easements for services and internal stormwater lines, as required. The applicant shall be advised that the minimum easement width for any internal stormwater line is*

0.9 metres.

83. *Prior to release of the Plan of Subdivision the applicant shall provide Council with a subdivider/developer certificate for the proposed lots. The certificate is obtained from Sydney Water.*
84. *The applicant shall provide Council with a survey plan of the property prior to receiving subdivision approval.*

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

85. *Landscaping shall be provided to the site to enhance its amenity and reduce the impact of the development upon neighbouring properties. A landscape plan shall be submitted to and approved by the Director of Planning & Community Development, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, **prior to a construction certificate being issued.***
86. *The landscape plan shall be at an appropriate scale and shall show 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.*

87. *The plan shall also include additional notation such as 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.*
88. *Landscaped areas must contain a predominance of species that require minimal watering once established or species with water needs that match rainfall and drainage conditions.*
89. *In order to provided reasonable levels of screening and privacy between this site and adjacent properties, the landscaping plan shall give due consideration to perimeter planting around the site that is capable of attaining a minimum height at maturity of 3 metres.*
90. *The landscaping shall be installed in accordance with the approved documentation prior to the issue of a final occupation certificate and shall be maintained in accordance with those plans.*
91. *The landscape plan shall show a minimum number of 4 x 25 litre broad*

*canopied trees (not palms) suitably located within the site. The trees selected shall be of a species that attain a minimum height of 6 metres at maturity.*

- 92. 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.*
- 93. If trees are to be used in planter boxes or over slab as indicated, the applicant will be required to reasonably demonstrate (by the use of supporting documentation) that the proposed soil depth, soil width and tree species proposed are appropriate and sustainable. Details are to be provided for the construction certificate application.*
- 94. 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 that require minimal watering once established or species with water needs that match rainfall and drainage conditions.*
- 95. The naturestrip upon Council's footway shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu Turf or similar. Such works shall be installed prior to the issue of a final Occupation Certificate.*
- 96. 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.*
- 97. In order to visually 'soften' the expanses of hard pavement, brick unit pavers, stencilled concrete or similar shall be used throughout the driveway areas on the site. Such details shall be shown on the detailed engineering documentation and shall include all structural design details including pavement/subgrade thickness.*

*Such details shall be in accordance with the relevant Australian Standard and shall be submitted to, and approved by, the Principal Certifying Authority, prior to the issue of the Construction Certificate.*

- 98. The applicant shall submit a total payment of \$159.50 to Council,
  - a. Being the cost for Council to supply and install 1 x 45 litre street tree (Banksia integrifolia, Coastal Banksia) to the north of the proposed driveway on French Street at the completion of all works (\$145.00 + GST)**

*The contribution shall be paid into Fee Code 525 at the Cashier on the Ground Floor of the Administrative Centre **prior to an occupation certificate being issued for the development.***

*The applicant shall present the receipt at the Asset and Infrastructure Services*

*counter on the First Floor to organise for the works to be undertaken.*

- 99.** *The applicant shall be required to ensure the retention and long term health of all trees located on adjoining properties adjacent to the proposed development. As a general guide there shall be minimal excavation or root pruning within the driplines of the subject trees.*
- 100.** *Permission is granted for the selective pruning of overhanging branches from the following trees located on the adjoining property to the south.*
- a. One Citharexylum spinosum (Fiddlewood, number 3 on plan)*
  - b. One Toona australis (Red Cedar, number 4 on plan)*
  - c. One Allocasurina glauca (She Oak, number 5 on plan)*
  - d. One Cinnamomum camphor, (Camphor Laurel, number 6 on plan)*
  - e. One Allocasurina glauca, (She Oak, number 7 on plan)*
  - f. One Araucaria heterophylla, (Norfolk Island Pine, number 8 on plan)*
  - g. One Eucalyptus ficifolia (Flowering Gum) on Council's Little Street nature strip*

*This approval does not imply any right of entry onto a neighbouring property nor does it allow pruning beyond a common boundary. However, where such measures are desirable in the best interests of correct pruning procedures, it shall be necessary for the applicant to negotiate with the tree owner. All pruning must be undertaken by a qualified Arborist, with suitable qualifications in Arboriculture and to Australian Standard AS 4373-1996 'Pruning of Amenity Trees.'*

- 101.** *The applicant shall pay for all costs associated with the transplanting of the two (2) Howea belmoreana (Sentry Palms) to a suitable location within the site. The following additional information shall be submitted prior to the issuing of the Construction Certificate.*
- a. A detailed report shall be submitted by a qualified Arborist detailing the proposed method and scheduling of the transplanting works.*
  - b. A maintenance schedule detailing the aftercare that is to be undertaken once the tree is relocated.*
  - c. A refundable deposit in the form of cash or cheque of \$1,460.00 shall be lodged with Council prior to issue of a construction certificate for the proposed development in order to ensure the successful transplanting and preservation of the two palms in accordance with the requirements described in the Arborists Report.*

<i>QUANTITY</i>	<i>SPECIES</i>	<i>AMOUNT</i>
2	<i>Howea belmoreana</i> (Sentry Palms)	\$1,460.00
	<b>TOTAL</b>	\$1,460.00

*The refundable deposit is placed to ensure that the measures described are undertaken throughout the demolition and construction period. The refundable deposit will be released twelve (12) months from the time of issue of a final occupation certificate by the certifying authority providing all measures have been undertaken throughout the demolition and construction period and the palms have been retained in good health.*

*Any contravention of Council's conditions relating to the palms at any time during the demolition and construction period or prior to the issue of a final occupation certificate will result in the Council claiming all of the lodged security.*

**102.** *In order to ensure the retention of the *Citharexylum spinosum* (Fiddlewood, number 3 on plan), the *Toona australis* (Red Cedar, number 4 on plan), the *Allocasurina glauca* (She Oak, number 5 on plan), the *Cinnamomum camphor*, (Camphor Laurel, number 6 on plan), the *Allocasurina glauca*, (She Oak, number 7 on plan) and the *Araucaria heterophylla*, (Norfolk Island Pine, number 8 on plan) located in the adjoining property to the south, close to the common boundary in good health, the following measures are to be undertaken:*

- a. All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application shall show the retention of the existing tree specimens with the position of the tree trunks and full diameter of the tree canopies clearly shown on all drawings.*
- b. To avoid damage to the trees during demolition and construction, the trees are to be physically protected by the fixing of protective wrapping around the trunks of the trees using hessian, carpet or similar. This protective wrapping shall be located a minimum height of 2 metres from the base of the tree trunks.*

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

- c. There is to be no storage of materials or machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of in the area and no stockpiling of soil or rubble within the driplines of these trees.*

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

- d. Any excavations required for footings, structures, retaining walls, basement car parks, services, pipes, detention tanks, stormwater infiltration systems, paving etc within 2 metres of the tree trunks shall be undertaken by hand and under the direction of, and to the satisfaction of, a suitably qualified Arborist with all roots being cleanly cut.
- e. The erection of signage on the wrapping with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER".
- f. A refundable deposit in the form of cash or cheque of \$2,480.00 shall be lodged with Council prior to issue of a construction certificate for the proposed development in order to ensure the preservation of the trees on the adjoining property in accordance with the requirements described in this condition.

<b>QUANTITY</b>	<b>SPECIES</b>	<b>AMOUNT</b>
<i>1</i>	<i>Citharexylum spinosum (Fiddlewood)</i>	<i>\$200.00</i>
<i>1</i>	<i>Toona australis (Red Cedar)</i>	<i>\$200.00</i>
<i>1</i>	<i>Allocasurina glauca (She Oak)</i>	<i>\$200.00</i>
<i>1</i>	<i>Cinnamomum camphor, (Camphor Laurel)</i>	<i>\$200.00</i>
<i>1</i>	<i>Allocasurina glauca, (She Oak)</i>	<i>\$200.00</i>
<i>1</i>	<i>Araucaria heterophylla, (Norfolk Island Pine)</i>	<i>\$1,480.00</i>
	<b>TOTAL</b>	<b>\$2,480.00</b>

*The refundable deposit is placed to ensure that the tree protection measures as described in this condition are undertaken throughout the demolition and construction period. The refundable deposit will be released twelve (12) months from the time of issue of a final occupation certificate by the certifying authority providing the tree protection measures (including amendments to the plans) have been undertaken throughout the demolition and construction period and the trees have been retained in good health.*

*Any contravention of Council's conditions relating to the trees at any time during the demolition and construction period or prior to the issue of a final occupation certificate will result in the Council claiming all of the lodged security.*

#### **Advisory Conditions**

- 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.*

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

**9.4 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
39/2004 - 1 WISDOM STREET, SOUTH COOGEE. (D/1542/1999)**

131 **RESOLUTION:** *(Andrews/Daley)* that Council as the responsible authority grant its development consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No. 1542/99 for permission to alter the front façade design, increase the floor space, modify the internal layout, reduce the first floor setback to the east (study and bedroom wall closer to side boundary), undertake window relocations and change the shape of rear balconies for No.1 Wisdom Street, in the following manner:

**Amend Condition 1 to read:**

1. *The development must be implemented substantially in accordance with the plans numbered 1 to 6 Job No 9910, dated 20-10-99 and received by Council on 01-12-99, the application form and on any supporting information received with the application, as amended by the Section 96 plans dated 23/03/04 and received by Council on 19-04-04, so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application.*

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

**9.5 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
40/2004 - 8 INGLETHORPE AVENUE, KENSINGTON. (D/0939/2003)**

132 **RESOLUTION:** *(Bastic/Andrews)* that 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. 03/00939/GA on property 8 Inglethorpe Avenue, Kensington, in the following manner:

**Amend Condition No. 1 to read:**

1. *The development must be implemented substantially in accordance with the plans, numbered 080/03 1 & 2, dated August 2003 and received by Council on 14 October 2003, the application form and on any supporting information received with the application, except as may be amended by the plans submitted with the Section 96 Application numbered 03/035A sheet 1, dated October 2003, 808/03A sheet 2, dated August 2003 and received by Council on 7 June 2004, 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.*

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

**9.6 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT  
41/2004 - NAIDOC WEEK 2004. (98/S/4594)**

133 **RESOLUTION:** *(Andrews/Belleli)* that:

- a) Council respect the local Aboriginal Community wishes and be prepared to support and assist in NAIDOC Week activities, if the Aboriginal Community decide to organise activities for NAIDOC Week;
- b) Council endorse the allocation of NAIDOC Week funds (\$4,000) to the implementation of activities, if NAIDOC Week activities eventuate; and
- c) Council's promotional activities for NAIDOC Week be appropriately publicised when informed by participating Aboriginal Organisations.

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

## **10. PETITION.**

### **10.1 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, CR M. MATSON ON BEHALF OF RESIDENTS OF PITT STREET, RANDWICK REGARDING PARKING IN THE STREET. (98/S/1173 xr R/0619/02)**

134 **RESOLUTION: (Matson/Notley-Smith)** that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.

## **11. MOTIONS PURSUANT TO NOTICE.**

### **11.1 NOTICE OF RESCISSION MOTION BY COUNCILLORS DALEY, ANDREWS, BASTIC, WHITE & SULLIVAN – ORDINARY COUNCIL MEETING – TUESDAY, 25<sup>TH</sup> MAY, 2004, ITEM 9.4 - DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 25/2004 - 695 ANZAC PARADE, MAROUBRA. (D/0358/2002)**

135 **RESOLUTION: (Andrews/Sullivan)** that the resolution passed at the Ordinary Council Meeting held on Tuesday, 25<sup>th</sup> May, 2004, reading as follows:-

*that Council as the responsible authority refuse development consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Application No. 358/2002 'A' to modify the existing consent at 695 Anzac Parade, Maroubra for the following reasons:-*

- a) *The proposed modification will not result in a development which is 'substantially the same' as originally approved.*
- b) *The proposed density is considered to be excessive and will constitute an overdevelopment of the site.*
- c) *The proposed modification does not comply with the required parking under the DCP – Parking for the number of dwellings proposed. The parking layout does not encourage use of the parking spaces provided due to the number of car stackers proposed and the inadequate area for manoeuvring.*
- d) *The proposed modification will remove areas of communal and private open space and does not provide communal open space areas in accordance with the Maroubra Town Centre DCP.*
- e) *The proposed modification will reduce the mix of units proposed and will remove two maisonette style apartments. These changes will reduce internal site amenity and would be inconsistent with the design quality principles under SEPP 65 Design Quality of Residential Flat Buildings*

be and is hereby rescinded.

136 **RESOLUTION: (FURTHER) (Andrews/White)** that Council as a responsible authority grants its consent under Section 96 of Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. 0358/2002 on property 695 Anzac Parade, Maroubra in the following manner:

**1. That Conditions 1, 14, 63 be amended to read:**

1. The development must be implemented substantially in accordance with the plans numbered DA 01-Revision H, DA 02, 03 and 03a-Revision B and DA 05-Revision E, dated 31 January 2003 and received by Council on 31 January 2003, DA 04-Revision E dated 6 February 2003 and received by Council on 7 February 2003, and the landscape details shown in Landscape Concept Plans L00, L01, L02, L05 and L06-Issues B dated 15 October 2002, and L03 and L04-Issues C dated 31 January 2003 received by Council on 31 January 2003, the application form and on any supporting information received with the application, except as may be amended by the work in colour shown on the section 96 plans numbered project number 0317 and Issue 03 of drawing numbers A001 Issue 02 of drawing numbers A002-A007 and Issue 01 of drawing number A008, drawn by Dimension 5 Design and stamped received by Council on 11 May 200, except as amended by the following conditions and as may be shown in red on the attached plans:

14. In accordance with Council's Section 94 Contributions Plan effective from 2 September 1999, the following monetary contribution is to be paid to Council.

a)	for the provision or improvement of open space	\$34,491.52
b)	for the provision or improvement of community facilities	\$15,250.88
c)	for car parking (in lieu of 3 deficient commercial car spaces)	\$33,375.00
d)	Administration fee	\$425.00

The contribution must be paid in cash or by bank cheque **prior to a construction certificate being issued** for the proposed development, together with payment of the required **Section 94 Administration Fee of \$425.00**. Council's Section 94 Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick.

63. Carspace no. 12 shall be signposted and linemarked as a 'Visitor Parking/Wash Bay'.

**2. That Conditions 114, 115, 116 and 117 be added:**

114. The lower and upper levels of Apartment 03 are to be swapped so that the apartment entry and living areas are on the lower level with bedrooms above. This condition is imposed to allow the living areas to have access to increased natural light and ventilation and access to private open space. Details required by this condition are to be included in the drawings submitted with the Construction Certificate application.

115. The driveway ramp grades shall be in accordance with the grades shown on the 'Basement Parking and Ground Floor Plan', Drawing DA01 Rev H by Joshua Farkash and Associates Pty Ltd, dated 31/1/2003.

116. *The motorised gate to the ground level parking is to be permanently closed and a remote intercom system installed to allow access to the parking for residents and legitimate visitors. This condition is imposed to allow for the use of stacked spaces on the ground floor level and to ensure that access to the parking is restricted to residents and legitimate visitors only.*

*Details required by this condition are to be provided on the Construction Certificate application.*

117. *Carparking space number 15 on ground floor level is to be allocated to Unit 3. This condition is imposed to ensure each residential unit has access to at least one parking space. Details required by this condition are required with the Construction Certificate application.*

3. ***That Conditions 16 and 65 be deleted.***

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

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

**11.2 BY COUNCILLOR NASH – ANGLE PARKING IN KENSINGTON ROAD & BORONIA STREET & IMPROVED SIGNAGE IN BOTH DUKE & BORONIA STREETS, KENSINGTON. (R/0250/02 xr R/0661/02 xr R/0098/02 xr 98/S/0178)**

- 137 ***RESOLUTION: (Nash/Procopiadis) that the following matters be referred to the Traffic Committee for its consideration:***

- a) *The feasibility of angle parking in:*
- i) *Kensington Road, between Duke Street and Salisbury Road; and*
  - ii) *Boronia Street, Kensington;*
- b) *The need for improved signage at the intersection of Boronia Street & Duke Street, advising motorists that a left hand turn is not permitted from Boronia Street into Duke Street*

*and that the report come back to the Works Committee for further consideration.*

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

**11.3 BY COUNCILLOR NASH – DONCASTER AVENUE – REPLACEMENT OF MAJOR STORMWATER DRAINAGE PIPELINE. (98/S/3234 xr 98/S/0178)**

- 138 ***RESOLUTION: (Nash/Procopiadis) that the General Manager write to the residents and ratepayers of Doncaster Avenue who are affected by the drainage and road works being carried out between Todman Avenue and Bowral Street, advising them of the status of the works, the expected completion date of the works and any other matters they should be made aware of by Council in relation to the works.***

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

**11.4 BY COUNCILLOR BASTIC – NO PARKING METERS WITHIN RANDWICK CITY COUNCIL AREA. (98/S/0178 xr 98/S/2714)**

(Note: This item was dealt with in conjunction with Item 7.2)

139 **RESOLUTION:** *(Bastic/Andrews) that under no circumstances are any parking meters to be installed anywhere within Randwick City Council boundaries until a resolution has been approved by Council.*

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

**11.5 BY COUNCILLORS MATSON & NOTLEY-SMITH – PARTNERSHIPS REGISTER. (98/S/0178 xr 98/S/5137)**

140 **RESOLUTION:** *(Notley-Smith/His Worship the Mayor, Cr M. Matson) that Council:*

- a) Give in principle support to the establishment of a Partnership Register;*
- b) Undertake additional research and community consultation; and*
- c) Arrange for a report to be prepared for Council's consideration on the implementation by the City of Sydney (and former South Sydney Council) of the Partnership Register.*

**MOTION:** *(Notley-Smith/His Worship the Mayor, Cr M. Matson) SEE RESOLUTION.*

**12. URGENT BUSINESS.**

Nil.

**13. CONFIDENTIAL REPORTS.**

**13.1 CONFIDENTIAL MAYOR'S MINUTE 40/2004 - VACANCY IN THE POSITION OF GENERAL MANAGER. (H01753)**

141 **RESOLUTION:** *(Daley/Sullivan) that the Director of Planning and Community Development, Mrs Sima Truvert be appointed to act in the position of General Manager on the retirement of Gordon Messiter on 2 July 2004, until the appointment of the new General Manager.*

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

**13.2 CONFIDENTIAL DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORT 17/2004 - COURT ORDERS IN DEFAMATION & NEGLIGENCE ACTIONS - N & L SHALHOUB AND J BUCHANAN. (98/S/2653)**

142 **RESOLUTION:** *(Daley/Sullivan) that this matter be deferred for one month to allow for further advice on the issue, including legal advice.*

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

**13. COMMITTEE-OF-THE-WHOLE.**

Nil.

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

Nil.

**15. NOTICE OF RESCISSION MOTIONS.**

Nil.

There being no further business, His Worship the Mayor, Cr M. Matson, declared the meeting closed at 8.08 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 27<sup>TH</sup> JULY, 2004.

.....  
CHAIRPERSON