

**MINUTES OF HEALTH BUILDING AND PLANNING COMMITTEE  
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY, 13TH JULY 2004 AT 6:59 P.M.**

**PRESENT:**

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

Councillor T. Seng (Central Ward) (Chairperson

North Ward	-	Crs J. Kenny, P. Tracey & M. Woodsmith
South Ward	-	Crs R. Belleli & A. White
East Ward	-	Crs B. Notley-Smith & D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Cr A. Andrews

**OFFICERS PRESENT:**

Acting General Manager	Ms. S. Truuvvert.
Director Assets & Infrastructure Services	Mr. M. Savage.
Acting Director Planning & Community Development	Mr R. Wereszczynski
Director Governance Management & Information Services	Mr. M. Hummerston.
Manager Environmental Planning	Ms. K. Armstrong.
Manager Development Assessment	Mr. K. Kyriacou.
Assistant Public Officer	Mr. D. Kelly.
Communications Manager	Ms. D. Brien.
Manager Policy, Planning & Performance	Ms. K. Walshaw.

**1. APOLOGIES.**

Apologies were received from Crs Bastic and Daley.

**RESOLVED:** (Sullivan/White) that the apologies be received and accepted and leave of absence be granted to Crs Bastic and Daley from the Health, Building and Planning Committee Meeting of the Council held on Tuesday, 13<sup>th</sup> July, 2004.

The meeting was adjourned at 7.00 p.m. and was resumed at 7.54 p.m.

**2. MINUTES.**

**CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 8<sup>TH</sup> JUNE, 2004.**

H34 **RESOLUTION:** (Kenny/Andrews) that the Minutes of the Meeting of the Health, Building and Planning Committee 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: (White/Andrews)** that the meeting be adjourned at 7.55 p.m. and be further adjourned at 8.17 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 42/2004 - 308-310 ARDEN ST AND 3 ALEXANDER ST COOGEE.**

**The Applicant** Mr Lindsay Fletcher PO Box 715 Miranda.

#### **5.2 DEVELOPMENT APPLICATION REPORT - 126-130 BARKER STREET RANDWICK.**

**The Objector** Mr Russell Stokes 132 Barker Street, Randwick.

**The Applicant** Mr Ricky Stainkey Urbis JHD Urban Planners Level 18, 60 Castlereagh Street, Sydney.

The meeting was resumed at 8.34 p.m.

### **4. MAYORAL MINUTES.**

Nil.

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

#### **5.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 42/2004 - 308-310 ARDEN ST AND 3 ALEXANDER ST COOGEE. (D0420/2003/GE)**

**(NOTE: A NOTICE OF RESCISSION MOTION WAS HANDED TO THE ACTING GENERAL MANAGER PRIOR TO THE CONCLUSION OF THE MEETING AND WILL BE CONSIDERED AT THE MEETING OF THE COUNCIL ON 27<sup>th</sup> JULY, 2004.)**

(Cr Hughes declared a pecuniary interest in this item as his mother owns a unit adjacent to the development and left the Chambers, taking no part in discussion of, and voting thereon.)

H35 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson/Woodsmith) that the Council endorse the recommendation of the Development Application Report for 308-310 Arden St and 3 Alexander St Coogee dated 7 June 2004 that was deferred at Councils Ordinary Council meeting of 22nd June 2004 and grant delegated authority to the Director Planning and Community Development to amend the reasons for refusal to reflect the revised calculations of floor space ratio and height.*

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

**5.2 DEVELOPMENT APPLICATION REPORT - 126-130 BARKER STREET RANDWICK. (DA 84/04)**

H36 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson/Woodsmith)* that this Section 96 application be deferred to the first available Ordinary Council or Committee meeting to invite the applicant and objector to enter into mediation in order to address the first six (6) issues raised by the objector in his submission to the Health, Building and Planning Committee meeting.

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

**6. MISCELLANEOUS.**

**PROCEDURAL MOTION:** *(His Worship the Mayor, Cr M. Matson/Woodsmith)* that item 6.2 be considered at this point in the meeting.

**6.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 43/2004 - DRAFT EXEMPT AND COMPLYING DEVELOPMENT CONTROL PLAN AND ASSOCIATED DRAFT LOCAL ENVIRONMENTAL PLAN (AMENDMENT NO. 34). (98/S/4842)**

H37 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson/Notley-Smith)* that Council:

- a) *Endorse draft Local Environmental Plan (Amendment No. 34) - Exempt and Complying Development and agree to forward the draft Local Environmental Plan to the Minister for gazettal;*
- b) *Adopt the draft Development Control Plan for Exempt and Complying Development dated 13 July 2004 in accordance with the Environmental Planning and Assessment Act 1979, to commence upon public notification of the gazettal of Local Environmental Plan (Amendment No. 34).*
- c) *Agree that the Director of Planning and Community Development may make minor modifications to rectify any numerical, typographical, interpretation and formatting errors if required before gazettal of the Local Environmental Plan and finalisation and printing of the Development Control Plan.*

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

**6.2 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 44/2004 - DRAFT FOOTPATH DINING AND TRADING DCP. (98/S/4356)**

*(Cr Belleli declared a non-pecuniary interest in this item as he is the Vice President of the Maroubra Chamber of Commerce and left the Chambers, taking no part in discussion of, and voting thereon.*

H38 **RESOLUTION:** *(Andrews/White)* that Council:

- a) *Adopt the draft Footpath Dining and Trading DCP (at Attachment A) to commence in accordance with the requirements of the Environmental Planning and Assessment Act*

*1979 and Regulation upon public notification of the DCP commencement date;*

- (b) *Repeal DCP No. 20 “Restaurants on Public Road Footways, Airspace above Roads and Public Land”, in accordance with the Act and Regulation, upon public notification of this draft DCP; and*
- (c) *Agree that the Director, Planning and Community Development may make minor modifications to rectify any numerical, typographical, interpretation and formatting errors, if required, in the finalisation and printing of the DCP.*

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

**AMENDMENT: (Matson/Woodsmith)** that the provisions allowing the use of A-frame advertising on footpaths be withdrawn from the DCP. **LOST.**

**7. GENERAL BUSINESS.**

Nil.

**8. NOTICE OF RESCISSION MOTIONS.**

A Notice Of Rescission Motion On Item 5.1, Director Planning & Community Development’s Report 42/2004 - 308-310 Arden St And 3 Alexander St Coogee was handed to the Acting General Manager by Councillors Andrews, Procopiadis, Sullivan, Tracey and White prior to the conclusion of the Meeting and will be considered at the meeting of the Council on Tuesday, 27<sup>th</sup> July, 2004.)

The meeting closed at 9.10 p.m.

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CHAIRPERSON