

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 18TH APRIL 2006 AT 6:05 P.M.**

PRESENT:

His Worship the Mayor, Cr. T. Seng (Central Ward) (Chairperson)

Councillor M. Matson (East Ward) (Deputy Mayor)

North Ward - Crs P. Tracey & M. Woodsmith

South Ward - Crs R. Belleli & A. White

East Ward - Cr B. Notley-Smith

West Ward - Crs B. Hughes & S. Nash

Central Ward - Crs A. Andrews

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoples.
Director, City Planning	Ms. S. Truuvert.
Director, Governance & Financial Services	Mr. G. Banting.
Acting Manager, Administrative Services	Ms. J. Hartshorn.
Manager Performance Improvement	Ms. K. Walshaw.

1. COUNCIL PRAYER

The Council Prayer was read by Cr Notley-Smith.

2. APOLOGIES.

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

RESOLVED: (Andrews/Nash) that the apologies from Crs Bastic, Daley, Procopiadis and Sullivan for non-attendance at the Ordinary Council Meeting of the Council held on Tuesday, 18th April, 2006 be received & accepted.

2A. LEAVE OF ABSENCE

Leave of Absence had previously been granted to Cr Kenny. See Minute No. 56 of 28 March, 2006.

3. MINUTES

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 28TH MARCH, 2006.**

93 **RESOLUTION:** (*Tracey/Nash*) that the Minutes of the Ordinary Council Meeting held on Tuesday, 28th March, 2006 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

4. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS.

Cr Seng declared a non-pecuniary interest in Mayor's Minute 28/2006 (Maroubra Development Carnival – Des Renford Aquatic Centre – Waiving of Fees) as the patron of Maroubra Swimming Club.

Cr Belleli declared a non-pecuniary interest in Mayor's Minute 25/2006 (Waiving of Fees – Benevolent Society) as his spouse's Dance School will be performing, free of charge, at the event.

5. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

10.1 DIRECTOR, CITY PLANNING REPORT 28/2006 – 2 ALBERT STREET AND 155-161 AVOCA STREET, RANDWICK

The Applicant Mr Spiro Stavis (Architect on behalf of the Applicant)

10.2 DURECTOR, CITY PLANNING REPORT 29/2006 – 8-10 WOOD STREET, RANDWICK

The Applicant Mr Spiro Stavis (Architect on behalf of the Applicant)

6. MAYORAL MINUTES.

6.1 MAYOR'S MINUTE 25/2006 - WAIVING OF FEES - BENEVOLENT SOCIETY. (F2004/07842)

Cr Belleli, having declared a non-pecuniary interest in Mayor's Minute 25/2006 earlier in the meeting (see page 2 of these Minutes), left the Council Chamber during the debate and the vote on the matter.

94 **RESOLUTION:** (*His Worship the Mayor, Cr T Seng*) that:

- (a) *Council vote \$4,007.50 to cover 50% of the fees associated with the community festival to be held on Saturday, 27 May, 2006 and that these funds be allocated from the 2005/06 Contingency Fund budget;*
- (b) *the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution, prior to and during the event (by Council logo being prominently displayed on all promotional materials such as flyers, newspaper advertisements, etc, Council being mentioned as sponsor in any radio advertisements, sponsorship acknowledged in all local press and publicity); and*
- (c) *the Mayor or the Mayor's representative be given the opportunity to address the event on behalf of Council.*

MOTION: (*His Worship the Mayor, Cr T Seng*) **CARRIED – SEE RESOLUTION.**

6.2 MAYOR'S MINUTE 26/2006 - INDONESIAN WELFARE ASSOCIATION - STREET FAIR - WAIVING OF FEES. (F2004/07550)

95 **RESOLUTION:** (*His Worship the Mayor, Cr T Seng*) that:

- (a) Council vote \$3,433.00 to cover the fees associated with the Indonesian Festival and costs be charged to the 2005/06 Contingency Fund budget;
- (b) the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
- (c) the Mayor or his representative be given the opportunity to address the event on behalf of Council.

MOTION: (*His Worship the Mayor, Cr T Seng*) **CARRIED – SEE RESOLUTION.**

6.3 MAYOR'S MINUTE 27/2006 - QANTAS WALLABIES FAN DAY - COOGEE OVAL - WAIVING OF FEES. (F2004/07841)

96 **RESOLUTION:** (*His Worship the Mayor, Cr T Seng*) that:

- (a) Council vote \$2,205.00 to cover the fees associated with the Qantas Wallabies Fan Day to be held on Monday, 29 May, 2006 and that these funds be allocated from the 2005/06 Contingency Fund budget;
- (b) the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution, prior to and during the event (by Council logo being prominently displayed on all promotional materials such as flyers, newspaper advertisements, etc, Council being mentioned as sponsor in any radio advertisements, sponsorship acknowledged in all local press and publicity); and
- (c) the Mayor or the Mayor's representative be given the opportunity to address the event on behalf of Council.

MOTION: (*His Worship the Mayor, Cr T Seng*) **CARRIED – SEE RESOLUTION.**

6.4 MAYOR'S MINUTE 28/2006 – MAROUBRA DEVELOPMENT CARNIVAL – DES RENFORD AQUATIC CENTRE - WAIVING OF FEES. (F2006/00108)

Cr Seng declared a non-pecuniary interest in this item earlier in the meeting – see page 2 of these Minutes.

97 **RESOLUTION:** (*His Worship the Mayor, Cr T Seng*) that:

- (a) Council vote to waive the \$600.00 fees associated with the Maroubra Development Carnival to be held on Sunday, 28 May, 2006;
- (b) the Maroubra Swimming Club undertake to appropriately and prominently acknowledge and promote Council's contribution, prior to and during the event (by Council logo being prominently displayed on all promotional materials such as flyers, newspaper advertisements, etc.); and

- (c) *the Mayor or the Mayor's representative be given the opportunity to address the event on behalf of Council.*

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.5 MAYOR'S MINUTE 29/2006 – MALABAR HEADLAND - THE PEOPLE'S PARK. (F2004/06759)

98 **RESOLUTION: (His Worship the Mayor, Cr T Seng) that:**

- (a) *Council, through the Mayor, accept the invitation from Peter Garrett MP to co-host the Malabar Headland – the People's Park Community Forum; and*
- (b) *Council waive the venue hire fees and vote \$400 to cover the co-hosting of the Malabar Headland – The People's Park Community Forum, and that these funds be allocated from the 2005/06 Contingency Fund budget.*

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.6 MAYOR'S MINUTE 30/2006 – IMPROVING TRANSPARENCY OF COUNCIL'S TENDER PROCESS. (F2005/00699)

99 **RESOLUTION: (His Worship the Mayor, Cr T Seng) that the General Manager prepare a report for Council's consideration addressing ways in which confidential tender documents may be released to the public after the tender has been awarded and contractual arrangements have been finalised, with the intent that Council develop a policy in this respect taking into consideration the following matters:**

- a) *Confidential documents (including the tender submissions and evaluation results) relating to each tender shall be released publicly 3 months after the tender has been awarded and contractual arrangements have been finalised;*
- b) *Council's policy to eventually release all confidential documents relating to the tender process be included in the tender specifications;*
- c) *If necessary, unsuccessful tenderers be given the opportunity for particulars of their tender submission to be deleted from the documents released to the public;*
- d) *Council Minutes shall record reasons for the acceptance of the successful tender; and*
- e) *Where possible, Council's deliberations concerning the awarding of a tender be carried out in open Council session.*

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

7. GENERAL MANAGERS' REPORTS.

7.1 GENERAL MANAGER'S REPORT 5/2006 - DRAFT MANAGEMENT PLAN 2006-09. (F2006/00161)

100 **RESOLUTION: (Notley-Smith/Andrews) that:**

- (a) *the Draft Management Plan be placed on public exhibition for not less than 28 days, from 19 April 2006 to 19 May 2006, inviting submissions from the public;*
- (b) *at the conclusion of the period of public exhibition a meeting of Council is held to consider any submissions made concerning the Draft Plan, and after taking into consideration such matters, as it considers relevant, Council adopt the Management Plan; and*
- (c) *in accordance with the Code of Accounting Practice and Financial Reporting (April 2005) Section 9.5, in respect to each broad function of council, expenses that can be reliably attributed will be allocated to that function (AAS 27 paragraph 79 (b)).*

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

8. DIRECTOR, CITY SERVICES' REPORTS.

8.1 DIRECTOR, CITY SERVICES' REPORT 24/2006 - FERGUSON STREET, MAROUBRA. LANE WIDENING EXEMPTION TO SUBDIVISION CODE REQUIREMENTS. (F2004/08353)

101 **RESOLUTION: (Belleli/White) that:**

- (a) *Council provide exemption for the requirement of a 4.57 metre wide lane widening dedication for the properties listed in the schedule contained within this report as specified in Council's Subdivision Code Policy and the Section 149 Certificate be amended to reflect Council's resolution.*
- (b) *the property owners be advised that upon redevelopment of the property that the 4.57 metre wide lane widening dedication will not be required by Council however the lane widening contribution will still be required to allow construction of kerb and gutter and provide a pedestrian vehicular shared zone adjacent to the property. Council will require a 3m by 3m splay corner at the intersection of Murray and Ferguson Streets for pedestrian and vehicle safety.*

MOTION: (Belleli/White) CARRIED – SEE RESOLUTION.

9. DIRECTOR, GOVERNANCE & FINANCIAL SERVICES' REPORTS.

9.1 DIRECTOR, GOVERNANCE & FINANCIAL SERVICES' REPORT 23/2006 - INTERNAL REPORTING SYSTEM - PROTECTED DISCLOSURES ACT. (F2005/00303)

102 **RESOLUTION: (Notley-Smith/Belleli) that the report be received and noted.**

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

9.2 DIRECTOR, GOVERNANCE & FINANCIAL SERVICES' REPORT 24/2006 - ADOPTION OF FEES & CHARGES FOR HIRE OF BUNDOCK STREET COMMUNITY CENTRE. (F2004/08418)

103 **RESOLUTION: (Notley-Smith/Andrews) that:**

- a) Council adopts the draft fees & charges for the new Bundock Street Community Centre, as exhibited.
- b) the public submissions be noted.

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

10. DIRECTOR, CITY PLANNING REPORTS.

10.1 DIRECTOR, CITY PLANNING REPORT 28/2006 - 2 ALBERT STREET AND 155 - 161 AVOCA STREET, RANDWICK. (DA 1035/2005)

104 **RESOLUTION: (Andrews/White) that:**

- A. the Council support the objection under State Environmental Planning Policy No. 1 (SEPP No. 1) in respect to non-compliance with Clause 33 of the Randwick Local Environmental Plan 1998 (relating to building height) on the grounds that the proposed development complies with the objective of the clauses and will not adversely affect the amenity of the surrounding locality, and that the Department of Planning be advised accordingly:
- B. 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/1035/2005 for alterations to the approved mixed use development including provision of 3 additional dwellings units, changes to carpark layout, changing approved residential units Nos. 1-7 at first floor level to commercial offices, provision of 2 adaptable units Nos. 15 and 16 at second floor level, and additional windows and pergolas to improve amenity at 2 Albert Street and 155-161 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 City Planning.

1. *Details of the proposed colours, materials and textures (ie. a schedule and brochure/s or sample board) of the proposed additional dwelling units, any additional windows and pergolas are to be prepared and submitted to Council for approval. The colours, materials and finishes of the external surfaces to the proposed additional dwelling units, any additional windows and pergolas are to be compatible the external finishes and colours for the development as lodged in the Section 96 application approved by Council on 27 September 2005.*
2. *The carspaces in the basement floor level shall be arranged so that residential, visitor and commercial spaces are separated from each other to minimise any potential conflict between the private and public use of these spaces.*

Subject to compliance with the deferred commencement conditions, to the satisfaction of the Director of City Planning, 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 DA01 Issue A dated 31/08/2005 and stamped received by Council on 13 December 2005, DA01 Issue A dated 14/11/2005 and stamped received by Council on 22 December 2005, and DA02b Issue C dated 14/11/2005, DA03 Issue C dated 31/08/2005, DA04 Issue C dated 31/08/2005, DA06 Issue C dated 06/06/2005, DA07 Issue C dated 06/06/2005, DA09 Issue C dated 01/09/2005, all stamped received by Council on 2 March 2006, 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. *This consent shall operate in conjunction with development consent No. 156/2002 issued on 8 October 2002 and as modified by the Section 96 modifications approved on 9 August 2005 and 27 September 2005.*
3. *The proposed modification to the ground floor carpark as shown in plan number DA01 Issue A dated 31/08/2005 stamped received by Council on 13 December 2005 shall be deleted from the subject proposal.*
4. *A 1.0 metre wide planter box capable of accommodating at a soil depth of at least 600mm is to be provided along the entire length of the eastern edge of the terrace to unit 37. This condition is imposed to ensure the privacy of surrounding properties. Details required by this condition are to be included in the Construction Certificate application.*
5. *The access ramps to the carpark shall comply with Australia Standard 2890.1 2004.*
6. *The residential and commercial bin storage areas shall be reconfigured to facilitate storage of 30 x 240 litre residential bins and 19 x 240 litre commercial bins whilst providing satisfactory access to all bins. The residential and commercial bins shall be stored in separate rooms. The plans submitted for the construction certificate shall be amended to demonstrate compliance with this requirement.*
7. *Prior to the issuing of a construction certificate for the proposed works the applicant is to submit to Council and have approved by Council's Manager of Waste Services, a Waste Management Plan detailing waste and recycling storage and disposal for the modified development.*
8. *All plumbing and drainage pipes, other than rainwater heads, gutters and downpipes, must be concealed within the building.*
9. *The reflectivity index of glass used in the external façade of the development must not exceed 20 percent. The details and samples of the glass to be used are to be submitted with the colour and material schedule for the approval of Council's Director of City Planning, prior to the commencement of works.*

10. *The enclosure of balconies is prohibited by this consent.*

The following condition/s are applied to satisfy the increased demand for public amenities and public services:

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

a) <i>for the provision or improvement of open space</i>	<i>\$41321.52</i>
b) <i>for the provision or improvement of community facilities</i>	<i>\$18270.88</i>
c) <i>for townscape improvements</i>	<i>\$52969.28</i>
d) <i>for car parking</i>	<i>\$47332.00</i>
e) <i>Administration fee</i>	<i>\$425.00</i>

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

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

12. *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.*

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

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

14. *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.*

15. *Appliances provided within the development must satisfy as a minimum appliances should satisfy the following energy ratings:*

- Clothes dryers minimum 2.5 star*
- Dishwashers minimum 3 star*
- Air conditioners minimum 4 star*
- Clothes washers minimum 4 star*
- Fridge minimum 4 star*

The following conditions are applied to maintain reasonable levels of environmental

amenity.

16. *The consent of Council must be obtained prior to the erection of any advertising unless exempted under Council's Development Control Plan - Exempt and Complying Development.*
17. *All loading and unloading associated with the use or operation of the premises shall be carried out within the designated loading dock*
18. *Development consent is required to be obtained in relation to the specific 'use and operation' of commercial tenancies/occupancies and/or 'shop fit out works', in accordance with the relevant requirements of the Environmental Planning & Assessment Act 1979.*

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:

19. *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 (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).

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

20. *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.

21. *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.*
22. *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.*
23. *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 persons 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.

24. *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.

25. *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”.*

26. *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.*

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

27. *Prior to the issuing of an interim or final occupation certificate, a statement is required to be obtained from the Principal Certifying Authority, which confirms that the development is not inconsistent with the development consent and the relevant conditions of development consent have been satisfied.*

Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon and must also be provided to Council with the occupation certificate.

28. *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 0.35% of the cost of the works.

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

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. *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.*
31. *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.

32. *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.*
33. *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.*
34. *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.*
35. *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.*
36. *Public safety and convenience must be maintained at all times during demolition, excavation and construction works.*
37. *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.*
38. *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.*
39. *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.*
40. *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.*
41. *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.*

42. *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.*
43. *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

44. *A warning sign for sediment control, 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.*
45. *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.*
46. *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.*
47. *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.*
48. *Public safety must be maintained at all times and public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.*

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

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

49. *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.

50. *A local approval application must be submitted to and be approved by Council's Building Services section prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:-*

- *Install or erect any site fencing, hoardings or site structures*
- *Operate a crane or hoist goods or materials over a footpath or road*
- *Placement of a waste skip (greater than 3m in length) or any container or other article.*

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

10.2 DIRECTOR, CITY PLANNING REPORT 29/2006 - 8-10 WOOD STREET, RANDWICK. (DA225/2004)

105 **RESOLUTION: (Belleli/Andrews)** *that the application be deferred to enable the Applicant to provide the information requested of the speaker (being the Applicant's Architect) during the public address section of the Council Meeting.*

MOTION: (Notley-Smith/Andrews) that:

A. under Section 82A of the Environmental Planning and Assessment Act 1979 (as amended), Council's original determination of Development Application No.DA/225/2004 dated 30 June 2005 for the application seeking to make alterations & additions to the existing boarding house & change of use to a residential flat building comprising 7 x 2 bedroom dwellings, associated garaging and strata subdivision at 8-10 Wood Street, RANDWICK NSW 2031, be rescinded.

AND

B. Council support the objections under State Environmental Planning No. 1 (SEPP No.1) in respect to non-compliance with Clauses 31 and 32 of the Randwick Local Environmental Plan 1988, relating to floor space ratio and landscaping, on the grounds that the proposed development is consistent with the objective of the clause and will not adversely affect the amenity of the surrounding locality and that the Department of Planning be advised accordingly.

AND

C. Council, as the consent authority, grant development consent as a Deferred Commencement under Section 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. DA-225/2004 for permission to make alterations & additions to the existing boarding house & change of use to a residential flat building comprising 7 x 2 bedroom dwellings, associated garaging and strata subdivision at 8-10 Wood Street, Randwick, subject to the following conditions:-

Deferred Commencement Conditions

The consent is not to operate until the following material has been submitted to and approved by the Director of City Planning:

1. The colours, materials and finishes of the external surfaces to the building are to be compatible with the existing building/existing buildings in the heritage conservation area. Details of the proposed colours, materials and textures (ie- a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of City Planning. Unpainted surfaces, eg- brickwork/stonework are to remain unpainted.

Development Consent Conditions

1. The development must be implemented substantially in accordance with the plans drawn by the Architecture Company, numbered Issue H of DA02, DA05 dated 21/10/04 in the

amendments box and stamped received by Council on 2 March 2006 and Issue D of DA03, DA04 and DA06 dated 20/02/04 in the amendments box and stamped received by Council on 2 March 2006 and the landscape plans drawn by Zenith Landscape Designs, Drawing Nos. 04-1649A and 04-1649B dated Feb 04 and stamped received by Council on 2 March 2006 and Sheets 1-4 of the strata plans, surveyor's reference 19915 stamped received by Council on 2 March 2006, the application form and on any supporting information received with the application, except as may be amended by the information submitted to satisfy the deferred commencement conditions and except as amended by the following conditions and as may be shown in red on the attached plans:

2. A one-off monetary contribution of \$67,080.00 is to be paid to Council for the purposes of mitigating the proposed loss of low-cost rental accommodation. The contribution must be paid in cash or by bank cheque in **one complete payment prior to the Construction Certificate being issued**, and, in accordance with the concurrence requirements of the Department of Planning, the Council shall use the contribution solely for the purpose of developing affordable housing in the vicinity of the subject site.
3. All residents of the building are to be given a minimum of fifty (50) days notice before being required to vacate the premises. A copy of such notice is to be submitted to Council at the same time that it is issued to the residents.
4. A total of three (3) bicycle parking spaces are to be provided on site in a secure place that is accessible to residents and visitors of the building.
5. Each resident of the building is to be provided with a one-off lump sum payment of \$500 to assist in the cost of relocating. Each payment is to be made within 7 days of the notice to vacate is issued in accordance with condition No.3.
6. A fixed privacy screen having a minimum height of 1.8m and extending a minimum length of 1.5 metres is to be provided to the northern edges of balconies to Unit 4 and Unit 5 and the screen shall be constructed of timber. Details of compliance are to be provided in the construction certificate plans.
7. A privacy screen having a height of 1.8m above the finished floor level of the roof terrace to the garage to the rear of the site is to be provided. The screen is to be fixed along the curved western edge of the terrace extending from the northern boundary of the site to the nosing of the first stair. The screen shall be constructed of timber.

The 3.5 metre high timber screen shown at the eastern end of the northern elevation adjacent to the masonry wall of the garage is to be deleted in favour of continuation of the 1.8 metre high timber boundary fencing.

This condition is imposed to maintain privacy to the rear yard of the adjacent dwelling and minimise visual privacy impacts to this property. Details of compliance are to be provided in the construction certificate plans.

8. The property is to be treated to remove any vermin prior to the commencement of works. Documentation from a licensed pest controller is to be provided to the PCA indicating that the property has been treated prior to works commencing. This condition is imposed to protect the amenity of surrounding properties and future residents on the site.

9. All plumbing and drainage pipes, other than rainwater heads, gutters and downpipes, must be concealed within the building.
10. The garages shall not be let, adapted or used for separate occupation or commercial purposes
11. No cooking facilities or sanitary fittings other than those indicated on the approved plans are to be installed in the premises without the prior written consent of the Council.
12. Power supply and telecommunications cabling to the development shall be underground.
13. A single common television aerial, and/or satellite dish (having a maximum diameter of 700mm and not located on the front or street elevation of the building) is to be installed to serve the development.
14. Internal or external clothes drying facilities are to be provided in accordance with the provisions of the Building Code of Australia.

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

15. 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.
16. Where access is required to adjoining premises for construction purposes, the consent of the owners of the subject adjoining premises must be provided to the satisfaction of the Principal Certifying Authority, prior to carrying out any construction works from or upon the adjoining premises.
17. 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.
18. In accordance with the provisions of clauses 143A and 154A of the Environmental Planning & Assessment Regulation 2000, a 'Design Verification Certificate' must be provided to the Certifying Authority and the Council, prior to issuing a construction certificate and an occupation certificate, respectively.
19. Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.
20. The enclosure of balconies is prohibited by this consent.
21. There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place.
22. Any gate openings shall be constructed so that the gates, when hung, will be fitted in such a manner that they will not open over the footway or public place.

The following condition is applied to satisfy the increased demand for public amenities

and public services:

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

- | | | |
|----|--|------------|
| a) | for the provision or improvement of open space | \$5,374.16 |
| b) | for the provision or improvement of community facilities | \$2,325.04 |
| c) | Administration fee | \$ 425.00 |

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

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

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

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

25. 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.

26. 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.

27. 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.

28. 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.

29. 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 Tank Policy

The tank is to be located a minimum of 900mm from the side boundaries and is to have a maximum height of 2.4 metres. The tank is to be installed behind the front building line and is to be located at ground level and be incorporated into the relevant construction certificate and landscape plans, to the satisfaction of the Certifying Authority.

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

The following conditions are imposed to maintain the integrity of the St Marks Heritage Conservation Area:

30. Any sandstone kerbing to be removed shall be removed under the supervision of Council's Heritage Planner and the sandstone shall be stored in Council's care.

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

31. 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.

32. 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.
33. 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 & 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 & Building Services, prior to the issuing of a construction certificate, in accordance with section 80A(2) of the Environmental Planning & 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 fire safety report is specifically required to address the following provisions of the Building Code of Australia, as applicable:

- | | | | |
|----|----------------|---|--------------------------------------|
| a) | EP2.1 & EP2.2 | - | smoke hazard management |
| b) | EP4.1 & EP 4.2 | - | emergency lighting and exit signs |
| c) | BP1.1 | - | structural provisions |
| d) | CP1 | - | structural stability during a fire |
| e) | CP2 | - | elements to avoid the spread of fire |
| f) | DP1 to DP6 | - | access and egress |
34. 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.
35. Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.
36. An Occupation Certificate must be obtained from the principal certifying authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.
37. In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.

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

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

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

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

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

38. The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 109F of the Environmental Planning & Assessment Act 1979.

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

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

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

40. 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**.
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 available to the Council officers upon request.
42. The building works are to be inspected by the Principal Certifying Authority (or other suitably qualified person approved by the Principal Certifying Authority), to monitor compliance with the relevant standards of construction and Council's development consent.

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

Documentary evidence of the building inspections carried out and details of compliance with Council's approval is to be maintained by the Principal Certifying Authority. Details of critical phase inspections carried out and copies of certification relied upon shall be forwarded to Council with the occupation certificate.

Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person approved by the Principal Certifying Authority) is also required to ensure that the relevant site management, public safety and sediment and erosion requirements specified in Council's consent are being satisfied.

43. 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.
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. A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.

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

46. 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.

47. Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions and debris at all times.
48. Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.
49. 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".
50. 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.
51. Public safety must be maintained at all times and public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

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

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

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

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

52. During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.

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

53. 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

54. 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.

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

55. The following damage 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) \$2000.00 - Security damage deposit

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

The 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.

56. The following vehicular crossing deposit requirement is to be complied with prior to a construction certificate being issued for the development, as security for Council or a Council approved subcontractor to construct the vehicular crossing.

a) \$5000.00 - Vehicular crossing deposit

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

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

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

- (a) construct concrete laybacks at kerb opposite the vehicular entrances to the site, including any associated roadworks; and
- (b) re-construct a kerb and gutter for the full site frontage in Wood St including any associated roadworks.

Reconstruct the Council footpath along the Wood St site frontage, if required. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.

58. 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.

59. 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.
60. The applicant is to dedicate a 1.00m x 1.00m splay at the south-east corner of the site. No structure is to be located within the dedicated splay corner.

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

61. 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 as follows:
 - Wood St Frontage - match the back of the existing Council footpath.
 - Wood Lane Southern Side Frontage – match the existing asphalt road level.
 - Wood Lane Eastern Rear Frontage – match the centreline of the road at all points along the rear site frontage.

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

62. The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the roadway/footpath must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.
63. The above alignment levels and the site inspection by Council's Department of Asset & Infrastructure Services have been issued at a prescribed fee of \$1,760.00 calculated at \$27.50 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.

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

64. A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.
65. The applicant must meet the full cost for telecommunication companies, gas providers, Energy Australia and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.

66. Any 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. The applicant must liaise with Energy Australia prior to lodging the construction certificate whether or not an electricity substation is required for the development.
67. 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 release of the plan of subdivision.

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

68. Generally all site stormwater shall be piped to a sediment/silt arrester pit that drains to a 5 metre square base infiltration area. An overflow pipe shall be provided from the silt arrester pit to drain to Council's kerb and gutter.

The location and details of the proposed internal stormwater pipelines, silt arrester pit and the infiltration area shall be submitted to and approved by the certifying authority prior to a construction certificate being issued for the development. A copy of the plans is to be forwarded to Council, prior to a construction certificate being issued, if the Council is not the certifying authority.

Notes:

- a. The sediment/silt arrester pit shall be constructed:-
 - i. within the site at or near the street boundary.
 - ii. with a child proof and corrosion resistant fastening system (e.g. spring loaded jay-bolt).
 - iii. with a minimum of 4 x 90 mm diameter weep holes (preferably located in the walls of the pit at the floor level) and with a suitable geotextile material **with a high filtration rating** located around the weep holes.
 - iv. with the pit floor being a minimum 300mm below the invert level of the outlet pipelines.
 - v. with a **galvanised** heavy duty screen (Lysaght RH3030 Maximesh or similar) located over the outlet pipes draining to the infiltration pit and the kerb. (Similar to a Mascot GRC stormwater discharge control pit, product code DS3SDC).
- b. The infiltration/rubble pit shall:-

- i. have a minimum 300 mm of soil cover (600 mm where the pit is located under a garden/landscaping area).
- ii. be located a minimum of 3.0 metres from the dwelling or other structure (closer if a structural engineer certifies that the infiltration area will not adversely affect the structure) and 2.1 metres from the adjacent side or rear boundaries.
- iii. be constructed with a minimum 200 mm thick layer of 20 mm basalt/blue metal (or similar) that is wrapped in a suitable geotextile material covering with a high filtration rating (Geofabrics Bidim "A" range of filtration fabrics or equivalent). A suitable means of dispersing the stormwater over the area of infiltration is to be constructed.
- iv. Note: other equivalent methods of infiltration may be adopted.
- v. have a minimum base area of 5.0 square metres (m²).

The outlet from the silt arrestor pit to the infiltration area shall be located at least 50 mm below the outlet from the silt arrestor pit to the kerb and gutter.

- c. The requirement for an infiltration/rubble pit will not be enforced should the underground soil conditions preclude the construction of the infiltration pit (eg rock is located within 300 mm of the base of the infiltration area). If the infiltration/rubble pit is not constructed then all site stormwater shall be discharged to the kerb and gutter via a sediment/silt arrestor pit (as detailed in note a. above).

All works shall be to the satisfaction of the certifying authority.

69. 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.
70. Any seepage water must be drained directly into an absorption pit within the site. Seepage water must **not** be drained from the site.

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

71. The garbage room areas will have to be designed so as to be able to contain a total of 8 x 240 litre bins (4 garbage bins & 4 recycle bins) whilst providing satisfactory access to these bins. Details showing compliance with this requirement are to be shown on the plans submitted to the certifying authority for the construction certificate.
72. 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.
73. Prior to the credited certifier issuing an occupation certificate for the proposed development the applicant is to contact Council's Manager of Waste in regards to meeting Council's requirements for waste services to the development site.

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

74. The applicant shall create suitable right of carriageway, easements for services and internal stormwater lines, as required. The applicant shall be advised that the minimum

easement width for any internal stormwater line is 0.9 metres.

75. The conditions of development consent must be satisfied and all public roads and reserves must be satisfactorily restored prior to the finalisation of the strata subdivision.
76. Prior to release of the Plan of Subdivision the applicant shall provide Council with a subdivider/developer certificate for the proposed lots. The certificate is obtained from Sydney Water.
77. The applicant shall provide Council with a survey plan of the property prior to receiving strata subdivision approval.

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

78. The landscaped areas shown on the plan numbers 04-1649, sheet 1 & 2, drawn by MG of Zenith Landscape Designs, dated February 2004, shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, the certifying authority or {the Director of Assets & Infrastructure in accordance with Section 80A(2) of the Environmental Planning and Assessment Act 1979}, prior to the issue of a construction certificate. 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, and at the base of the trees to be retained, proposed building envelope, proposed areas of pavement, and proposed landscaped areas.

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

- 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, 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 a minimum number of 3 x 45 litre broad canopied trees (not palms) suitably located within the site. The trees selected shall be of a species that attain a minimum height of 6 metres at maturity.
 - h. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape plans.
 - i. The plan shall respect the prevailing coastal influences and the coast's special design considerations and requirements, and shall be designed accordingly. Generally, species selection shall be restricted to local indigenous coastal species that require minimal watering once established or species with water needs that match rainfall and drainage conditions.
 - j. In order to reduce the amount of stormwater generated by the site, porous paving shall be used in all pathways and paved areas. Details are to be provided with the construction certificate application.
 - k. Location of easements within the site and upon adjacent sites (if any).
79. 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.
80. To ensure satisfactory maintenance of the landscaped areas, an automatic irrigation system shall be installed throughout all the 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.

81. 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.

82. 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.

83. Approval is granted for the removal of the following tree subject to the planting of 3 x 45 litre broad canopied replacement trees (not palms) within the site. The species selected shall be those that will attain a minimum height of 6 metres at maturity.

a) One *Persea americana* (Avocado) in the rear yard, against the southern boundary

84. The applicant shall be required to ensure the retention and long term health of the *Eucalyptus nicholii* (Willow Leafed Peppermint) and the *Agonis flexuosa* (Willow Myrtle) in the neighbouring property to the north, close to the common boundary. As a general guide there shall be minimal excavation or root pruning within the driplines of the subject trees.

85. In order to accommodate the proposed rear deck and pergola as is shown on the plans, permission is granted for the selective pruning of branches from the *Callistemon viminalis* (Bottlebrush) and the tree (species undetermined) located along the northern boundary in the rear yard. 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.'

The applicant will be required to provide details of a suitably qualified and professional Arborist to be used for such work prior to the issue of a construction certificate.

86. In order to ensure the retention of the *Callistemon viminalis* (Bottlebrush) and the tree (species undetermined) located on along the northern boundary in the rear yard 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, a suitably qualified Arborist.

d. Any excavations required for footings, structures, retaining walls, services, pipes, detention tanks, stormwater infiltration systems, paving etc within 2

metres of the tree trunks shall be undertaken by hand and under the direction of, and to the satisfaction of, a suitably qualified Arborist with all roots being cleanly cut.

- e. The erection of signage on the fence with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER".
87. A refundable deposit in the form of cash or cheque for the amount of \$7000.00 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 grass cutting, 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.
88. 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.

ADVISINGS

- A1.** The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.
- A2.** 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

- c) Part E2 - Smoke Hazard Management
- d) Part E4 - Emergency lighting, exit signs and warning systems

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. **LOST**

MOTION: (Woodsmith/Tracey) that Development Application No. DA-225/2004 for permission to make alterations & additions to the existing boarding house & change of use to a residential flat building comprising 7 x 2 bedroom dwellings, associated garaging and strata subdivision at 8-10 Wood Street, Randwick, be refused for the following reasons:

1. The proposal will result in the loss of boarding house accommodation and contribute to the cumulative decline of low cost rental accommodation in the City of Randwick.
2. The proposal does not comply with the maximum FSR for the site stipulated under RLEP 1998 and the SEPP 1 objection is not well founded.
3. The proposal does not comply with the minimum landscaped area requirement of RLEP 1998 and the SEPP 1 objection is not well founded.
4. The proposal will adversely impact on adjoining and neighbouring properties in terms of visual and acoustic privacy.
5. The proposal does not comply with the DCP – Parking in terms of the number of on site spaces required.
6. The proposal represents an overdevelopment of the site having regard to the statutory non-compliances in relation to floor space and landscaping and the inadequate provision of on site car parking. **LOST ON THE CASTING VOTE OF THE MAYOR.**

MOTION: (Belleli/Andrews) CARRIED ON THE CASTING VOTE OF THE MAYOR – SEE RESOLUTION.

11. PETITIONS.

Nil.

12. MOTIONS PURSUANT TO NOTICE.

12.1 MOTION BY COUNCILLOR TRACEY – NEW CHILDCARE CENTRES POLICY. (F2005/00357 xr F2005/00171)

106 **RESOLUTION: (Notley-Smith/Matson)** that the Director of City Planning prepare a report on the proposal put forward by Cr Tracey in his Motion Pursuant to Notice.

MOTION: (Tracey/Andrews) that:

- a) Council move to develop a Childcare Centres Policy as a matter of urgency. The policy would be an important planning tool to ensure the provision of high quality childcare centres in Randwick LGA and specifically ensure that all centres are located at appropriate locations, on appropriate sites and in appropriate buildings.

- b) the policy have regard to matters such as:
- **Demonstrated compliance** with all DOCS minimum requirements, as per the Children's Services Regulation 2004. For example calculations for indoor and outdoor spaces cannot include passageways or stairs. Other requirements include separate toilet facilities for staff and children, craft facilities and adequate storage;
 - **Locations and zoning**, so as not to conflict with the objectives of a particular zoning;
 - **Existing neighbourhood character and amenity**, to ensure that the introduction of a childcare centre would not significantly change these and compromise community interaction and 'sense of community' (consistent with Council's Mission Statement);
 - **Topography of the site** should be level, so as to allow safe and efficient access to buildings and outdoor facilities, especially for children;
 - **Minimum allotment sizes, site widths and building frontages**, to ensure all facilities are able to be provided, and that detrimental impacts on surrounding streetscape and properties are avoided;
 - **Class of building** – childcare centres should not be located in residential flat buildings, dual occupancies, duplexes and semi detached and attached dwellings;
 - **Acceptable height, bulk and scale** to ensure that the site is not overdeveloped, complies with maximum FSR for the particular zoning, and is in keeping with the surrounding streetscape;
 - **Suitability of design of building** for use as a childcare centre, so as to maximise operational efficiency, avoid impacts on neighbours, and encourage best practice. Childcare centres should be located on one floor. There should also be clear 'pathways' between functional areas, both inside and out, which do not cross playroom or toilet facilities;
 - **Acoustic and visual impacts** should be avoided. For example, additional traffic generated should not significantly increase neighbourhood noise, and the amenity of adjoining and surrounding neighbours should be maintained by containing noise within the site, and ensuring no overlooking/loss of privacy. Good setbacks from adjoining properties are essential in this regard;
 - **Supportive traffic conditions**. For example, childcare centres should not be located in dead ends, cul de sacs or narrow streets, or where they would present traffic movement and parking problems or give rise to dangerous traffic and pedestrian situations;
 - **Adequate on site parking** for staff, service vehicles and clients, to ensure safe parking and vehicular manoeuvring, and avoid congestion on the roadway and inconvenience to adjoining properties;
 - **Good pedestrian access**. For example, childcare centres should have safe and easy access, particularly for children. They should be located at street level in residential areas, avoid steps, have pedestrian access well separated from parking, and have good access for prams (eg ramps) – especially where a centre caters for under two's;
 - **Design of outdoor spaces** so as to provide functional linkages between indoor and outdoor spaces, maximise supervision from both within the centre and from the play space, facilitate integrated indoor/outdoor play spaces, minimise noise from children's activities and avoid overlooking from and into adjoining properties. Ideally the design and provision of outdoor space should be in

accordance with 'Best Practice Guidelines in Early Childhood Physical Environments.';

- **Acceptable emergency access and evacuation arrangements** to ensure that the safety of children and staff is paramount;
- **Dual Use requirements** (where the building is also proposed to be used as a residence) to ensure that the childcare centre and dwelling house stand alone in terms of car parking, access, facilities and outdoor space;
- **Maximum number** and age of children, should be subject to the Children's Services Regulation 2004 and confirmed with a letter issued by DOCS and attached with Development Applications;
- **Hours of operation** should not compromise neighbourhood amenity, and needs to be supported in terms of traffic and parking;
- **Demonstrated compliance** with the requirements of the Building Code of Australia (BCA), including disabled access; and
- **Compliance** with relevant Council planning instruments and policies.

By adopting these and other important criteria Council would ensure consistency when assessing applications for childcare centres, and that acceptable precedents are maintained for future applications.

- c) Council staff moved to develop a Childcare Centre Policy within one month of the date of this resolution, so that the policy can be applied as soon as possible. **LOST.**

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

13. URGENT BUSINESS.

Nil.

14. CONFIDENTIAL REPORTS.

14.1 CONFIDENTIAL GENERAL MANAGER'S REPORT 06/2006 - DRAFT MANAGEMENT PLAN 2006-09: CONFIDENTIAL FEES & CHARGES 2006-07. (F2006/00161)

- 107 **RESOLUTION: (Notley-Smith/Nash) that the Draft Confidential Fees and Charges 2006-07 be noted.**

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

15. COMMITTEE-OF-THE-WHOLE.

Nil.

16. REPORT OF COMMITTEE-OF-THE-WHOLE.

Nil.

17. NOTICE OF RESCISSION MOTIONS.

Nil.

There being no further business, His Worship the Mayor, Cr T. Seng, declared the meeting closed at 7:05 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 30TH MAY, 2006.

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CHAIRPERSON