

**MINUTES OF HEALTH BUILDING AND PLANNING COMMITTEE MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 12TH JULY 2005 AT 6:47 PM**

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 - Cr R. Belleli

East Ward - Crs B. Notley-Smith & D. Sullivan

West Ward - Crs B. Hughes and S. Nash

Central Ward - Cr A. Andrews

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoplos.
Acting Director, City Planning	Mr. K. Kyriacou.
Director, Governance & Financial Services	Mr. G. Banting.
Manager Environmental Planning	Ms. K. Armstrong.
Acting Public Officer	Mr. D. Kelly.
Communications Manager	Ms. D. Brien.
Manager, Technical Services	Mr. M. Shaw.
Tree Management Officer	Mr. B. Bourke.
Student Planner	Ms. S. Hudson.

1. APOLOGIES.

Apologies were received from Crs Bastic, Daley, Procopiadis and White.

RESOLVED: (Nash/Andrews) that the apologies from Crs Bastic, Daley, Procopiadis and White for non-attendance at the Health, Building & Planning Committee Meeting of the Council held on Tuesday, 12th July, 2005 be received & accepted.

2. MINUTES.

CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 14TH JUNE, 2005.

H53 **RESOLUTION:** (Belleli/His Worship the Mayor, Cr M. Matson) that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 14th June, 2005 (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

Nil.

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:

6.1 DEVELOPMENT APPLICATION REPORT - 12 BELLEVUE STREET, MAROUBRA.

The Objector Ms Rachel Morgan 5/14 Bellevue Street, Maroubra

The Applicant Mr Xingmai Jiang 12 Bellevue Street, Maroubra

6.2 DEVELOPMENT APPLICATION REPORT - 87 MAWSON PARADE, CHIFLEY.

The Objector Mr Paul Ross 85 Mawson Parade, Chifley

The Applicant Ms Robyn Melov 87 Mawson Parade, Chifley

6.3 DEVELOPMENT APPLICATION REPORT - 5 LITTLE STREET, MAROUBRA.

The Objector Mr Harry Malone 7 Little Street, Maroubra

The Applicant Mr Anthony Betros Oxford Street, Bondi Junction

6.4 DEVELOPMENT APPLICATION REPORT - 22 MINNEAPOLIS CRESCENT, MAROUBRA.

The Applicant Mr Bill Henningham 129 Riverview Street, Riverview

7.2 DIRECTOR, CITY PLANNING REPORT 43/2005 - GROSS FLOOR AREA DEFINITON AND FLOOR SPACE RATIO.

Against Mr John Buchanan 83 Beach Street, Coogee

The meeting was adjourned at 7.33 p.m. and was resumed at 7.51 p.m.

5. MAYORAL MINUTES.

Nil.

6. DEVELOPMENT APPLICATIONS.

6.1 DEVELOPMENT APPLICATION REPORT - 12 BELLEVUE STREET, MAROUBRA. (DA/257/1999/A)

H54 **RESOLUTION:** (*Andrews/Notley-Smith*) that Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Conditions 1 and 2 of Development Consent No. 257/99 by reducing the overall height of the dwelling house by 370mm rather than 1.03m and changes to the front and rear balconies shape, extend roof line over Bedroom No. 2, extend basement garage to include wine cellar, extend sewing room at the rear, provide bar to first floor TV room and minor internal changes for property at 12 Bellevue Street, Maroubra, in the following manner:

Amend Condition No. 1 to read:

1. *The development must be implemented substantially in accordance with the plans designated Project No 312 NB/99 sheets 1 and 2 dated March 1999, the application form and on any supporting information received with the application, and unless modified by the Section 96 application 'A' plans received by Council on 18 May 2005, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, except as amended by the following conditions:*

Amend Condition No. 2 to read:

2. *The overall height of the dwelling house is to be reduced by 370mm, so that the maximum height of the building does not exceed 8.82m above natural ground level at any point and details of compliance are to be provided in the construction certificate plans.*

MOTION: (Andrews/Notley-Smith) CARRIED – SEE RESOLUTION.

6.2 DEVELOPMENT APPLICATION REPORT - 87 MAWSON PARADE, CHIFLEY. (D0249/2005)

H55 **RESOLUTION:** (*Andrews/Notley-Smith*) that Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. 249/2005 by altering the roof pitch of the hobby room from 30 degrees to 45 degrees on property at 87 Mawson Parade, Chifley, in the following manner:

Amend Condition No. 1 to read:

1. *The development must be implemented substantially in accordance with the plans designated drawing No 05/012-1 Job No 05/012, dated 20.03.05 and received by Council on 8 April 2005, the application form and on any supporting information received with the application, and unless modified by the Section 96 application 'A' plan numbered 05/012-1s96, dated 17.05.05 and received by Council on 20 May 2005, only in so far as they relate to the modification highlighted on the Section 96 plan and detailed in the Section 96 application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

MOTION: (Andrews/Notley-Smith) CARRIED – SEE RESOLUTION.

6.3 DEVELOPMENT APPLICATION REPORT - 5 LITTLE STREET, MAROUBRA. (00007/2005)

H56 **RESOLUTION:** *(Andrews/Nash)* that this application be deferred to the next Health, Building and Planning Committee meeting on Tuesday, 8th August, 2005 to allow the applicant to clarify the information contained in the Director, City Planning's Report.

MOTION: (Andrews/Nash) CARRIED – SEE RESOLUTION.

6.4 DEVELOPMENT APPLICATION REPORT - 22 MINNEAPOLIS CRESCENT, MAROUBRA. (D/1176/2003)

H57 **RESOLUTION:** *(Nash/Sullivan)* that this application be deferred to allow for mediation between the applicant and objector.

MOTION: (Nash/Sullivan) CARRIED – SEE RESOLUTION.

7. MISCELLANEOUS.

7.1 DIRECTOR, CITY PLANNING REPORT 42/2005 - REVIEW OF DUAL OCCUPANCY DEVELOPMENT. (F2005/00250 xr F2005/00261)

H58 **RESOLUTION:** *(Andrews/Notley-Smith)* that Council consider the Director, City Planning Report 34/2005 on the Review of Dual Occupancy Development and adopt its recommendations.

MOTION: (Andrews/Notley-Smith) CARRIED – SEE RESOLUTION.

7.2 DIRECTOR, CITY PLANNING REPORT 43/2005 - GROSS FLOOR AREA DEFINITION AND FLOOR SPACE RATIO. (F2004/08103)

H59 **RESOLUTION:** *(Andrews/Notley-Smith)* that Council note the above report and resolve that the Gross Floor Area definition should only be reviewed upon finalisation of the State Government's Standard LEP Template.

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

- (a) Council note the Director, City Planning Report 43/2005;
- (b) Council make a submission during the public exhibition phase of the State Government's Standard LEP Template design stressing that floor space ratios should utilise measurements to the external wall; and
- (c) Council resolve to notify the Minister that it intends to commence a draft LEP with the intention of altering the floor space ratio provisions within the existing LEP 98 with the intent of changing that definition to rely on a measurement to the external wall. **LOST.**

A division was called for by His Worship the Mayor, Cr M. Matson and Cr Hughes.

Voting was as follows:-

For	Against
Hughes	Andrews
His Worship the Mayor, Cr M. Matson	Belleli
Woodsmith	Kenny
	Nash
	Notley-Smith
	Seng
	Sullivan
	Tracey

FURTHER MOTION: (Andrews/Notley-Smith) CARRIED – SEE RESOLUTION.

8. GENERAL BUSINESS.

Nil.

9. NOTICE OF RESCISSION MOTIONS.

Nil.

The meeting closed at 8.08 p.m.

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CHAIRPERSON