

**MINUTES OF HEALTH BUILDING AND PLANNING COMMITTEE MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 8TH FEBRUARY 2005 AT 6:57 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, M. Daley & 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:

General Manager	Mr. R. Brownlee.
Director Assets & Infrastructure Services	Mr J. Frangoples.
Director Planning & Community Development	Ms. S. Truvert.
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.

The meeting was adjourned at 6.57 p.m. and was resumed at 7.26 p.m.

1. APOLOGY.

An apology was received from Cr Bastic.

RESOLVED: (Notley-Smith/Sullivan) that the apology from Cr Bastic for non-attendance at the Health, Building and Planning Committee Meeting of the Council held on Tuesday, 8th February, 2005 be received & accepted.

2. MINUTES.

CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 7TH DECEMBER, 2004.

H1 **RESOLUTION: (Woodsmith/Kenny)** that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 7th December, 2004 (copies of which

were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

3. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS

Cr Belleli declared a pecuniary interest in Item 5.1, Mayoral Minute 2/2005 - Consideration of Council Position on Proposed Off Ramps from Southern Cross Drive to Gardeners Road, as he has a property in a street affected by this proposal.

RESOLVED: (Notley-Smith/Kenny) that the meeting be adjourned at 7.29 p.m. and be further adjourned at 8.22 p.m.

4. 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 MAYOR'S MINUTE 2/2005 - CONSIDERATION OF COUNCIL POSITION ON PROPOSED OFF RAMPS FROM SOUTHERN CROSS DRIVE TO GARDENERS ROAD.

The Objector Mr Bob Wilson 202 Doncaster Avenue, Kensington.

The Objector Mr Adrian Boss 43 Elizabeth Street, Paddington.

5.3 MAYOR'S MINUTE 16/2005 - BIKE EAST REGIONAL BICYCLE CO-ORDINATOR

In Favour Mr Adrian Boss 43 Elizabeth Street, Paddington.

6.1 DEVELOPMENT APPLICATION REPORT - 25 BYRNE CRESCENT, MAROUBRA.

The Objector Mr Tim Dalton 27 Dawes Street, Little Bay.

The Applicant Ms Jocelyn Castile 25 Byrne Crescent, Maroubra.

6.2 DEVELOPMENT APPLICATION REPORT - 80 BEACH STREET COOGEE.

The Applicant Mr Anthony Betros 108 Bronte Road, Bondi Junction.

6.3 DEVELOPMENT APPLICATION REPORT - 36 LUCAS AVENUE, MALABAR.

The Objector Mr Charlie Vella 7/20 Military Road, North Bondi.

6.5 DEVELOPMENT APPLICATION REPORT - 265-271 AVOCA STREET, RANDWICK.

The Objector Mr Terry Daly 22/255 Avoca Street, Randwick.

The Applicant Mr Peter Mayoh 60 Strathallen Avenue, North Bridge.

6.6 DEVELOPMENT APPLICATION REPORT - 62 FRENCHMANS ROAD RANDWICK.

The Objector Mr Kerry Nash 131 Darling Street, Balmain.

The Applicant Mr Julian Brenchley PO Box 207 Woollahra.

The meeting was resumed at 8.55 p.m.

5. MAYORAL MINUTES.

5.1 MAYOR'S MINUTE 2/2005 - CONSIDERATION OF COUNCIL POSITION ON PROPOSED OFF RAMPS FROM SOUTHERN CROSS DRIVE TO GARDENERS ROAD. (F2004/08216)

(Cr Belleli had previously declared a pecuniary interest in this item and left the Chamber at this stage of the meeting – see Agenda Item 3 of these minutes.)

H2 **RESOLUTION: (Daley/Sullivan)** *that this matter be deferred to the next Ordinary Council meeting so the Councillors can be furnished with all the proper information on this matter, in order to make an informed decision.*

MOTION: (His Worship the Mayor, Cr M. Matson) that:

- (a) i. this Council calls upon the NSW State Government to undertake an EIS (Environmental Impact Study) into the amenity and environmental impacts to the residents of West Kingsford, Kensington and other areas that will be affected by these proposed ramps;
- ii. the General Manager writes to the Minister for Roads, Mr Michael Costa and the Minister for Planning, Mr Craig Knowles, advising them of this position, namely that this Council calls on the NSW State Government to conduct an EIS (Environmental Impact Study) into the amenity and environmental impacts to the residents of West Kingsford, Kensington and other areas that will be affected by these proposed ramps.

Further, that the results of this EIS are to determine whether ramps are constructed and what mitigating measures are to be implemented to protect the amenity of our community's residential streets.

- (b) the RTA be notified that Council suspends its in principle support for the concept of the Gardeners Road access ramps with Southern Cross Drive unless;
 - i. the RTA conducts a public meeting as soon as possible to demonstrate the ramification of these ramps on local roads;
 - ii. the RTA commits to carry out a full REF (Review of Environmental Factors) and commit to publicly exhibit the REF as soon as possible with a display period of no less than 30 days and wide publicity prior to and during the display period to encourage and facilitate public input;

- iii. the RTA commits to investigate the operation of the Kingsford Roundabout and to implement measures to simplify this complex intersection;
- iv. the RTA commits to investigate the possible introduction of “No Left Turn” restrictions from Gardeners Road into the West Kingsford local area; and
- v. the RTA acknowledges that this Council has called for an EIS to be undertaken and they inform the Minister for Roads, Mr Michael Costa and the Minister for Planning, Mr Craig Knowles of this condition of support.

PROCEDURAL MOTION: (Daley/Sullivan) SEE RESOLUTION.

5.2 MAYOR’S MINUTE 4/2005 - CLOVELLY BAY. (F2004/00036)

H3 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that the Mayor seek to meet with NSW Fisheries to discuss, on behalf of Council, the management arrangements which are in place, enforcement issues and educational opportunities within the aquatic reserves and in particular Clovelly Bay.

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

5.3 MAYOR’S MINUTE 16/2005 - BIKE EAST REGIONAL BICYCLE CO-ORDINATOR. (F2004/06633)

H4 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that Council authorises the General Manager to write to SSROC:

- a) seeking details of the SSROC's intention to create the position of a regional Bicycle Coordinator for Sydney's east;
- b) notifying SSROC of Council's in principle commitment to a funding contribution of \$12,000.00 per annum from the Environmental Levy for three years on the condition that SSROC and Bike East obtain similar commitments from the neighbouring Councils of Botany, Sydney City, Waverley and Woollahra and Government bodies such as the RTA and Health Department; and
- c) Bike East provides Council with a detailed budget on the projected expenditure of the \$120,000.00 per annum prior to the grant being finalised.

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

A division was called for by His Worship the Mayor, Cr M. Matson and Cr Hughes. Voting was as follows:-

For	Against
Cr Belleli	Cr Andrews
Cr Hughes	Cr Daley
Cr Kenny	Cr Procopiadis
His Worship the Mayor, Cr M. Matson	Cr Sullivan
Cr Nash	Cr White

Cr Notley-Smith
Cr Seng
Cr Tracey
Woodsmith

(Cr Andrews requested that his name be recorded as opposed to the resolution.)

6. DEVELOPMENT APPLICATIONS.

6.1 DEVELOPMENT APPLICATION REPORT - 25 BYRNE CRESCENT, MAROUBRA. (DA996/2004)

H5 **RESOLUTION:** *(Belleli/Notley-Smith)* that the application be deferred to allow the submission of detailed view loss analysis to define the views currently enjoyed by the owners of No. 27 Byrne Crescent and the potential view loss that may occur as a result of the proposal.

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

6.2 DEVELOPMENT APPLICATION REPORT- 80 BEACH STREET COOGEE. (D/273/2004)

H6 **RESOLUTION:** *(Notley-Smith/Kenny)* that:

A. Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. D/273/2004 for Section 96 Modification - To resite Building 'B' 1450mm to the east (Dwellings 3 and 4), make minor alterations to the proposed dwellings, basement car park, landscaping, reduction in the degree of excavation and glazing and balcony changes to the north and east elevations at 80 Beach Street Coogee in the following manner:

Amend Condition No. 1 to read:

1. *The development must be implemented substantially in accordance with the plans numbered DA 100, 101, 102, 200, 300, 301, 401, all Revision E, dated 15/4/2004 and received by Council on 20/4/2004, Draft Strata Plans, Sheets 1-4, prepared by David John Tremain of Harrison Friedmann and Associates P/L, dated 20/5/2004 and received by Council on 23/7/2004, as amended by the Section 96 plans S96 101, S96 102, S96 103 and S96 104, all revision A, dated November 2004 and received by Council on 10 November 2004, and Section 96 plans S96 105, all revision A, dated January 2004 and received by Council on 18 January 2004, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, 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:*

Amend condition No. 66 to read:

66. *A vehicle presence sensor is to be installed at the visitor parking space, with a*

*display unit at the entry to the car parking area shall be provided to advise and alert drivers of the availability of the visitor space. Details of compliance are to be provided on the **construction certificate plans**.*

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

6.3 DEVELOPMENT APPLICATION REPORT - 36 LUCAS AVENUE, MALABAR. (D0053/2004)

H7 **RESOLUTION: (His Worship the Mayor, Cr M. Matson/Hughes) that:**

- A. *Council as the responsible authority refuse its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. 0053/04 on property 36 Lucas Avenue, Malabar, for the following reasons:*
- 1. The application is not considered to be an amendment under Section 96(1) since the condition was not imposed as an error, misdescription or miscalculation. It was a valid, fair and reasonable condition.*
 - 2. No on-site stormwater detention is required on the subject site and as such the tree can be retained.*
 - 3. The Norfolk Island Pine tree is a good specimen and is worthy of retention on the site since it adds amenity value to the site, streetscape and immediate surrounds. It's a mature and visually important tree that is also considered to add value to the development when completed.*
 - 4. The Norfolk Island Pine tree also provides visual amenity to the adjoining area of public open space to the south of the site.*

MOTION: (Andrews/Sullivan) that Council as the responsible authority grant consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. 0053/04 on property 36 Lucas Avenue, Malabar for the removal of the tree as the tree does not add to the streetscape and would be more appropriate in the nearby reserve. **LOST.**

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

6.4 DEVELOPMENT APPLICATION REPORT - 330 ANZAC PARADE, KENSINGTON. (D859/2004)

H8 **RESOLUTION: (Notley-Smith/Kenny) 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 859/2004 for the refurbishment, alterations and additions to the existing Heffron Building, University of New South Wales at 330 Anzac Parade, Kensington, subject to the following conditions:-*

1. *The development must be implemented substantially in accordance with the plans numbered E12-A-002-01-DA, E12-A-107-01-DA, E12-A-720-01-DA, all Revision B, dated September, 2004, prepared by FJMT and received by Council on 14 October, 2004; E12-A-201-51-DA, E12-A-201-52-DA, E12-A-202-51-DA, Revision B, dated October, 2004 prepared by FJMT and received by Council on 14 October, 2004; E12-A-099-01-DA, Revision B, dated July 2004; E12-A-100-01-DA, Revision F, dated July 2004; E12-A-101-01-DA, Revision E, dated July 2004; E12-A-102-01-DA, Revision E, dated July 2004; E12-A-103-01-DA, Revision E, dated July 2004; E12-A-104-01-DA, Revision E, dated July 2004; E12-A-105-01-DA, Revision F, dated July 2004; E12-A-106-01-DA, Revision F, dated July 2004; E12-A-250-01-DA, Revision C, dated July 2004; E12-A-250-02-DA, Revision D, dated July 2004; all prepared by Lahz Nimmo and received by Council on 14 October, 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:*

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

2. *The external colours, materials and finishes of the proposed refurbishment shall be in accordance with the sample board and elevations prepared by Francis-Jones Morehen Thorp Pty Ltd, dated 7 October 2004, submitted to and received by Council on 14 October, 2004.*
3. *Demolition of the dangerous goods store on the northern side of the Heffron Building and landscaping for the northern and southern sides of the building as indicated on the site plan (E12-A-002-01-DA, Revision B by FJMT dated 7 October 2004) shall be the subject of separate development applications **prior to the completion of works.***
4. *Secure bicycle parking for a minimum number of 36 bicycles shall be included within the landscape plan submitted for approval as a separate development application **prior to the completion of works.***
5. *Metal roof sheeting is to be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment.*
6. *All plumbing and drainage pipes, other than rainwater heads, gutters and downpipes, must be concealed within the building.*
7. *Power supply and telecommunications cabling to the development shall be underground.*
8. *The reflectivity index of glass used in the external façade of the development must not exceed 20 percent.*
9. *The finished ground levels external to the building are to be consistent with the development consent and are not to be raised (other than for the provision of paving or the like on the ground) without the written consent of Council.*
10. *Lighting to the premises shall be designed so as not to cause a nuisance to nearby residents or motorists and to ensure that light overspill does not affect the amenity of*

the area.

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

11. *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.*
12. *External timber or metal framed and brick veneer walls and roofs are to be provided with insulation (i.e. bulk insulation and a reflective building membrane/reflective sarking/foil insulation), having a minimum total thermal resistance R-value of 3.0 in roofs and 1.5 in external walls. The insulation and reflective building membrane is to be installed in accordance with the relevant requirements of the Building Code of Australia and the manufacturer's details.*

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

13. *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.*
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.*

The following conditions have been applied to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:

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

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background (LA90), 15 min noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq, 15 min and adjusted in accordance with the NSW Environmental Protection Authority's Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).

16. *The acoustic report titled University of NSW North Mall Development Zone, Heffron Building Refurbishment Development Application Acoustic Report reference FJM1024.0005.Rep.040916.doc dated September 2004 forms part of this approval.*
17. *The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage to other premises.*

The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:

18. *The use and operation of the premises shall not give rise to an environmental health or public nuisance and there are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations.*

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

19. *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.

20. *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.*

21. *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.*

22. *Prior to the commencement of any building works, the person having the benefit of the development consent must:-*

- i) appoint a Principal Certifying Authority for the building work, and*
- ii) appoint a principal contractor for the building work, or in relation to residential building work, obtain an owner-builder permit in accordance with the requirements of the Home Building Act 1989, and notify the Principal Certifying Authority and Council accordingly in writing, and*
- iii) unless the person having the benefit of the consent is the principal contractor (i.e. owner-builder), notify the principal contractor of the required critical stage inspections and other inspections to be carried out, as specified by the Principal Certifying Authority, and*
- iv) give at least two days notice to the Council, in writing, of the person's intention to commence building works.*

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

23. *The building works must be inspected by the Principal Certifying Authority (or another certifying authority if the Principal Certifying Authority agrees), in accordance with sections 109 E (3) of the Environmental Planning & Assessment Act 1979 and clause*

162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The Principal Certifying Authority must specify the relevant stages of construction to be inspected in accordance with section 81A (2) (b1) (ii) of the Environmental Planning & Assessment Regulation 2000 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 consent is to be maintained by the Principal Certifying Authority. Details of critical stage inspections carried out and copies of certification relied upon must also be forwarded to Council with the occupation certificate.

The principal contractor or owner-builder (as applicable) must ensure that the required critical stage and other inspections, as specified in the Principal Certifying Authority's "Notice of Critical Stage Inspections", are carried out to the satisfaction of the Principal Certifying Authority and at least 48 hours notice (excluding weekends and public holidays) is to be given to the Principal Certifying Authority, to carry out the required inspection, before carrying out any further works.

24. *A sign must be erected and maintained in a prominent position on the site, which contains the following details:*

- *name, address, contractor licence number and telephone number of the principal contractor, including a telephone number at which the person may be contacted outside working hours, or owner-builder permit details (as applicable)*
- *name, address and telephone number of the Principal Certifying Authority,*
- *a statement stating that "unauthorised entry to the work site is prohibited".*

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 (including alterations and additions to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*

The relevant requirements of the Environmental Planning & Assessment Regulation 2000 and relevant conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent and conditions of consent.

26. *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.*

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.2% of the cost of the works.

27. *The existing levels of fire safety within the premises are to be upgraded to achieve an adequate level of fire safety in accordance with the provisions of clause 94 of the Environmental Planning and Assessment Regulation 2000 and a report prepared by a suitably qualified person or accredited certifier is to be submitted to and approved by Council's Manager of Environmental Health and Building Services, **prior to the issuing of a construction certificate**, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979.*

The fire safety report must detail the measures considered appropriate to satisfy the relevant performance requirements of the Building Code of Australia, to protect persons using the building, and to facilitate their egress from the building in the event of fire and to restrict the spread of fire.

*The fire safety upgrading works are to be included in **the construction certificate** and be implemented prior to occupation of the new building or part.*

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

28. *Documentary evidence prepared by a suitably qualified professional geotechnical engineer shall be submitted to the certifying authority **prior to the issuing of a construction certificate**, certifying the suitability and stability of the site for the proposed building and certifying the suitability and adequacy of the proposed design and construction of the building for the site.*
29. *A Certificate of Adequacy prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the 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:

30. *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.*
31. *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".*
32. *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 made available to the Council officers and all building contractors for assessment.*

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.

33. *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.*
34. *Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.*
35. *A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying Authority), detailing compliance with Council's approval at the **following stage/s of construction:***
 - a) *On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks*
36. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, to the satisfaction of WorkCover NSW and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.*
37. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written approval 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 Development Control Plan for Exempt & Complying Development and Council's Local Approvals Policy. Applications to place a waste container in a public place can be made to Council's Building Services section.*
38. *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.*
39. *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.*
40. *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.*
41. *The applicant/buildler 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.*
42. *Public safety must be maintained at all times and public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.*

A temporary safety fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Temporary fences are to have a minimum height of 1.8 metres and be constructed of cyclone wire fencing, with geotextile fabric attached to the inside of the fence to provide dust control, or other material approved by Council.

Hoarding or fences are to be structurally adequate, safe and be constructed in a professional manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

*The public safety provisions and temporary fences must be in place **prior to the commencement of any demolition, excavation or building works** and be maintained throughout construction.*

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.

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

43. *Access and facilities for people with disabilities must be provided in accordance with the relevant provisions of the Building Code of Australia.*

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

A parking and transport strategy, as required by the variation to the adopted master plan for the UNSW campus, shall be prepared and submitted to Council by 7 December 2005.

44. *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.*
45. *The applicant shall note that any 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.*
46. *All construction traffic shall be accommodated on-site.*

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

47. *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 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 Notice must be issued to the Principal Certifying Authority prior to commencement of work on the site for that component of the work requiring Sydney Water Approval.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

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

48. *All stormwater runoff from the refurbished Heffron building and surrounds (for all storms up to and including the 1 in 100 year storm event), shall be collected and conveyed through a suitably sized piped system to the village green detention basin.*

It is noted that the drainage system used/constructed to convey flows from the Heffron building to the village green detention area shall be in general accordance with the details supplied in the letter from the University of New South Wales dated 3 November 2004.

49. *Percolation via chambers/infiltration pits shall be provided in the village green detention basin (if required) to offset the effect of directing the additional flows into the detention area and to ensure that the depth of ponding and rate of outflow from the detention area are not increased. This work shall be completed prior to occupation of the refurbished Heffron building.*
50. *All new/refurbished floor areas shall be a minimum of 300 mm above any adjoining overland flow or stormwater ponding depths (or suitably protected from stormwater up to this same level).*
51. *Prior to commencement of work on the site, engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be prepared and forwarded to Council. The drainage design shall be in general accordance with the concept details contained in the letter from the University of New South Wales dated 3 November 2004 (and accompanying documentation). The drawings and details shall include the following information:*
- a) A detailed drainage design supported by a catchment area plan 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 and the connection into the village green detention system.*
 - d) The separate catchment areas within the site, draining to each collection point or surface pit.*
 - 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.*
 - g) The details of any special features that will affect the drainage design eg. the nature of the soil in the site and/or the presence of rock, etc.*
52. *All stormwater currently draining to and/or through the subject development site (including piped flows) 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.

53. *The village green detention area must be regularly cleaned and maintained to ensure it functions as required by the design.*
54. *The stormwater detention area must be suitably signposted where required, warning people of the maximum flood level. It is noted that if this signage is already provided, additional signage will not be required.*
55. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*
56. *Pump out systems will only be considered if the applicant can demonstrate to the Principal Certifying Authority that it is not possible to manage stormwater runoff in any other manner.*
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.

57. *All stormwater runoff from the site shall be taken through a sediment/silt arrester pit (or gross pollutant traps such as CDS units or equivalent) prior discharging by gravity to the village green detention/infiltration area. The gross pollutant trap/s shall be sized to treat all runoff from all storms up to the 1 in 3 month storm at a minimum.*

Should a sediment/silt arrester pit be provided to satisfy the above requirement, it shall be constructed in accordance with the following requirements:-

The base of the pit located a minimum 300mm under the invert level of the outlet pipe.

The pit constructed from cast in-situ concrete, precast concrete or double brick.

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 located over the outlet pipe/s (Mascot GMS multipurpose filter screen or equivalent).

The grate being a galvanised heavy-duty grate that has a provision for a child proof fastening system.

A child proof and corrosion resistant fastening system provided for the access grate (e.g. spring loaded j-bolts or similar).

A sign adjacent to the pit stating:

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

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

58. *Suitable bonding is to be provided around the perimeter of the subject development area, where required, to direct all stormwater to the village green detention area via the new piped system.*
59. *Any absorption trenches/infiltration pits must be designed in accordance with "Section 8.5 ABSORPTION TRENCHES" as stipulated in Randwick City Council's Private Stormwater Code.*
60. *Prior to occupation of the refurbished Heffron building, the applicant shall submit to Council's Director of Asset and Infrastructure Services, a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall include details of:*
 - a) *Percolation/infiltration pit details*
 - b) *The location, diameter, gradient and material (i.e. PVC, RC etc) of all stormwater pipes;*
 - c) *Details of any pumping systems installed (including wet well volumes).*
61. *Prior to occupation of the refurbished Heffron building, the applicant shall submit to Council’s Director of Asset and Infrastructure Services, certification from a suitably qualified and experienced Hydraulic Engineer confirming that the design and construction of the stormwater drainage system complies with the conditions of development consent.*

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

62. *Prior to commencement of work on the site the applicant is to submit to Council details regarding how the management of non-recyclable wastes will be incorporated into the existing UNSW waste storage program. This information shall include details of waste storage areas and how wastes will be transported to these areas.*

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

63. *Permission is granted for the selective pruning of branches from the trees listed in the following condition in order to accommodate the proposed works and/or the establishment of scaffolding, machinery or similar. 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.'*

Tree Protection Measures

64. *In order to ensure the retention in good health of the following trees:*

*The Platanus x hybrida (Plane Tree) on the southern side of the existing building;
The two (2) Corymbia maculata (Spotted Gums), two (2) Eucalyptus microcorys (Tallowoods) and one other Corymbia maculata (Spotted Gum) beyond the northwest corner of the existing building; and
The two (2) Ficus microcarpa var. 'Hillii' (Hills Weeping Figs) near the northeast corner of the existing building;
the following measures are to be undertaken:*

- a. All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation 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. The trees are to be physically protected by the installation of protective fencing around the trees using 1.8 metre high steel mesh/chainwire fencing. This fencing shall be located to a minimum radius of 3 metres from the outside edge of the tree trunk.*

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

- c. Within this zone 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 and no stockpiling of soil or rubble.*

Any works required within this zone shall be under the direction of, and to the satisfaction of, a suitably qualified Arborist.

- d. The erection of signage on the fence with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER".*

ADVISORY MATTERS:

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

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

- a) Part D3 - Access for people with disabilities*
- b) Part E1 - Fire fighting equipment*
- c) Part E4 - Emergency lighting, exit signs & warning systems*
- d) Part F4 - Light and ventilation*
- e) Part F5 - Sound Transmission and Insulation*

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

You are therefore advised to consult with Council's Building Certification Services or an accredited certifier prior to submitting your construction certificate application to enable these matters to be addressed accordingly.

- A2. *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: (Notley-Smith/Kenny) SEE RESOLUTION.

6.5 DEVELOPMENT APPLICATION REPORT - 265-271 AVOCA STREET, RANDWICK. (D/0820/2004)

H9 **RESOLUTION: (Woodsmith/Hughes) that:**

- A. *Council as the responsible authority grant its development consent as a Deferred Commencement under Section 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No D/0820/2004 for the demolition of existing buildings and construction of a part-3 and part-4 storey mixed use development comprising 53 dwelling units, car showroom on the ground level and basement carparking for 143 vehicles at 265-271 Avoca Street, Randwick subject to the following conditions:-*

Deferred Commencement Conditions

The consent shall not operate until the following amendments and details have been submitted to and approved by the Director of Planning and Community Development.

1. *Amended plans/elevations showing details of mature evergreen landscaping along the northern boundary of the subject site to screen overlooking from the balconies on the north elevation into the adjoining northern property at 255 Avoca Street. The documentation shall include a planting plan of plants to be drawn at their mature size and a planting schedule listing the plants by botanic & common names, plant numbers, plant spacings, the estimated size of the plant at maturity (height & spread).*
2. *Amended plans/elevations showing details of a 2m high masonry fence measured in height from the ground level of the adjoining northern property to be provided along the northern boundary of the subject site to ensure the privacy and security of residents in the adjoining northern property at No. 255 Avoca Street.*
3. *Amended plans/elevations showing details of the shutters and louvres to be installed on the balconies on the north elevation including the installation of appropriate fixed louvres to screen overlooking into the adjoining northern property at No. 255 Avoca Street.*
4. *Amended plans/elevations showing details of additional shading devices to the western façade of Block C and windows above kitchens along the access walkways to maximize natural day lighting and cross ventilation opportunities as required by the Design Review Panel.*
5. *Amended plans/elevations showing details of gas boosted solar hot water heating*

system as recommended in the applicant's Energy and Services Report prepared by Medland Mitropoulos.

6. A report detailing the proposed method of excavation and dewatering shall be submitted to Council for approval. The report shall be prepared by suitably qualified and experienced Geotechnical, Hydrological and Structural Engineers and must include but not limited to:

The proposed method of shoring/piling and dewatering

The zone of influence of any possible settlement

The location of any proposed re-injection points in relation to the property boundaries (where re-injection equipment is to be located on land other than the subject premises, the written consent of the owner must also be provided to Council)

Monitoring of fluctuations of the water table during dewatering/construction to be undertaken by consulting engineers to ensure that the conditions of consent are satisfied.

The location of all proposed monitoring equipment in relation to the property boundaries (where monitoring equipment is to be located on land other than the subject premises, the written consent of the owner must also be provided to Council)

The location of all pumping equipment in relation to the property boundaries

The proposed method of noise attenuation for all pumping equipment i.e.; so as not to be more than 5dB (A) greater than the A – weighted L90 background sound pressure level between the hours of 7am to 10pm within any residential dwelling and not to be audible at all between the hours of 10pm and 7am within any residential dwelling

A statement from suitably qualified and experienced Geotechnical and Hydrological Engineers, with the concurrence of a Structural Engineer, that there should be no detrimental settlement to adjoining or nearby buildings/infrastructure using the chosen method of excavation/dewatering.

Details of the groundwater quality and the suitability for discharge to the Council's stormwater system. Consideration shall be given to the Protection of the Environment Operations Act 1997 and relevant Australian Standards.

Additionally, information satisfying Council that dewatering of the site is to occur in an environmentally satisfactory manner is to be provided prior to works commencing.

7. *Details of all proposed roof level exhaust outlet from the carpark including, but not limited to, location and sizes.*
8. *Appropriate technical advice from suitable authorities, including Energy Australia, as to the suitability of the location of the proposed sub-station in relation to the residential property in the adjoining northern site at 255 Avoca Street in terms of, but not limited to, the impact of electromagnetic emissions and noise on human health, and providing appropriate mitigation measures including the relocation of the sub-station if necessary.*

Further, the applicant shall consult with Energy Australia as to the suitability of siting the proposed substation in the Barker Street frontage of the development, which is the preferred location.

Subject to compliance with the deferred commencement conditions, to the satisfaction of the Director Planning and Environment, development consent is granted under Section 80 & 80A of the Environmental Planning and Assessment Act 1979 subject to the following conditions:

REFERENCED PLANS:

- 1. The development must be implemented substantially in accordance with the plans numbered A003 Issue A dated 29 September 2004, A053 to A057 Issue B 29 dated September 2004, and A071 to A073 Issue B dated 29 September 2004, stamped received by Council on 1 October 2004, and A050, A051, and A052 Issue C and A060 Issue A dated 23 December 2004 and stamped received by Council 23 December 2004, and the application form, and on any supporting information received with the application, except as may be amended by the details/amendments approved pursuant to the deferred commencement conditions and by the following conditions and as may be shown in red on the attached plans:*

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

- 2. The external colours, materials and finishes of the proposed development and the landscaping plans shall be in accordance with the sample board details and elevations prepared by Mayoh Architects, submitted to and received by Council on 1 October 2004.*
- 3. In the unlikely event that historical archaeological remains or deposits are exposed during the works, all work shall cease while an evaluation of their potential extent and significance is undertaken and the NSW Heritage Office notified under the requirements of the Heritage Act.*
- 4. Details of the design and height, materials and structure of the fencing adjacent to the Barker Street and Dine Street frontage of the property are to be submitted to and approved by Council's Director of Planning and 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 development. Fencing is not to exceed a height of 1.5m.*
- 5. A rainwater tank of sufficient size to provide water for irrigation of all landscaped areas within the development is to be provided to the development in accordance with Council's Rainwater Tanks Policy.*

The tank is to be located a minimum of 500mm from the side boundaries and is to have a maximum height above ground level of 2.4 metres. The tank is to be installed behind the front building line and is to be located at ground level and incorporated into the landscaping plans for the site. The noise level from any pump is not to exceed 5dBA above ambient background noise, measured at the property boundary. Overflow is to

be directed to Council's approved stormwater system or suitable absorption area (designed by a professional engineer, building surveyor or accredited certifier).

This condition is imposed to ensure compliance with Council's Rainwater Tank Policy and promote the principles of water conservation and ecologically sustainable design (ESD). Details required by this condition are to be included with the Construction Certificate application.

6. *The energy efficiency measures listed in pages 5 and 6, and the electrical, fire, hydraulic and mechanical service features described in Section 3 Services Design Statement in page 7, of the report titled "Built Environment Services Report" prepared by Medland Mitropoulos and P.D. Mayoh Pty. Ltd. dated 15 September 2004 shall be provided in the development. Details of these measures as required by this condition shall be included in the construction certificate application.*
7. *The applicant shall comply with the General Terms of Approval issued by the Department of Infrastructure Planning and Natural Resources reference ERM 2004/005545 under cover of letter dated 6 December 2004. Specific dewatering requirements shall be confirmed through further investigation of site conditions, including but not limited to, new monitoring wells, slug testing, water sampling, modelling and reporting, following demolition of the subject site as recommended by Parson Brinckerhoff in a letter dated 26 November 2004 to Costin Roe Consulting (a copy of which was provided to the Department of Infrastructure, Planning and Natural Resources (DIPNR)) and as required by DIPNR in the letter to Council dated 6 December 2004 (Reference No. ERM 2004/005545).*

The following group of conditions have been applied to ensure that adequate provisions are made for site remediation:

8. *Prior to issuing a construction certificate for the development the land must be remediated to meet the Health Based Investigation Level NEHF D Criteria and the following requirements must be complied with:*
 - a) *A Remediation Action Plan (RAP) is required to be prepared and be submitted to Council prior to commencing remediation works. The RAP is also required to be reviewed by an independent NSW Department of Environment and Conservation (DEC) [formerly EPA] Accredited Site Auditor, and*
 - b) *The RAP is to be prepared in accordance with the relevant Guidelines made or approved by the NSW Department of Environment and Conservation [formerly EPA], including the Guidelines for Consultants Reporting on Contaminated Sites.*

This RAP is to include procedures for the following:

*Excavation of Hydrocarbon-contaminated soil,
Site management planning,
Validation sampling and analysis,
Prevention of cross contamination and migration or release of contaminants,
Ground water remediation, dewatering, drainage, monitoring and validation,
Unexpected finds, and*

- c) *A written statement is to be provided to the Council by the Site Auditor, which confirms that the Remediation Action Plan satisfies the relevant legislative guidelines and requirements and that the land is able to be remediated to the required level and be suitable for the intended development and use, and*
- d) *The applicant is to engage a NSW Department of Environment and Conservation (formerly EPA) Accredited Site Auditor, accredited under sections 49 and 50 of the of the Contaminated Land Management Act 1997. The Site Auditor is to assess the suitability of the site for its intended development and use. The Site Audit Statement and Summary Site Audit Report are to be submitted to Council and must verify that the site is suitable for the intended development and use: National Environmental Health Forum's Health Based Investigation Level NEHF D Criteria.*

Any additional conditions that are specified in the Site Audit Statement and Summary Site Audit Report by the EPA accredited site auditor, form part of this consent and Council must be consulted with prior to the development and imposition of any conditions, and

- e) *Remediation works shall be carried out in accordance with the requirements of the Contaminated Land Management Act 1997, environmental planning instruments applying to the site, guidelines made by the NSW Department of Environment and Conservation (formerly EPA) and Department of Infrastructure Planning & Natural Resources (formerly Planning NSW), Randwick City Council's Contaminated Land Policy 1999 and the Protection of the Environment Operations Act 1997, and*
- f) *The site remediation must be completed to the satisfaction of the Accredited Site Auditor and the written concurrence of Council must be obtained prior to the issuing of the construction certificate.*

9. *Site remediation must be carried out in accordance with the following general requirements (as applicable):*

- a. *The Environmental Consultant and Auditor, in their assessment of appropriate soil investigation levels, must take into account all environmental concerns (for example, the potential effects on wildlife) and the protection of ground and surface water.*
- b. *The remediation of the site including ground water must fully comply with all relevant Commonwealth and State Legislation, Regulations and Standards.*
- c. *Any variations to the proposed remediation works or remediation action plan shall be approved by the Site Auditor and a written statement is to be provided to the Council by the Site Auditor prior to the commencement of such works, which confirms the Site Auditors approval of the amended remediation action plan / works, and*
- d. *Should any underground tanks be discovered they shall be removed in accordance with relevant NSW DEC/EPA Guidelines; Australian Institute of Petroleum's (AIP) Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems (CP4-1998); and WorkCover NSW requirements. In the event of conflict between AIP Code of Practice and*

WorkCover requirements the latter shall prevail.

- e. *Any odours from excavated materials shall be mitigated by the use of an odour suppressant, such as Biosolve, and shall not give rise to an offensive odour as defined in the Protection of the Environment Operations Act 1997. Stockpiles shall also be covered and dampened down to reduce odour and dust impacts.*

On-site land farming of contaminated soil is not permitted, except with the written approval of Council's Manager Environmental Health & Building Services.

- f. *Any fill importation to the site is to be monitored and classified by the Site Auditor appointed for remediation of the site or a person with his qualifications. Only 'Virgin Excavated Natural Material' (VENM) is to be imported to the site, as defined within the NSW EPA 'Environmental Guidelines; Assessment, Classification and management of Liquid and Non-Liquid Wastes. 1999'.*
- g. *A Site Remediation Management Plan must be prepared prior to the commencement of remediation works by a suitably qualified environmental consultant and be implemented throughout remediation works. A copy is to be forwarded to Council. The Site Remediation Management Plan shall include measures to address the following matters:*
- general site management, site security, barriers, traffic management and signage*
 - hazard identification and control*
 - worker health & safety, work zones and decontamination procedures*
 - cross contamination*
 - site drainage and dewatering*
 - air and water quality monitoring*
 - disposal of hazardous wastes*
 - contingency plans and incident reporting*
- h. *All trucks and service vehicles leaving the site shall go through a suitably constructed on site truck wash down area, to ensure no tracking of material occurs from the site onto roads adjoining the site. Details are to be submitted to Council in the Site Management Plan.*
- i. *Prior to the commencement and throughout the duration of the remediation and construction works adequate sediment and stormwater control measures shall be in place and maintained on site at all times. Sediment laden stormwater shall be controlled using measures outlined in the manual Managing Urban Stormwater Soils and Construction produced by the NSW Department of Housing.*
- j. *Remediation work shall be conducted within the following hours:*
Monday – Friday 7am – 5pm
Saturday 8am – 5pm
No work permitted on Sundays or Public Holidays
- k. *A sign displaying the contact details of the remediation contractor (and the site manager if different to remediation contractor) shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration*

of the remediation works.

- l. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.*
10. *Hazardous or intractable wastes arising from the demolition, excavation and remediation process being removed and disposed of in accordance with the requirements of WorkCover NSW and the Environment Protection Authority, and with the provisions of:*
 - *New South Wales Occupational Health and Safety Act, 2000;*
 - *The Occupational Health and Safety (Hazardous Substances) Regulation 2001;*
 - *The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;*
 - *Protection Of the Environment Operations Act 1997 (NSW) and*
 - *Environment Protection Authority's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).*
11. *The works shall not give rise to environmental pollution or public nuisance or, result in an offence under the Protection of the Environment Operations Act 1997 or NSW Occupational Health & Safety Act (2000) & Regulations (2001).*

The following conditions have been applied to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:

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

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background (LA90), 15 min noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq, 15 min and adjusted in accordance with the NSW Environmental Protection Authority's Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).

13. *The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage to other premises.*
14. *The Acoustic Report titled Proposed Residential Development 256 Avoca Street, Randwick DA Acoustic Assessment report reference 10-3685 forms part of this approval*
15. *A report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council prior to an **occupation certificate** being issued for the development, which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the Protection of the Environment Operations Act 1997, NSW Environmental Protection Authority Noise*

Control Manual & Industrial Noise Policy and conditions of Council's approval, to the satisfaction of Council's Manager Environmental Health & Building Services.

The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:

16. *The use and operation of the premises shall not give rise to an environmental health or public nuisance and there are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations.*
17. *Development consent is required to be obtained in relation to the specific 'use' of commercial tenancies/occupancies and 'shop fit outs', in accordance with the relevant requirements of the Environmental Planning & Assessment Act 1979.*

The following group of conditions have been applied to ensure that adequate provisions are made for Section 94 Contributions:

18. *In accordance with Council's Section 94 Contributions Plan adopted on September 1999 a monetary contribution is to be paid to Council for the provision or improvement of public open space in lieu of on site provision for an amount of \$85,460.56 This amount shall be paid by cash or bank cheque prior to the issuing of the construction certificate. Council's Section 94 Contributions Plan may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick.*
19. *In accordance with Council's Section 94 Contributions Plan adopted on September 1999 a monetary contribution is to be paid to Council for the provision of community facilities in lieu of on site provision for an amount of \$37,786.64 This amount shall be paid by cash or bank cheque prior to the issuing of the construction certificate. Council's Section 94 Contributions Plan may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick.*
20. *In accordance with Council's Section 94 Contributions Plan adopted on September 1999 a monetary contribution is to be paid to Council for administration charges for an amount of \$425.00. This amount shall be paid by cash or bank cheque prior to the issuing of the construction certificate. Council's Section 94 Contributions Plan may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick.*

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 works, the person having the benefit of the development consent must:-*
 - i) *appoint a Principal Certifying Authority for the building work, and*
 - ii) *appoint a principal contractor for the building work, or in relation to residential building work, obtain an owner-builder permit in accordance with the requirements of the Home Building Act 1989, and notify the Principal Certifying Authority and Council accordingly in writing, and*
 - iii) *unless the person having the benefit of the consent is the principal contractor (i.e. owner-builder), notify the principal contractor of the required critical stage inspections and other inspections to be carried out, as specified by the Principal Certifying Authority, and*
 - iv) *give at least two days notice to the Council, in writing, of the person's intention to commence building works.*

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

25. *The building works must be inspected by the Principal Certifying Authority (or another certifying authority if the Principal Certifying Authority agrees), in accordance with sections 109 E (3) of the Environmental Planning & Assessment Act 1979 and clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.*

The Principal Certifying Authority must specify the relevant stages of construction to be inspected in accordance with section 81A (2) (b1) (ii) of the Environmental Planning & Assessment Regulation 2000 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 consent is to be maintained by the Principal Certifying Authority. Details of critical stage inspections carried out and copies of certification relied upon must also be forwarded to Council with the occupation certificate.

The principal contractor or owner-builder (as applicable) must ensure that the required critical stage and other inspections, as specified in the Principal Certifying Authority's "Notice of Critical Stage Inspections", are carried out to the satisfaction of the Principal Certifying Authority and at least 48 hours notice (excluding weekends

and public holidays) is to be given to the Principal Certifying Authority, to carry out the required inspection, before carrying out any further works.

26. *A sign must be erected and maintained in a prominent position on the site, which contains the following details:*
- *name, address, contractor licence number and telephone number of the principal contractor, including a telephone number at which the person may be contacted outside working hours, or owner-builder permit details (as applicable)*
 - *name, address and telephone number of the Principal Certifying Authority,*
 - *a statement stating that “unauthorised entry to the work site is prohibited”.*
27. *An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*

The relevant requirements of the Environmental Planning & Assessment Regulation 2000 and relevant conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

28. *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 provisions 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 principal building contractor and compliance with the provisions of the Home Building Act 1989 (i.e. Details of the principal licensed building contractor and a copy of the Certificate of Insurance) are to be submitted to Council **prior to the commencement of works**, with the notice of appointment of the PCA / notice of intention to commence building work.*

29. *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.*

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.2% of the cost of the works.

30. *A coloured works-as-executed fire services plan is to be submitted to the Council **prior to occupation** of the development, detailing the location of the essential fire safety measures installed within the building premises.*
31. *The building is required to be provided with a smoke alarm system complying with Clause 3 of Specification E2.2a of the Building Code of Australia or a smoke detection system complying with Clause 4 of Specification E2.2a of the Building Code of Australia or a combination of a smoke alarm system within the sole-occupancy units and a smoke detection system in areas not within the sole-occupancy units. The smoke detectors located within the stairway, corridors or the like must be interconnected.*

Additional requirements regarding the design and installation of the smoke detection and alarm system may be specified in the construction certificate for the development.

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

32. *Documentary evidence prepared by a suitably qualified professional geotechnical engineer shall be submitted to the certifying authority **prior to the issuing of a construction certificate**, certifying the suitability and stability of the site for the proposed building and certifying the suitability and adequacy of the proposed design and construction of the building for the site.*
33. *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 potential vibration emissions. The report, must demonstrate the suitability of the proposed methods of construction to overcome any potential damage to nearby land/premises.*

*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.

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

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

35. *A dilapidation report prepared by a professional engineer or suitably qualified and*

*experienced building surveyor shall be submitted to the certifying authority **prior to the commencement of demolition, excavation or building works** detailing the current condition and status of all buildings, including ancillary structures (i.e. including dwellings, residential flat buildings, commercial/industrial building, garages, carports, verandahs, fences, retaining walls, swimming pools and driveways etc.) located upon all of the premises adjoining the subject site.*

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

36. *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.***
37. *A Certificate of Adequacy prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the 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.*
38. *A report must be submitted to and approved by the Certifying Authority or an accredited certifier, prior to issuing the Construction Certificate, detailing the proposed method of excavation and dewatering process. This report is to be prepared by suitably qualified and experienced Geotechnical, Hydrological and Structural Engineers and is to include but not limited to:*
 - *The proposed method of shoring/piling and dewatering.*
 - *The zone of influence of any possible settlement.*
 - *The location of any proposed re-injection points in relation to the property boundaries (where re-injection equipment is to be located on land other than the subject premises, the written consent of the owner must also be provided to Council).*
 - *Monitoring of fluctuations of the water table during dewatering/construction to be undertaken by consulting engineers to ensure that the conditions of consent and requirements of the Department of Environment & Conservation (Formerly DLWC) are satisfied.*
 - *The location of all proposed monitoring equipment in relation to the property boundaries (where monitoring equipment is to be located on land other than the subject premises, the written consent of the owner must also be provided to Council).*
 - *Details of any consultation and arrangements made with owners of any potentially affected nearby premises (ie in relation to access, monitoring and rectification of possible damage to other premises).*
 - *The location of all pumping equipment in relation to the property boundaries.*
 - *The proposed method of noise attenuation for all pumping equipment, so as not to be more than 5dB (A) greater than the A – weighted L90 background sound pressure level between the hours of 7am to 10pm within any residential*

premises and not to be audible at all between the hours of 10pm and 7am within any residential dwelling.

- *A report is to be provided from a suitably qualified and experienced Geotechnical and Hydrological Engineers, with the concurrence of the Structural Engineer, which confirms the proposed methods of dewatering and excavation are appropriate and in accordance with 'best practice' principles and should not result in any unacceptable levels of settlement of the adjoining or nearby buildings. Any practices or recommendations made by the consulting Engineer/s must be implemented accordingly.*

The dewatering process must be monitored by the consulting Engineer/s to the satisfaction of the principal certifying authority and documentary evidence of compliance with the relevant conditions of consent and dewatering requirements must be provided to the principal certifying authority and the Council.

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:

39. *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.***
40. *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".*
41. *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 made available to the Council officers and all building contractors for assessment.*
42. *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.

43. *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.*
44. *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.*
45. *The use of any rock excavation machinery or any mechanical pile drivers is restricted to the hours of 8.00am to 5.00pm (maximum), Monday to Friday inclusive and from 8.00am to 1.00pm on Saturday, to minimise the noise levels during construction and loss of amenity to nearby residents.*
46. *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.*
47. *Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy, prepared by a suitably qualified consultant is to be implemented during the works, to the satisfaction of the Principal Certifying Authority.*
48. *A report prepared by a suitably qualified and experienced consultant in acoustics/vibration shall be submitted to the Principal Certifying Authority and the Council **upon commencement of works**, certifying that noise and vibration emissions from the construction of the development complies with the provisions of the Protection of the Environment Operations Act 1997, the Noise Control Manual published by the Environment Protection Authority and relevant conditions of approval. In support of the above it is necessary to submit all relevant readings and calculations made.*
- Should noise and vibration emissions not comply with the terms and conditions of consent, work must cease forthwith and is not to recommence until details of compliance are submitted to Council.*
49. *A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the **following stage/s of construction**:*
- a) *Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and*

verifying that the building is being construction at the approved levels.

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

50. Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, to the satisfaction of WorkCover NSW and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.

51. 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.

52. 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, soil and debris at all times.

53. Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written approval 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 Development Control Plan for Exempt & Complying Development and Council's Local Approvals Policy. Applications to place a waste container in a public place can be made to Council's Building Services section.

54. A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority prior to the commencement of demolition, excavation or building works. The site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;*
- location of site storage areas/sheds/equipment;*
- location of building materials for construction;*
- provisions for public safety;*
- dust control measures;*
- site access location and construction*
- details of methods of disposal of demolition materials;*
- protective measures for tree preservation;*
- provisions for temporary sanitary facilities;*

- *location and size of waste containers/bulk bins;*
- *details of proposed sediment and erosion control measures;*
- *construction noise and vibration management.*

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

55. *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.*
56. *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.*
57. *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*

*Details of the proposed sediment control measures are to be detailed in a soil and water management plan and must be submitted to and approved by the principal certifying authority **prior to the commencement of any site works**. The sediment and erosion control measures must be implemented prior to the commencement of any site works and be maintained throughout construction. A copy of the approved details must be forwarded to the Council and a copy is to be maintained on-site and be made available to Council officers upon request.*

Details of proposed sediment and erosion control measures shall include; a site plan; indicating the slope of land, access points & access control measures, location and type of sediment & erosion controls, location of existing vegetation to be retained, location of material stockpiles and storage areas, location of building operations and equipment, methods of sediment control, details of drainage systems and details of existing and proposed vegetation.

58. *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.

59. *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.*
60. *A temporary timber crossing is to be provided to the site entrance across the kerb and footway area, with splayed edges, to the satisfaction of Council, unless access is via an existing concrete crossover.*
61. *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.*
62. *Any part of Council's nature strip which is damaged as a result of the work must be back-filled, top-soiled and re-turfed with kikuyu turf prior to occupation or finalisation of the development, to Council's satisfaction.*
63. *Public safety must be maintained at all times and public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.*

A temporary safety fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Temporary fences are to have a minimum height of 1.8 metres and be constructed of cyclone wire fencing, with geotextile fabric attached to the inside of the fence to provide dust control, or other material approved by Council.

Hoarding or fences are to be structurally adequate, safe and be constructed in a professional manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

*The public safety provisions and temporary fences must be in place **prior to the commencement of any demolition, excavation or building works** and be maintained throughout construction.*

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.

64. *If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or the building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.*

If necessary, an awning is to be erected sufficiently to prevent any substance from, or in connection with, the work from falling into the public place or adjoining premises.

The public place adjacent to the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place and any such hoarding, fence or awning is to be removed upon completion of the work.

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.

65. A 'B Class' overhead type hoarding is required is be provided to protect the public, located adjacent to the development, prior to the commencement of any works on the site which comprise:-

- any works or hoisting of materials over a public footway or adjoining premises, or
- any building or demolition works on buildings which are over 7.5m in height and located within 3.6 metres of the street alignment.

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.

66. Temporary hoardings or fences and public access are required to be designed in accordance with the following requirements (as applicable):

- The hoarding/fence is required to be structurally adequate, and be constructed of plywood sheeting, painted white or cyclone wire fencing material with geotextile fabric attached to the inside of the fence to provide dust control. The hoarding/fence is to be maintained in good condition at all times.
- The hoarding/fencing is required to be constructed at a minimum height of 1.8 metres.
- A path of travel having a minimum width of 1.5m is to be maintained across the front of the site and safe pedestrian access is to be provided at all times
- Hoardings and fences are not to obstruct access for services including fire services.
- A temporary timber crossing is to be provided to the site entrance across the kerb

and footway area, with splayed edges, unless access is via an existing concrete crossover.

- *Unobstructed access must be maintained at all times for pedestrians and people with disabilities. If necessary, a stable and level, non-slip timber/metal walking platform or firm road base material is to be provided adjacent to the hoarding/fence across the front of the site.*
- *The hoarding/fence is to be provided with reflective barricades, lights or other devices, to provide adequate warning to pedestrians and motorists.*
- *The hoarding/fence is to be constructed so that it will not obstruct the view of motorists, pedestrians or traffic lights.*
- *Site access gates to the site shall not open over the footway/road.*
- *The applicant/builder is required to hold Public Liability Insurance, with a minimum liability of \$10 million and a copy of the Insurance cover is to be provided to Council prior to the construction of any hoarding/fence upon the road reserve/footway.*
- *Geotextile fabric or other suitable material is to be provided to the perimeter of any scaffolding during construction, to prevent any articles from falling to a public place or adjoining premises.*
- *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.*

67. *'B' Class' overhead type hoardings and public access are required to be designed in accordance with the following requirements (as applicable).*

- *The hoarding is to be designed so that the wind loads comply with AS1170.2. Superimposed loads from site sheds and materials not to exceed 40% of the design live loads. The structure should have a factor of safety of 1.5 against overturning and 2 against sliding.*
- *Footings to the hoarding are to be located and designed so as not to have an adverse affect upon underground services or the like. The hoarding is to be able to withstand a vehicle impact and removal of any one column anywhere in the structure and a minimum length of 2m of wall supporting the deck on any one side supporting the structure is required.*
- *Metal parts of the hoarding or associated structures to be not less than 4m from any power line, transmission line or transmission apparatus or 1.5m from part for non conductive materials, such as timber.*
- *Adequate artificial lighting is to be provided to the hoarding.*
- *A suitable system of buffer railing or barriers, particularly at locations such as an intersection or sharp bend.*
- *A minimum overhead clearance of 2.2m is to be provided below the hoarding.*
- *The street side of the hoarding is to be open for at least 2/3 of its full height for the length of the structure to prevent a tunnel effect.*
- *Waterproofing of the deck above the footway is required to be provided and adequate provisions are to be made for the disposal of stormwater.*
- *The hoarding is to be painted white or other light colour acceptable to Council.*
- *Site sheds or accommodation located on top of a hoarding within a designated crane area or where materials are being lifted over are required to sustain a*

10Kpa load and a protective fence and handrails are to be provided.

- *The hoarding is to be erected and maintained fully in accordance with the requirements of Work Cover New South Wales.*
- *Unobstructed access must be maintained at all times for pedestrians and people with disabilities. If necessary, a stable and level, non-slip timber/metal walking platform or firm road base material is to be provided adjacent to the hoarding/fence across the front of the site.*
- *A certificate of structural adequacy prepared by a professional engineer is to be submitted to the certifying authority upon installation (and a copy of the certificate is to be forwarded to the Council if it is not the certifying authority) certifying the structural adequacy of the hoarding and compliance with Councils conditions of consent and relevant requirements of WorkCover New South Wales.*
- *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.*

68. *In addition to the matters contained in the Environmental Planning and Assessment Regulation 2000, the following matters are to be completed in accordance with the terms and conditions of this development consent, **prior to the occupation** of the building:*

- a) *car parking and vehicular access*
- b) *landscaping*
- c) *stormwater drainage*
- d) *external finishes and materials*

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

69. *Access, facilities and car parking for people with disabilities must be provided in accordance with the relevant provisions of the Building Code of Australia and AS1428.1, AS4299 and 2890.1 and Council's development control plan for multi-unit housing to the satisfaction of the Certifying Authority. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans / specifications for the **construction certificate**.*

70. *To provide reasonable access for persons with disabilities, an access ramp having a maximum gradient of 1 in 14 is to be provided at the entrance to the car showroom portion of the building to the satisfaction of the certifying authority and details are to be included in the **construction certificate**.*

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

71. *The following damage/civil works security deposit requirement is to be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to the roadway, footway, verge or any public place; or as security for completing any public work; and for remedying any defect on such*

public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:

a) \$10 000.00 - *Damage / Civil Works Security Deposit*

The damage/civil works security deposit may be provided by way of a cash, cheque or bank guarantee (no expiry date) 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 and upon the completion of the civil works as conditioned in this development consent by Council. The applicant is to advise Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.

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

The following conditions are applied to provide adequate provisions for the Roads and Traffic Authority requirements:

72. *All redundant driveways along the Avoca Street and Barker Street frontage of the development are to be removed with kerb and gutter reinstated to relevant RTA standards.*
73. *To promote the efficient operation of the Classified Road network, construction vehicles associated with the development shall not park or stand on Avoca Street during the construction of the development.*
74. *Subject to Council's Local Traffic Committee's approval, full time "No Stopping" signage should be installed for a short distance either side of the proposed Barker Street driveway to allow motorists to enter / exit the site safely.*
75. *Off-street parking associated with the proposed development (including driveways, ramp grades, aisle widths, parking bay dimensions, turning paths, and sight distance requirements) should be designed in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002 for loading areas.*
76. *Storm water run-off from the subject site onto Avoca Street, as a result of the proposed development is not to exceed the existing level of run-off from the site.*
77. *The proposed development should be designed such that road traffic noise from Avoca Street is mitigated by durable materials, in accordance with EPA criteria for new land use developments (The Environmental Criteria for Road Traffic Noise, May 1999). The RTA's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments..*

Where the EPA external noise criteria would not practically or reasonably be met, the RTA recommends that Council applies the following internal noise objectives for all habitable rooms under ventilated conditions complying with the requirements of the Building Code of Australia:

All habitable rooms other than sleeping rooms:

*45 dB(A) Leq(15hr) and 40 dB(A) Leq(9hr) and
Sleeping rooms: 35 dB(A) Leq(9hr)*

78. *Any cost of noise attenuation shall be at no cost to the RTA.*
79. *All works / regulatory signposting associated with the subject development shall be at no cost to the RTA.*

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

80. *The applicant must meet the full cost for Council or a Council approved contractor to:*
- Construct a full width concrete commercial vehicular crossing and layback at kerb opposite the proposed vehicular entrance to the site in Barker Street.*
81. *Remove all redundant concrete vehicular crossings and laybacks along the site frontages and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.*
82. *Reconstruct the kerb and gutter along the full site frontages except opposite the vehicular entrance and exit point. It is noted that the kerb and gutter along the Avoca Street site frontage shall be constructed in accordance with appropriate RTA guidelines/specifications.*
83. *Carry out a full depth minimum 1.00 metre wide, road construction in front of the new kerb and gutter along the full site frontage. Additional road re-construction works will be required around the existing converter drain at the intersection of Barker Street and Dine Street.*
84. *Construct a concrete footpath along the Dine Street frontage to the requirements of Council's Director of Asset and Infrastructure Services Department. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.*
85. *Construct/reconstruct a full width footpath along the Avoca Street and Barker Street site frontages, in accordance with Council's Urban Design Guidelines for the Spot Commercial Centre.*
- NOTE: The landscape design may include pavements, seat and bin installations, trees, tree guards and tree grates as required by Council's Landscape Architect – 9399 0786.*
86. *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.*
87. *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.

88. *All new 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.*
89. *The driveway opening at the Barker Street frontage must be minimum 6.00 metres wide.*
90. *The applicant shall dedicate a 3m x 3m splay corner at the southeast corner of the development site (intersection of Barker St & Dine Street). The applicant shall meet all cost associated with the dedication.*

Note: No portion of the development shall encroach into the splay corner.
91. *The carpark layout shall be in accordance with Australian Standard 2890.1:2004.*
92. *The loading areas shall be clearly marked and sign posted.*
93. *The individual parking spaces and traffic directional arrows shall be marked in permanent materials on the floor of each parking level.*
94. *Signs indicating 8 kilometres per hour speed limit shall be provided on the car parking levels and the entry and exit lanes.*
95. *A "STOP" sign shall be provided at the exit point of the exit driveway.*
96. *All vehicles shall enter and exit the site in a forward direction.*
97. *All costs of traffic management measures associated with the development shall be borne by the developer.*
98. *Motor vehicles (associated with the proposed motor show room) shall not be test driven within the basement area.*
99. *The car hoist on Basement Level 1 shall be appropriately secured to ensure that the hoist is only accessible to trained commercial staff.*
100. *The residential car spaces shall be separated from the commercial and visitor spaces by the provision of a security roller shutter or similar.*
101. *Vehicles exiting the site between 7:00am and 10:00am (weekdays) shall turn left into Barker Street. Right turn movements are not permitted during these times.*
102. *The applicant shall install signage at the carpark exit stating 'No right turn 7:00am – 10am Monday-Friday' prior to the issuing of an occupation certificate.*

103. *The awning in Avoca Street and Barker Street over Council's footpath shall be set back a minimum of 0.60 metres from the kerb alignment.*
104. *The minimum clear distance from the existing footpath levels along the Avoca Street and/or Barker Street site frontages to the underside of the proposed awning (or any attached signage) shall be 2.60 metres.*
105. *A work zone is to be provided in Barker Street for the duration of the construction works. The 'work zone' shall be provided to the satisfaction of the Randwick Traffic Committee and shall have a minimum length of 12 metres. The prescribed fee for the work zone must be paid to Council at least four (4) weeks prior to the commencement of work on the site.*

It is noted that the requirement for a workzone may be waived if it can be demonstrated (to the satisfaction of Council's traffic engineer) that all construction related activities (including all loading and unloading operations) may be undertaken wholly within the site.

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

106. *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:*

Avoca Street frontage: *Match the levels at the back of the existing footpath along the full site frontage.*

Barker Street frontage: *Match the levels at the back of the existing footpath along the full site frontage.*

Dine Street frontage: *Match the levels at the back of the existing footpath along the full site frontage.*

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

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

107. *The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the footpath must be indicated on the building plans for the construction certificate.*
108. *The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$6260 calculated at \$33.00 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.*

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

109. *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.*
110. *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.*
111. *Documentary evidence from the relevant public utility authorities confirming that their requirements have been satisfied, must be submitted to the certifying authority prior to a construction certificate being issued for the development.*
112. *The electricity substation required for the site as a consequence of this development shall be located within the site and shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications.*
113. *The applicant shall meet the full cost of the overhead power lines and telecommunication cables located along all site frontage to be relocated underground. The applicant shall liaise directly with the relevant service utility authorities to organise for the cables to be relocated. All cables must be relocated underground to the satisfaction of the relevant service utility authority prior to the issuing of an occupation certificate for the development.*
114. *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 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 Notice must be issued to the Principal Certifying Authority prior to the construction certificate being issued.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

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

115. *The floor level of all habitable and storage areas (excluding those areas in the basement carpark) shall be at a minimum RL of 48.38 (AHD) or suitably waterproofed up to this same level. The plans submitted in conjunction with the development application demonstrate compliance with this requirement.*
116. *The proposed internal driveway (and any other openings into the basement carpark from Barker Street) must be designed with a high point to a minimum RL of 48.23*

(AHD). The plans submitted in conjunction with the development application demonstrate compliance with this requirement.

117. *There shall be no windows, vents or other openings into the basement carpark (excluding the driveway opening) that are located below RL 48.38.*

External Drainage Conditions

118. *All site stormwater leaving the site must be discharged by gravity to the underground drainage system in Avoca Street and/or Barker Street, via new and/or existing kerb inlet pits. It is noted that all kerb inlet pits shall be constructed in general accordance with Council's standard drawing SD6.*
119. *With the exception of the site discharge pipe, all new pipelines constructed within council's road reserve shall be minimum 375 mm diameter, spigot and socket rubber ringed jointed, steel reinforced concrete pipeline (RRRCP). Prior to backfilling, all pipelines in council's road reserve shall be inspected and approved by the Hydraulic Engineer certifying the works and Council.*
120. *A reflux valve shall be provided (within the site) over the pipeline discharging from the site to ensure that stormwater from Council drainage system does not surcharge back into the site stormwater system.*
121. *Site discharge pipelines shall cross the verge at an angle no less than 45 degrees to the kerb line.*
122. *A work-as-executed plan prepared and signed by the hydraulic engineer or a registered surveyor, must be submitted to Council's Director of Asset and Infrastructure Services prior to the issuing of an occupation certificate, detailing the as constructed details for all works within Council's road reserve (including detailed levels).*
123. *All drainage details (for the external drainage works) 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 and relevant standards. The plans and specifications for all works on Council property shall be submitted to and approval by the Director of Asset and Infrastructure Services prior to the issuing of a construction certificate.*
124. *Excavation, shoring and dewatering of the site shall be undertaken in accordance with the details submitted to Council in accordance with deferred commencement condition 6. The plans submitted for the construction certificate shall demonstrate compliance with this requirement.*

Internal Drainage Conditions

125. *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.*
- 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 eg. the nature of the soil in the site and/or the presence of rock etc.*

126. *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.*

127. *On-site detention must be provided to ensure that the maximum discharge from the above site is not to exceed that which would occur during a 1 in 5 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 to facilitate infiltration.

128. *The applicant must provide for a detention volume of up to the 1 in 100 year storm event should no formal overland escape route be provided for storms greater than the design storm.*
129. *Prior to occupation of the development, a "restriction on the use of land" and "positive covenant" (under section 88E of the Conveyancing Act 1919) shall be placed on the title of the subject property to ensure that the onsite detention system is maintained and that no works which could affect the design function of the detention system are undertaken without the prior consent (in writing) from Council. Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council.*

Notes:

- a. *The "restriction on the use of land" 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. *If new linen plans are being prepared for the site, the plans shall indicate the location and dimensions of the detention/infiltration areas.*
130. *The detention area must be regularly cleaned and maintained to ensure it functions as required by the design.*
 131. *The stormwater detention area must be suitably signposted where required, warning people of the maximum flood level.*
 132. *The maximum depth of ponding in above ground detention areas shall be as follows:*
 133. *300mm in landscaped areas (where child proof fencing is not provided around the outside of the detention area and sides slopes are steeper than 1 in 10)*
 134. *600mm in landscaped areas where the side slopes of the detention area have a maximum grade of 1 in 10.*
 135. *1200mm in landscaped areas where a childproof fence is provided around the outside of the detention area*

Notes:

*It is noted that above ground storage will not be permitted in basement carparks or in any area which may be used for storage of goods.
Mulch/bark must not be used in onsite detention areas*

136. *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).

137. *A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.*

138. *Pump out systems will only be considered if the applicant can demonstrate to the Principal Certifying Authority that it is not possible to manage stormwater runoff in any other manner.*

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.

139. *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/infiltration system.*

The sediment/silt arrester pit shall be constructed in accordance with the following requirements:-

The base of the pit located a minimum 300mm under the invert level of the outlet pipe.

The pit constructed from cast in-situ concrete, precast concrete or double brick.

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 located over the outlet pipe/s (Mascot GMS multipurpose filter screen or equivalent).

The grate being a galvanised heavy-duty grate that has a provision for a child proof fastening system.

A child proof and corrosion resistant fastening system provided for the access grate (e.g. spring loaded j-bolts or similar).

A sign adjacent to the pit stating:

"This sediment/silt arrester pit shall be regularly inspected and cleaned."

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

140. *A 'V' drain is to be constructed along the perimeter of the property, where required, to direct all stormwater to the detention area.*
141. *Any absorption trenches/infiltration pits must be designed in accordance with "Section 8.5 ABSORPTION TRENCHES" as stipulated in Randwick City Council's Private Stormwater Code.*
142. *Four covered car washing bays shall be provided for this development.*
 - a) *The car washing bays must be drained to sewer to the requirements of Sydney Water and proof of compliance is to be submitted to the certifying authority, prior to a construction certificate being issued for the proposed development.*
 - b) *The car washing bays must be located outside any required/approved stormwater detention system.*
 - c) *The car washing bays must be signposted with 'Exclusive Carwash Bay Use Sat 2:00pm – 5:00pm and Sunday 10:00am – 2:00pm, Visitor parking at other times'*
 - c) *The car washing bays must be constructed with a minimum 20mm bund around the perimeter of the car washing bays (or equivalent)*
 - d) *A water tap shall be located adjacent to the car washing bays.*
143. *Prior to the issuing of an occupation certificate, the applicant shall submit to Council's Director of Asset and Infrastructure Services, a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall be to the satisfaction of the Principal Certifying Authority (PCA) and shall include the following details:*
 - a. *The location of the detention basin with finished surface levels;*
 - b. *Finished site contours at 0.2 metre intervals;*
 - c. *Volume of storage available in the detention areas;*
 - d. *The location, diameter, gradient and material (i.e PVC, RC etc) of all stormwater pipes;*
 - e. *The orifice size(s) (if applicable);*
 - f. *Details of any infiltration/absorption systems; and*
 - g. *Details of any pumping systems installed (including wet well volumes).*
144. *Prior to the issuing of an occupation certificate, the applicant shall submit to the Principal Certifying Authority (PCA) and Council's Director of Asset and Infrastructure Services, certification from a suitably qualified and experienced Hydraulic Engineer confirming that the design and construction of the stormwater drainage system complies with the conditions of development consent. The certification must be provided to the satisfaction of the PCA.*
145. *As the above site may encounter groundwater within the depth of the basement*

excavation, the basement carpark is to be suitably tanked and waterproofed. A Structural Engineer\Geotechnical Engineer shall certify the tanking & waterproofing has been carried out to an acceptable standard and a copy of the certification is to be forwarded to Council.

Notes:-

- a) Any subsoil drainage (from planter boxes etc) is to be disposed of within the site and is not to be discharged to Council's kerb & gutter and/or underground drainage system.*
- b) Adequate provision is to be made for the groundwater to drain around the basement carpark (to ensure that the basement will not dam or slow the movement of the groundwater through the development site).*

146. A dilapidation survey of the surrounding properties and infrastructure shall be undertaken by a suitably qualified person prior to the commencement of work.

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

147. The residential garbage room shall be sized to contain the compactor plus an additional 14 bins. It is noted that the garbage compactor area is to be separated from the common garbage bin area via a locked door, to ensure it is not accessible to the general residents. Furthermore, the compactor system shall be managed by a caretaker.

148. A minimum of 2 x 240 litre garbage bins shall be located outside of the compactor area to facilitate disposal of non-recyclable residential garbage which cannot fit into the compactor.

149. The residential recycling room shall be sized to contain a total of 27 recycling bins whilst providing satisfactory access to all bins.

150. The waste storage areas are to be provided with a tap and hose and the floor is to be graded and drained to the sewer to the requirements of Sydney Water.

151. The commercial garbage area shall be separated from the residential bin storage areas.

152. The garbage storage areas shall be clearly sign-posted.

153. The waste management arrangements for the site shall be undertaken in general accordance with the details contained in the letter from P.D. Mayoh Pty Ltd dated 23 December 2004.

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

154. A detailed landscape plan shall be submitted to, and be approved by, the certifying authority, prior to the issue of a construction certificate. If Council is not the certifying

authority for the site, the applicant will still be required to forward a copy of the approved plans to Council for record purposes. The landscape drawings and specifications are to be prepared by a qualified Landscape Architect who is eligible for membership with the Australian Institute of Landscape Architects (AILA). The documentation is to include:

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

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

- b. A planting plan at a scale of 1:100 or 1:200 indicating the location of all proposed planting and existing trees to be retained. All plants are to be drawn at their mature size with a dense planting of shrubs, accent plants and ground covers within all garden beds so that a continuous planted cover is achieved. Plant spacings are to be clearly indicated for all accent and groundcovers.
- c. A planting schedule listing all plants by botanic & common names, plant numbers, plant spacings for groundcovers and accent planting, pot sizes, the estimated size of the plant at maturity (height & spread) and proposed staking methods when applicable.
- d. Additional notation showing soil and mulch details, irrigation details, lighting details, edging, paving, fencing details, surface finishes, retaining wall details, and any other landscape elements in sufficient detail to fully describe the proposed landscape works.
- e. Position of existing and proposed site services including water, gas, electricity, sewer, stormwater, etc.
- f. Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.
- g. The landscape plan shall show the provision of landscape treatment between the proposed courtyard walls and property boundaries along the southern and eastern frontages of the site (Barker Street and Dine Street) using a species that will not encroach beyond the property boundary onto Council's footpath area. The applicant will be required to detail the species selection proposed for these frontages to ensure compliance with this condition.
- h. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm. Planter box details shall be submitted with the detailed

landscape plans.

- i. In order to reduce the amount of stormwater generated by the site, as well as to recharge groundwater supplies, porous paving shall be used in all paved areas not over slab (excluding the access driveway and loading bay). Details are to be provided with the construction certificate application.*
- 155. 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.*
- 156. The landscaping shall be installed in accordance with the approved documentation required in Deferred Commencement Condition No. 1 of this consent prior to the issue of a final occupation certificate and shall be maintained in accordance with those plans.*
- 157. The owner/proprietor/future owners corporation of the subject development site shall regularly maintain the landscaped area located in front of the proposed courtyard walls/perimeter fencing.*
- 158. The applicant shall submit a landscape design for the Avoca Street and Barker Street frontages of the development in accordance with Council's Urban Design Guidelines for the Spot Commercial Centre. The landscape design may include pavements, seat and bin installations, trees, tree guards and tree grates as required by Council's Landscape Architect – 9399 0786.*

The Landscape Design plans shall be submitted to and approved by Council's Director of Asset and Infrastructure Services in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979, prior to the certifying authority issuing a construction certificate for the development.

All street furniture is required to be purchased through Council. Due to supply constraints, the applicant is required to place an order and pay for the required furniture three months prior to the estimated date for the completion of street frontage works.

The applicant shall note that the approved landscape works carried out on Council property shall be in accordance with Council's requirements for Civil Works on Council property. An application for the cost of the landscape works on Council property 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 checking 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.

A refundable deposit in the form of cash or cheque of \$4,000 shall be lodged with Council prior to issue of a construction certificate for the proposed development in order to ensure the construction of the approved landscape works along the Avoca Street and Barker Street site frontages.

159. *To ensure satisfactory maintenance of the landscaped areas, an automatic irrigation system shall be installed throughout all landscaped areas. Such system shall provide full coverage to all the landscaped areas with no overspray onto driveways and pathways.*

Details of the automatic irrigation system shall be shown on the detailed landscape plans and specifications. The system shall comply with all Sydney Water requirements, and relevant Australian Standards.

160. *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.*

161. *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.*

162. *The proposed substation shall be screened from view. The location and elevation shall be shown on all detailed landscape drawings and specifications.*

163. *All detention tanks and stormwater infiltration systems located within the landscaped areas shall have a minimum soil cover of 600mm to ensure sufficient soil depth to permit the establishment of landscaping on top of these services as stipulated by these conditions of development consent.*

All stormwater documentation submitted for the construction certificate application shall show the top of the detention tanks and stormwater infiltration devices being 600mm below the finished ground level of the landscaped areas.

164. *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.*

Tree Management

165. *The applicant shall submit a total payment of \$3,305.50 to Council,*

a. *Being the cost to reimburse Council for the loss of the most eastern Jacaranda mimosifolia (Jacaranda) on the Barker Street frontage to accommodate the proposed vehicle entry/exit (\$145.00 + GST)*

b. *Being the cost for Council to supply and install 4 x 75 litre street trees along the Avoca Street frontage, 6 x 75 litre street trees along the Barker Street frontage and 3 x 75 litre street trees along the Dine Street frontage at the completion of all works (\$2860.00 + GST)*

*The contribution shall be paid into Tree Amenity Income Code R39 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.

166. *Approval is granted for the removal of the following trees subject to the planting of 6 x 100 litre broad canopied replacement trees (not palms) suitably located within the deep soil zones throughout the site. The species selected shall be those that will attain a minimum height of 6 metres at maturity.*
- a) *One Syagrus romanzoffianum (Cocos Palm) about halfway along the western boundary.*
 - b) *Two Melaleuca quinquinervia (Broad Leafed Paperbarks) against the southern boundary.*
 - c) *Three (3) Eucalyptus nicholii (Willow Leafed Peppermints) along the southern boundary.*
 - d) *One Eucalyptus nicholii (Willow Leafed Peppermint) along the eastern boundary.*
 - e) *One Melaleuca quinquinervia (Broad Leafed Paperbark) along the eastern boundary*
 - f) *One Grevillea robusta (Silky Oak) about halfway along the northern boundary"*
167. *Permission is granted for the selective pruning of overhanging branches from the Persea americana (Avocado) tree located in the private courtyard to the north, in 6-10 Dine Street. 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.'*

Tree Protection Measures

168. *In order to ensure the retention of the two (2) Eucalyptus species (Gum trees) along the Avoca Street frontage, the two Jacaranda mimosifolia (Jacaranda's) along the Barker Street frontage as well as the Acmena smithii (Lilly Pilly) and Jacaranda mimosifolia (Jacaranda) along the Dine Street frontage 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. *The trees are to be physically protected by the installation of protective fencing around the trees using 1.8 metre high steel mesh/chainwire fencing. This fencing shall be located to a minimum radius of 1 metre from the outside edge of the tree trunk.*

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

- c. Within this zone 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.*

Any works required within this zone (only as approved on the construction certificate) shall be under the direction of, and to the satisfaction of, Council's officer.

- d. The erection of signage on the fence with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER".*

169. A refundable deposit in the form of cash, cheque or bank guarantee (with no expiry date) for the amount of \$15,000.00 shall be lodged with Council prior to a construction certificate being issued for the proposed development to ensure the implementation and maintenance of the landscape works in accordance with the approved landscape documentation.

- a. The refundable deposit will be released twelve (12) months after the issue of a final occupation certificate by the principle certifying authority providing the landscape works have been successfully implemented and maintained in accordance with the approved landscape documentation. Throughout the maintenance/bond period, the applicant shall be responsible for all routine maintenance such as weeding, watering, fertilising, spraying, staking and replacement of all failed plant stock. There must be no alteration to the original design, including substitution of trees and shrubs, without the prior approval of the Principal Certifying Authority.*
- b. Any contravention of Council's landscape conditions at any time during the construction period or prior to the expiration of a period of twelve (12) months from the date a final occupation certificate is issued will result in the Council claiming all or part of the lodged security.*

170. In order to ensure the retention of the Persea americanna (Avocado) tree located in the adjoining property to the north, within the private courtyard in 6-10 Dine Street 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 specimen with the position of the tree trunk and full diameter of the tree canopy clearly shown on all drawings.*
- b. The tree is to be physically protected by the installation of protective fencing around the eastern, southern and western sides of the trunk using 1.8 metre high steel mesh/chainwire fencing. This fencing shall be located to a minimum radius of 1.5 metres from the outside edge of the tree trunk.*

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

- c. *Within this zone 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.*

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 etc within 2 metres of the tree trunk 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 fence with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER".*
- f. *A refundable deposit in the form of cash or cheque of \$1,440.00 shall be lodged with Council prior to issue of a construction certificate for the proposed development in order to ensure the preservation of the tree in accordance with the requirements described in this condition.*

The contribution shall be paid into Tree Preservation Deposit Code R40 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.

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 tree/s have been retained in good health.

Any contravention of Council's conditions relating to the {tree or 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 Matters

1. *In order to organise for an inspection for the release of the security deposit, the applicant shall contact the Principal Certifying Authority for the development to liaise with Council's Asset & Infrastructure Department to arrange for an inspection of the landscaping to be carried out. Should the landscaping be found to be unsatisfactory, thus necessitating further inspections, the applicant is advised that each additional*

inspection will be charged at \$55.00 (incl.GST) and that this amount shall be paid into Account Number 41901939, Code RGJ at the Cashier on the Ground Floor of the Administrative Centre prior to any further inspection being carried out.

The applicant shall present the receipt at the Asset and Infrastructure Services counter on the First Floor to organise for a further inspection to be undertaken.

2. *The applicant is advised that the Construction Certificate plans and specification must comply with the provisions of the Building Code of Australia (BCA).*

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

- a) *Part B1 - Structural provisions*
- b) *Part C1 - Fire resistance and stability*
- c) *Part D3 - Access for people with disabilities*
- d) *Part E1 - Fire fighting equipment*
- e) *Part E2 - Smoke Hazard Management*
- f) *Part E4 - Emergency lighting, exit signs & warning systems*
- g) *Part F1 - Damp and weatherproofing*
- h) *Part F2 - Sanitary and other facilities*
- i) *Part F4 - Light and ventilation, in particular, the carpark*
- j) *Part F5 - Sound Transmission and Insulation*

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

You are therefore advised to consult with Council's Building Certification Services or an accredited certifier prior to submitting your construction certificate application to enable these matters to be addressed accordingly.

MOTION: (Woodsmith/Hughes) SEE RESOLUTION.

6.6 DEVELOPMENT APPLICATION REPORT - 62 FRENCHMANS ROAD RANDWICK. (D0657/2004)

- H10 **RESOLUTION: (His Worship the Mayor, Cr M. Matson/Hughes)** *that this application be deferred to allow for discussions between Council officers and the applicant in regards to the upper floor level and the appropriate setbacks that would be required to reduce its apparent scale, whilst not compromising the 'green' initiatives in the development.*

MOTION: (Tracey/Woodsmith) that:

- a) Council not support the SEPP 1 objection lodged in respect of the height and floor space variation and Part A of the consent be deleted; and
- b) Council as the responsible authority grant its development consent under the provisions of Section 80 (3) of the Environmental Planning and Assessment Act 1979 (as amended), "Deferred Commencement" to Development Application No 657/2004 for New 3 storey mixed use development including 3 retail shops, 14 dwellings and

basement car parking for 23 vehicles at 62 Frenchmans Road Randwick subject to the conditions outlined in the Director of Planning and Community Development's Report dated 9th November, 2004 and the addition of a new condition No.1 which reads "the amended plans be submitted showing the deletion of the entire fourth floor". **RULED OUT OF ORDER BY THE CHAIRPERSON.**

FURTHER MOTION: (Andrews/White) that:

- A. Council assume the concurrence of the Director of Infrastructure Planning and Natural Resources to vary the provisions of Clause 32 and 33 of the Randwick Local Environmental Plan 1998 (as amended) relating to floor space ratio and height for a New part 3 part 4 storey mixed use development including 3 retail shops, 17 dwellings and basement car parking for 23 vehicles under State Environmental Planning Policy No. 1 and,
- B. Council as the responsible authority grant its development consent under the provisions of Section 80 (3) of the Environmental Planning and Assessment Act 1979 (as amended), "Deferred Commencement" to Development Application No 657/2004 for New part 3 part 4 storey mixed use development including 3 retail shops, 17 dwellings and basement car parking for 23 vehicles at 62 Frenchmans Road Randwick subject to the conditions outlined in the Director of Planning and Community Development's Report dated 9th November, 2004.

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

7. MISCELLANEOUS.

7.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 1/2005 - REPORT TO AMEND THE RANDWICK LEP 1998 AND PREPARE A DCP FOR MATRAVILLE TOWN CENTRE. (F2004/08020 AND F2004/08017)

H11 **RESOLUTION: (Belleli/Daley) that:**

- a) *Council endorse the public exhibition of the town centre study including all documents in the attachments to this report for the purposes of community consultations;*
- b) *Council resolve under Section 54 of the Environmental Planning and Assessment Act 1979 (as amended) to prepare a draft Local Environmental Plan amendment to the Randwick Local Environmental Plan 1998;*
- c) *Council resolve under Section 72 of the Environmental Planning and Assessment Act 1979 (as amended) to prepare a draft Development Control Plan in respect of the Matraville town centre review.*

MOTION: (Belleli/Daley) SEE RESOLUTION.

8. GENERAL BUSINESS.

Nil.

9. NOTICE OF RESCISSION MOTIONS.

Nil.

The meeting closed at 10.00 p.m.

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CHAIRPERSON