



18 September 2008

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT AN ORDINARY COUNCIL MEETING OF THE COUNCIL OF THE CITY OF RANDWICK WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON TUESDAY, 26TH SEPTEMBER 2006 AT 6:00 PM

- 1 Prayer & acknowledgement of local indigenous people**
- 2 Apologies/Granting of leave of absences**
- 3 Confirmation of the Minutes**

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 22ND AUGUST, 2006.

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 22ND AUGUST, 2006.

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 31ST AUGUST, 2006.

- 4 Declaration of Pecuniary & Non-Pecuniary Interests**
- 5 Addressing of Council by Members of the Public**
- 6 Mayoral Minutes**

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GENERAL MANAGER.

MAYOR'S MINUTE 64/2006

SUBJECT:	COOGEE FAMILY FUN DAY - GOLDSTEIN RESERVE - WAIVING OF FEES
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DATE:	21 August, 2006	FILE NO:	F2004/08145
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REPORT BY: MAYOR

INTRODUCTION:

Council has received a request for assistance from the Coogee Chamber of Commerce, organisers of the annual Coogee Family Fun Day to be held at Goldstein Reserve, Coogee on Saturday, 2nd December, 2006.

ISSUES:

They have requested assistance from Council with the following, given that this is a charitable fundraising event:

Installation and dismantling of portable stage (2 nd December)	\$5,853.00
Administration Fee	\$ 620.00
Food Stalls (6) (\$95.00 per stall)	\$ 570.00
Supply and removal of extra bins (based on 10 - 240 litre bins emptied 3 times a day)	\$1,500.00
Connection to power	\$ 84.98
Connection to water supply	\$ 56.65
Additional Toilet Cleaning	\$ 396.55
Six (6) portable toilets	\$ 950.00

TOTAL: \$10,031.18

Council's contribution to this event has been significant over the years. Council will receive appropriate acknowledgement and promotion as per the Coogee Chamber of Commerce's attached letter.

FINANCIAL IMPACT STATEMENT:

Should Council accept the report recommendation, the financial implication to Council is \$10,031.18 and currently there are sufficient funds in the Contingency Fund 2006/07 to cover this contribution.

CONCLUSION:

The Coogee Family Fun Day is a significant local event and one that is well supported and attended by the community. Funds raised through this event are donated to the Sydney Children's Hospital.

It is considered that Council should continue to support this event through its "in-kind" sponsorship via the waiving of fees that would otherwise be payable to Council.

RECOMMENDATION:

That:

1. Council vote \$10,031.18 to cover the fees associated with the Coogee Family Fun Day and that these funds be allocated from the 2006/07 Contingency Fund budget.
2. Council advise the organisers of the Coogee Family Fun Day, that Council be given adequate and appropriate acknowledgement for its contribution to the running of this event generally in accordance with the Coogee Chamber of Commerce's letter dated 11th September, 2006. Such acknowledgement is to include Council's logo for inclusion on promotional literature and Council's banner is to be displayed at the event.
3. The organisers be advised that Council requires an acceptance in writing that should Council property be damaged in any way the organisers of the event will compensate Council for the repair or replacement of the damaged item(s).
4. The Mayor or his representative be given the opportunity to address the event on behalf of Council.

ATTACHMENT/S:

Letter from Bernadette Summers, Event Co-ordinator, Coogee Family Fun Day.

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MAYOR

President:
Julia Lynch
Tel: 9665 4285
Fax: 9665 5469



Vice President:
Shirley Murray
Tel: 9665 0009
Fax: 9661 4232

September 11, 2006

Randwick City Council
30 Frances St,
Randwick NSW 2031

**Attn: Ray Brownlee,
General Manager**

Re: Coogee Family Fun Day, Saturday December 2, 2006

Dear Mr Brownlee,

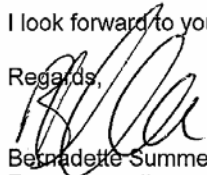
I would like to thank you for the council's continued support of the Coogee Family Fun Day which has now raised in excess on \$100,000 for the Sydney Children's Hospital, Randwick. December 2006 will mark the twelfth year of this community event and I would like to take this opportunity to confirm your ongoing participation as a Gold Sponsor.

Gold sponsorship will ensure that Randwick City Council's logo will appear in all our promotional material including editorials and advertising in the Southern and Wentworth couriers. You will also have access to a stall for your use on the day and Randwick City Council's banner will be displayed across the stage and mention made of your support in our on stage promotions during the concert.

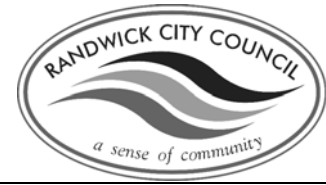
We look forward to continuing this partnership which has enabled us to achieve a greater result for the hospital. If you would like to discuss the event I can be contacted on 0408 115 672

I look forward to your response,

Regards,


Bernadette Summers
Event Co-ordinator
Coogee Family Fun Day
0408 115 672

COOGEE CHAMBER OF COMMERCE Inc
PO Box 41, COOGEE NSW 2034
www.coogeebeach.net.au/
E-mail: atat@exemail.com.au

MAYOR'S MINUTE 65/2006

SUBJECT:	WAIVING OF FEES - ST MARKS ANGLICAN CHURCH, MALABAR - CAROLS BY CANDLELIGHT
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DATE:	11 September, 2006	FILE NO:	F2004/08135
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REPORT BY: MAYOR

INTRODUCTION:

An application has been received from Rev. Andrew Moore of St Marks Anglican Church, Malabar, seeking assistance with the waiving of associated fees for its annual community event of "Carols by Candlelight" on Saturday 9th December, 2006 in Pioneer Park, Malabar.

ISSUES:

Rev Moore has asked that given this is a non-profit community event, Council provide financial assistance with the following costs:

Installation/dismantling portable stage as per quote	\$3,070.49
Supply of audio equipment	\$1,955.00
Supply generator	\$ 700.00
Approval Fee	\$ 330.00
Supply/removal of four bins @ \$56.65 per bin	\$ 226.60
Additional Toilet Cleaning	\$ 385.00
2,000 pamphlets (committee to distribute)	\$ 200.00
Hire of a jumping Castle	\$ 400.00
CCLI & APRA event license costs	\$ 249.50

TOTAL: \$7,516.59

Pioneer Park is leased to the South Eastern Football Club and written permission has been received from Mr Chris Doyle of the Club for St Mark's Anglican Church to hold the carols in Pioneer Park on 9th December, 2006.

The St Mark's Anglican Church's community event "Carols by Candelight" is a non profit festive event and Rev Moore is inviting the local schools in the area to participate in the evening's carol celebrations.

FINANCIAL IMPACT STATEMENT:

Should Council accept the report recommendation, the financial implication to Council is \$7,516.59 and currently there are sufficient funds in the Contingency Fund 2006/07 to cover this contribution.

CONCLUSION:

This is the 2nd year that the church has requested financial assistance from Council to conduct this event. Whilst Council holds a major carols by candlelight at Coogee Beach, financial assistance for this event in Malabar will enable residents residing in the southern part of the city to attend a carols by candlelight event in their area.

RECOMMENDATION:

That:

1. Council vote \$7,516.59 to cover the fees associated with the "Carols By Candlelight" to be held on 9th December, 2006, and that these funds be allocated from the 2006/07 Contingency Fund;.
2. The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.
3. The Mayor or his representative be given the opportunity to address the event on behalf of Council.
4. Provide Council with information following the event on the number of attendees.

ATTACHMENT/S:

Nil

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MAYOR

MAYOR'S MINUTE 66/2006

SUBJECT:	USE OF KOKODA PARK, KENSINGTON FOR CAROLS BY CANDLELIGHT - REQUEST FOR WAIVING OF FEES
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DATE:	4 September, 2006	FILE NO:	F2004/07794
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REPORT BY: MAYOR

INTRODUCTION:

An application has been received from Mr Peter Schick on behalf of the Salvation Army advising that the Salvation Army intends to hold its annual community event of "Carols by Candlelight" on Saturday, 9 December, 2006 at Kokoda Park.

ISSUES:

Mr Schick has asked that given this is a non-profit community event, Council provide financial assistance with the following costs:-

Local Approval Application Fee	\$ 130.00
Supply and remove additional bins (based on 6 by 240L bins)	\$ 339.90
Supply of Stage and lighting	\$2,415.50
Printing of brochures	\$ 150.00
TOTAL:	\$3,035.40

FINANCIAL IMPACT STATEMENT:

Should Council accept the report recommendation, the financial implication to Council is \$3,035.40 and currently there are sufficient funds in the Contingency Fund 2006/07 to cover this contribution.

CONCLUSION:

The Salvation Army is a non-profit organisation and the 'Carols By Candlelight' in Kokoda Park is an excellent community Christmas activity adding to the festive spirit as in past years. Council's assistance is favoured and I support that costs be allocated to cover the associated fees.

RECOMMENDATION:

That:

1. Council vote \$3,035.40 to cover the fees associated with the event and funds be allocated from the Contingency Fund 2006/07;
2. The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
3. The Mayor or his representative shall be given the opportunity to address the event on behalf of Council.

ATTACHMENT/S:

Nil

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MAYOR

MAYOR'S MINUTE 67/2006

SUBJECT:	WAIVING OF FEES - SURF LIFE SAVING NEW SOUTH WALES - CARNIVAL AT MAROUBRA BEACH
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DATE:	28 August, 2006	FILE NO:	F2004/08302
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REPORT BY: MAYOR

INTRODUCTION:

Ms Jodi Thomas, Events Officer of Surf Life Saving New South Wales has lodged an application with Council for assistance in waiving the fees to hold Round 3 of the Surf Life Saving Premiership Series to be held at Maroubra Beach on Saturday, 2nd December, 2006.

ISSUES:

This carnival is a major event and draws many competitors from Sydney and outer areas, along with many visitors to Maroubra and its surrounds. As there is no allocated budget for this type of activity it is considered appropriate that the following fees be funded from the Contingency Fund:

All day hire fee of Maroubra Beach x 2 days (set up day and event day)	\$ 816.90
Extra bins (5–240lt sulo) (supply & remove) (\$56.65 p/b)	\$ 283.25
1 extra staff – cleaning	\$ 350.00
Beach Cleaner x 4 hours	\$ 660.00
Application Fee	\$ 330.00
Jet Ski (6 Hours) (\$45.32 p/h)	\$ 271.92
One extra lifeguard for 6 hours (\$84.98 p/h)	\$ 509.88
TOTAL	\$3,221.95

FINANCIAL IMPACT STATEMENT:

Should Council accept the report recommendation, the financial implication to Council is \$3,221.95 and there are currently sufficient funds in the Contingency Fund 2006/0007 to cover this contribution.

CONCLUSION:

It is considered that this carnival is a major community event and that the associated fees totalling \$3,221.95 be allocated to cover expenses.

Due to the carnival on this day there will need to be a reduction in the number of flagged areas at Maroubra Beach from two to one. The flagged area available to the general public will be the southern end of Maroubra Beach.

RECOMMENDATION:

That:

1. Council vote \$3,221.95 to cover the fees associated with holding Round 3 of the Surf Premiership Series on Saturday, 2nd December, 2006, and that the funds be allocated from the 2006/2007 Contingency Fund budget.
2. The organiser of the Carnival undertake to appropriately and prominently acknowledge and promote Council's contribution to the Carnival.
3. The Mayor or his representative shall be given the opportunity to address the event on behalf of Council.

ATTACHMENT/S:

Nil

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MAYOR

GENERAL MANAGER'S REPORT

31/2006



SUBJECT:	AFFIXING OF THE COUNCIL SEAL
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DATE:	11 September, 2006	FILE NO:	F2004/07367
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REPORT BY: GENERAL MANAGER

INTRODUCTION:

Clause 400 (part 13) of the Local Government (General) Regulation 2005 requires that the Seal of the Council must not be affixed to a document unless the document relates to business of the Council and the Council has resolved (by resolution referring to the documents) that the Seal be so affixed.

ISSUES:

It is necessary for Council's Seal to be affixed to the signing of agreements between Council and :

1. Mr Samiran & Miss Sharmila Barau (T/As Curry Beans) in relation to a licence for the purpose of outdoor dining at 130 Anzac Parade, Kensington.
2. Clive Hammerson (T/As Hub Café) in relation to a licence for outdoor dining at 17 Clovelly Road, Clovelly.
3. Katrina Rimer (T/As Finks) in relation to a licence for the purpose of outdoor dining at 48 Burnie Street, Clovelly.
4. Selvey Sangha (T/As Pollo Rico) in relation to a licence for the purpose of outdoor dining at 236 Coogee Bay Road, Coogee.
5. John & Vivian Panigiris (T/As Cozzi Café) in relation to a licence for the purpose of outdoor dining at 233 Coogee Bay Road, Coogee.
6. Tracy McKeown (T/As Salt & Lemon) in relation to a licence for the purpose of outdoor dining at 76 Clovelly Road, Clovelly.
7. Anthony & Pamela Carrenti (T/As DeNero's Café) in relation to a licence for the purpose of outdoor dining at 3/333 Anzac Parade, Kingsford.
8. The Estate of the Late Mrs Camillos in relation to a withdrawal of caveat for the property located at 64 Broome Street, Maroubra.
9. Mrs Mary Guiver in relation to a withdrawal of caveat for the property located at 6/79 Broome Street, Maroubra.

10. Multiplex Constructions Pty Ltd in relation to a licence agreement for an area of roadway, between the road carriageways, being part of Anzac Parade public road reserve for use as a temporary carpark.
11. Mr Richard Peters & Ms Heidi Doukulil in relation to a contract for the sale of land known as Lot 10 in DP 1097236, land adjoining 13A Soudan Street, Randwick.
12. Kindaburra Children's Centre in relation to a licence agreement for the purpose of open space for use as an extension play area at 1 Jersey Lane, Matraville.
13. Mr Nicholas Vicari for Eden Food Group Pty Ltd (T/As Randwicks Boncaffé) in relation to a licence for the purpose of outdoor dining at 46 Frenchmans Road, Randwick.
14. Chi-Ming Leung & Yuk Yin Leung in relation to a withdrawal of caveat for the property located at 132 Broome Street, Maroubra.
15. A residential tenant over the premises at 129 Boyce Road, Maroubra.

RELATIONSHIP TO CITY PLAN:

The relationship with the City Plan is as follows:

Outcome: 7: A Liveable City that Balances Growth and Change,

Direction: 7f, of the City Plan which states: "Town Centres that meet the needs of our community as places to work, shop, live and socialise."

FINANCIAL IMPACT STATEMENT:

In signing of these agreements, Council will receive the following income:

1. A licence agreement with Mr Samiran & Miss Sharmila Barau (T/As Curry Beans) will generate an annual income of \$1,893.05 + GST.
2. A licence agreement with Clive Hammerson (T/As Hub Café) will generate an annual income of \$2,524.05 + GST.
3. A licence agreement with Katrina Rimer (T/As Finks) will generate an annual income of \$2,195.92 + GST.
4. A licence agreement with Selvey Sangha (T/As Pollo Rico) will generate an annual income of \$2,578.00 + GST.
5. A licence agreement with John & Vivian Panigiris (T/As Cozzi Café) will generate an annual income of \$1,323.48 + GST.
6. A licence agreement with Tracy McKeown (T/As Salt & Lemon) will generate an annual income of \$1,009.62 + GST.
7. A licence agreement with Anthony & Pamela Carrenti (T/As DeNero's Café) will generate an annual income of \$5,048.10 + GST.
8. There is no direct financial impact for the signing of the withdrawal of caveat with The Estate of the Late Mrs Camillos.
9. There is no direct financial impact for the signing of the withdrawal of caveat with Mrs Mary Guiver.
10. A licence agreement with Multiplex Constructions Pty Ltd will generate an annual income of \$100,000.00 + GST.

11. A contract of sale for the land known as Lot 10 in DP 1097236 to Richard Peters & Heidi Doukulil will generate an income of \$7,500.00 + GST.
12. A licence agreement with Kindaburra Children's Centre will generate an annual income of \$2,500.00 + GST.
13. A licence agreement with Nicholas Vicari for Eden Food Group Pty Ltd (T/As Randwicks Boncaffé) will generate an annual income of \$1,188.71 + GST.
14. There is no direct financial impact for the signing of the withdrawal of caveat with Chi-Ming Leung & Yuk Yin Leung.
15. A residential lease agreement for 129 Boyce Road, Maroubra, will generate an annual income of \$14,339.28.

CONCLUSION:

As per Clause 400 (part 13) of the *Local Government (General) Regulation* requires that the Council pass a resolution authorising the Affixing of the Seal, it is necessary for this action to take place to facilitate legal formalities.

RECOMMENDATION:

That authority be granted for the Council's Common Seal to be affixed to the agreements between Council and:

1. Mr Samiran & Miss Sharmila Barau (T/As Curry Beans) in relation to a licence for the purpose of outdoor dining at 130 Anzac Parade, Kensington.
2. Clive Hammerson (T/As Hub Café) in relation to a licence for outdoor dining at 17 Clovelly Road, Clovelly.
3. Katrina Rimer (T/As Finks) in relation to a licence for the purpose of outdoor dining at 48 Burnie Street, Clovelly.
4. Selvey Sangha (T/As Pollo Rico) in relation to a licence for the purpose of outdoor dining at 236 Coogee Bay Road, Coogee.
5. John & Vivian Panigiris (T/As Cozzi Café) in relation to a licence for the purpose of outdoor dining at 233 Coogee Bay Road, Coogee.
6. Tracy McKeown (T/As Salt & Lemon) in relation to a licence for the purpose of outdoor dining at 76 Clovelly Road, Clovelly.
7. Anthony & Pamela Carrenti (T/As DeNero's Café) in relation to a licence for the purpose of outdoor dining at 3/333 Anzac Parade, Kingsford.
8. The Estate of the Late Mrs Camillos in relation to a withdrawal of caveat for the property located at 64 Broome Street, Maroubra.
9. Mrs Mary Guiver in relation to a withdrawal of caveat for the property located at 6/79 Broome Street, Maroubra.
10. Multiplex Constructions Pty Ltd in relation to a licence agreement for an area of roadway, between the road carriageways, being part of Anzac Parade public road reserve for use as a temporary carpark.
11. Mr Richard Peters & Ms Heidi Doukulil in relation to a contract for the sale of land known as Lot 10 in DP 1097236, land adjoining 13A Soudan Street, Randwick.
12. Kindaburra Children's Centre in relation to a licence agreement for the purpose of open space for use as an extension play area at 1 Jersey Lane, Matraville.

13. Mr Nicholas Vicari for Eden Food Group Pty Ltd (T/As Randwicks Boncaffé) in relation to a licence for the purpose of outdoor dining at 46 Frenchmans Road, Randwick.
14. Chi-Ming Leung & Yuk Yin Leung in relation to a withdrawal of caveat for the property located at 132 Broome Street, Maroubra.
15. A residential tenant over the premises at 129 Boyce Road, Maroubra.

ATTACHMENT/S:

Nil

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GENERAL MANAGER

GENERAL MANAGER'S REPORT

32/2006



SUBJECT:	Proposed public carparking in the Department of Housing development at 57-63 St Pauls St Randwick and the Brigidine College Site.
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DATE:	12 September, 2006	FILE NO:	DA/293/2000
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REPORT BY: GENERAL MANAGER

1. INTRODUCTION:

On 12 December 2000 Council granted consent to the Department of Housing for a development at the corner of Daintree Crescent and St Paul Street under DA No. 293/2000 for 152 self cared units at 57-63 St Pauls Street, Randwick.. The Department of Housing has prepared draft concept plans for the proposed public carpark in the basement of the approved development.

Council, on 8 March 2005, also granted consent to DA No. 1195/2003 for the development of a multi-purpose facility for the adjoining Brigidine College site including new classrooms, hall and gymnasium, new carpark for 168 vehicles, 3 new premises for potential retail/ commercial/ community uses and ancillary works.

2. ISSUES:

As the Department of Housing is currently fine-tuning the proposed development for this site, Council officers have been negotiating with the Department as regards to public carparking in the proposed development. Following a number of meetings with representatives from the Department of Housing, the Department has provided conceptual plans for the proposed development indicating that 86 carspaces will be provided in the proposal. The Department has also provided a preliminary Quantity Survey Report which will need to be fully reviewed by Council. In addition Council will need to consider the potential traffic generation within the local area.

3. RELATIONSHIP TO CITY PLAN:

The relationship to the City Plan is as follows:

3.1 Outcomes

Outcome 8 : A strong local economy – The proposal will introduce public carparking in the approved development that will strengthen the local economy of the Spot through encouraging more community patronage and visits.

Outcome 9 : Integrated and Accessible Transport – The proposal will facilitate movement within the city by promoting carparking provision and management.

3.2 Directions and Actions

Direction 8a & associated action : Vibrant town centres that adequately serve the community and support local business – The proposal, in providing for public carparking close to the Spot town centre, will facilitate the provision of services to the community as well as the growth of the local economy thus contributing to the creation of a vibrant town centre.

Direction 9e & associated action : Parking is managed to balance convenience against reduced car reliance – The proposal, in providing for public carparking will alleviate the pressure for on-street demand in the Spot.

4. FINANCIAL IMPACT STATEMENT:

Should Council agree to further negotiations with the Department of Housing and the Brigidine School, a further report addressing financial implications will be prepared and presented. Initial discussions have indicated that the cost will be in the vicinity of \$3 million.

5. CONCLUSION:

In view of the preliminary nature of the proposed development at this stage, Council's direction is sought to allow for negotiations with the Department of Housing and the Brigidine College to proceed regarding the provision of carparking spaces in the approved development. Should Council agree to the proposed carparking provision, a further report will be prepared detailing the cost, management and use of the carpark.

RECOMMENDATION:

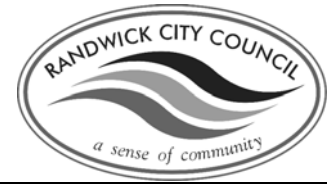
That:

- a) Council agree to negotiations with the Department of Housing and the Brigidine Convent in regards to carparking for the proposed development.
- b) Council require the Department of Housing to consider the potential traffic generation and impact of the proposal within the local area.

ATTACHMENT/S:

Nil

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GENERAL MANAGER

Director, City Services' Report 70/2006

SUBJECT:	SFX Beach Footy
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DATE:	12 September, 2006	FILE NO:	F2004/07550
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REPORT BY: DIRECTOR, CITY SERVICES

INTRODUCTION:

George Mimis (SFX Sports) has been discussing a beach event proposal for Coogee Beach to be held on the 16th & 17th December, 2006. Cognisant of the number of events held at Coogee Beach over the summer season, it has been suggested to Mr Mimis that Maroubra Beach may present a better option for him to pursue. However, Mr Mimis has asked that Council consider Coogee Beach and that it is hoped that this will become a regular feature on the sporting calendar.

ISSUES:

In his application to Council, Mr Mimis wrote:

Given the profile and nature of the Beach Footy event we would like to strongly pursue Coogee as our preferred location. Beach Footy will grow into a permanent fixture on the summer sports/lifestyle calendar and we feel that the iconic nature of the event and its participants will command national and international media profile and interest. As such I am sure that we can deliver numerous benefits to Coogee, its businesses and residents in a controlled and well executed fashion. In fact we would be more than happy to accommodate local residents/businesses in our game plan with VIP access to the Beach Footy event over the entire weekend.

It would thus be appreciated if you could pursue the Coogee Beach preference.

Please feel free to request any further information. In the interim we will respond to you regarding the size/space requirements for the Beach Footy event.

I look forward to continuing our dialogue at your earliest convenience.

The tournament will involve 10 teams over 2 days with the teams being comprised of NRL players as well as celebrities and the Australian Women's Touch Football Team. The event organisers have indicated that the area close to the northern end of the beach is most suitable for this event. They would require a number of days to bump in and a day

after the event to bump out. Total beach usage time would be in the order of 5-7 days. An area measuring approximately 80 metres by 50 metres will be required for the beach 'touch football field' and associated bleacher seating.

It should be noted that the 16th and 17th December are key dates for this event as these are the only available dates that contracted NRL players are able to participate in the event prior to resuming training for the 2007 NRL season.

Other major events planned for the Coogee Beach area over the summer season include:

- Coogee Family Fun Day - December 2
- Coogee Carols - December 17 (moved back from Dec 23)
- Iron Man Series - late January (to be confirmed)
- SLAM Volleyball – February 23 and 24
- Surf Carnival - February 3

The proposed date of 16th & 17th December coincides with the holding of the Council's Carols at Coogee event.

RELATIONSHIP TO CITY PLAN:

The relationship with the City Plan is as follows:

Outcome: 5 Excellence in recreation and lifestyle opportunities.

Direction: 5b A range of cultural, sporting and leisure activities.

FINANCIAL IMPACT STATEMENT:

Council will generate income from fees and charges applicable to this event.

CONCLUSION:

Given the number of major events planned to be held at Coogee Beach over the coming season and the holding of Council's Carols at Coogee Beach on the same weekend, it is considered that Coogee is not an appropriate location for this event in 2006.

RECOMMENDATION:

That the applicant be advised that Council does not support the use of Coogee Beach for this event but will support the holding of the inaugural Beach Footy event at Maroubra Beach in 2006 subject to the applicant complying with any conditions of approval that may be imposed once the event is processed.

ATTACHMENT/S:

Nil

.....
JORDE FRANGOPLES
DIRECTOR, CITY SERVICES

.....
JOHN CALVANI
PARKS AND RECREATION CO-
ORDINATOR

Director, City Services' Report 71/2006

SUBJECT:	PROPOSED DECORATIVE LIGHTING FOR THE RANDWICK LITERARY INSTITUTE.
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DATE:	14 September, 2006	FILE NO:	F2004/06192 xr F2005/00171
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REPORT BY: DIRECTOR, CITY SERVICES

INTRODUCTION:

At the Ordinary Council Meeting held on 25th July, 2006 it was resolved as follows:

RESOLUTION: *(Tracey/Procopiadis) that a report be prepared detailing ways in which Council could provide heritage lighting to the Randwick Literary Institute, including:*

- *Down or up lighting in a warm colour which focuses on the building and draws attention to it;*
- *Gentle illumination of the area to increase public safety and deter vandalism, graffiti and anti social behaviour on and around the Randwick Literary Institute; and*
- *Improve lighting in Mary McKillop Place.*

ISSUES:

The Randwick Literary Institute is a building owned and maintained by the Crown under a Reserve Trust. The proposed decorative lighting would be installed in Mary McKillop Place owned and maintained by Council.

A system of decorative up lights comprising warm floodlights and spot lights to illuminate architectural features of this historic building can be installed flush mounted in the footpath pavers. Prior to installation a lighting consultant would be engaged to ensure that the building was illuminated in a professional manner with a lighting design produced. The lighting design would achieve all three components of Council's resolution.

A budget estimate for the lighting works is in the amount of \$35,000. This amount would include power connection to the Randwick Literary Institutes electrical meter board and the installation of underground power. Council will incur recurrent costs in the order of \$1,500 per year for power and maintenance costs for the proposed lighting scheme.

The street lighting in the vicinity of Mary McKillop Place will be improved in the near future as part of Council's Street Lighting Improvement Programme. Council in conjunction with Energy Australia is replacing all the inefficient old technology lights with new technology that significantly improves the level of lighting in all areas of Randwick City Council.

RELATIONSHIP TO CITY PLAN:

The relationship to the City Plan is as follows:

Outcome 7: Heritage that is protected and celebrated

Direction 7a: Our heritage is recognised, protected and celebrated

Key Action - Local history and cultural heritage is recognised, known, preserved and celebrated through community events and mixed-media collections.

FINANCIAL IMPACT STATEMENT:

Council can list this decorative lighting project for consideration in the 2007/2008 Capital Works Budget in the amount of \$35,000 funded from Rate Revenue. The recurrent power and maintenance costs in the amount of \$1,500 per year would need to be funded from the street lighting account.

CONCLUSION:

Council can provide heritage lighting for the Randwick Literary Institute which will light the building, decrease anti social behaviour and improve safety in the area. This project can be listed for Council's consideration in the 2007/2008 Capital Works Budget.

The capital cost of the project is \$35,000 with recurrent power and maintenance costs of \$1,500 per year.

RECOMMENDATION:

That the heritage lighting of the Randwick Literary Institute be listed for Council consideration in the 2007/2008 Capital Works Budget submissions, in the amount of \$35,000 for the capital works and \$1,500 for recurrent costs.

ATTACHMENT/S:

Nil

.....
 JORDE FRANGOPLES
 DIRECTOR, CITY SERVICES

.....
 JOHN EARLS
 CO-ORDINATOR, ENGINEERING

Director, Governance & Financial Services' Report 62/2006



SUBJECT:	PRESENTATION - FINANCIAL REPORTS - YEAR ENDED 30 JUNE 2006
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DATE:	5 September, 2006	FILE NO:	F2004/06524
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REPORT BY: DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

INTRODUCTION:

Under the provisions of s418 the Local Government Act, Council is required to present its Financial Reports together with the Auditor's Report to the public.

ISSUES:

The Local Government Act contains specific requirements to be followed in relation to the preparation of its statutory Financial Reports.

In summary, the procedures are shown below:-

- 1) The Financial Reports are to be prepared and these reports are required to contain a Certificate which is signed in accordance with a resolution of the Council. Council authorised the signing of the certificate by resolution at the Council Meeting held 22 August 2006.
- 2) The Financial Reports and the Certificate referred to in (1) are then referred to the Auditor for audit.
- 3) As soon as practicable after receiving the Auditor's Report the Council must send a copy of the Auditor's report and the audited Financial Reports to the Director General of the Department of Local Government and the Australian Bureau of Statistics. These documents were forwarded on 31 August 2006 in compliance with this requirement.
- 3) As soon as practicable after receipt of the Auditors Report a date must be fixed when Council proposes to present the Auditor's Report and the audited Financial Reports to the public. This date has been fixed as the 26 September 2006.

4) Public Notice of the proposed meeting including a summary of the Financial Reports must be given. Copies of the documents are to be made available for inspection at the office of the Council. In accordance with this requirement public notice was given in the *Southern Courier* on 12 September 2006. Copies of the documents were made available to the public at the Customer Service Centre and the Libraries. The documents are also published on the Council's web site on the internet.

Copies of the Financial Reports including the Auditor's report have been separately circulated to each Councillor.

The Auditor's Report provides detailed comments in relation to the Council's sound financial position and is reproduced below:-

"We are pleased to advise completion of the audit of Council's books and records for the year ended 30 June 2006 and that all information required by us was readily available. We have signed and attached our reports as required under Section 417(1) of the Local Government Act, 1993 and the Local Government Code of Accounting Practice and Financial Reporting to the General and Special Purpose Financial Reports.

Our audit has been conducted in accordance with Australian Auditing Standards so as to express an opinion on both the General and Special Purpose Financial Reports of the Council. We have ensured that the accounts have been prepared in accordance with Australian equivalents to International Financial Reporting (AIFRS) and the Local Government Code of Accounting Practice and Financial Reporting.

Australian equivalents to International Financial Reporting Standards (AIFRS) were applied for the first time in the preparation of Council's financial statements. The basis of the preparation is outlined in Note 1(a) of the financial statements. Reconciliations and explanations of the effect of the transition to AIFRS regarding the recognition, measurement and disclosure of assets and liabilities are disclosed in Note 21.

This report on the conduct of the audit is also issued under Section 417(1) and we now offer the following comments on the financial statements and the audit;

1. RESULTS FOR THE YEAR

1.1 Operating Result

The operating result for the year was a Surplus of \$8.268 million as compared with \$3.614 million in the previous year.

The following table sets out the results for the year and the extent (%) that each category of revenue and expenses contributed to the total.

	2006	%of	2005	%of	Increase
	\$000	Total	\$000	Total	(Decrease)
					\$000
Revenues before capital items					
Rates & annual charges	58,510	70%	55,130	69%	3,380
User charges, fees & other revenues	16,962	20%	16,521	21%	441
Grants & contributions - operating purposes	5,547	7%	5,499	7%	48
Interest & investment revenue	3,011	4%	3,098	4%	(87)
	84,030	100%	80,248	100%	3,782
Expenses					
Employees benefits & costs	33,923	40%	33,000	39%	923
Materials, contracts & other expenses	36,275	42%	36,787	43%	(512)
Depreciation, amortisation & impairment	15,094	18%	14,752	17%	342
Borrowing costs	80	0%	77	0%	3
	85,372	100%	84,616	100%	756
Surplus (Deficit) before capital items	\$ (1,342)		\$ (4,368)		\$ 3,026
Grants & contributions provided for capital purposes	9,610		7,982		1,628
Net Surplus (Deficit) for the year	\$ 8,268		\$ 3,614		\$ 4,654

As can be seen above, the operating surplus increased by \$4.654 million - operating revenues exceeding operating expenses by \$4.654 million. Fluctuations of note consisted of;

- rates levied amounted to \$43.917 million - an increase of \$2.212 million.
- domestic waste management charges amounted to \$14.593 million – an increase of \$1.168 million.
- capital contributions amounted to \$9.603 million – an increase of \$1.692 million and consisted of developer contributions under Section 94 an increase of \$3.719 million, offset by a reduction in other contributions of \$2.027 million.

1.2 Funding Result

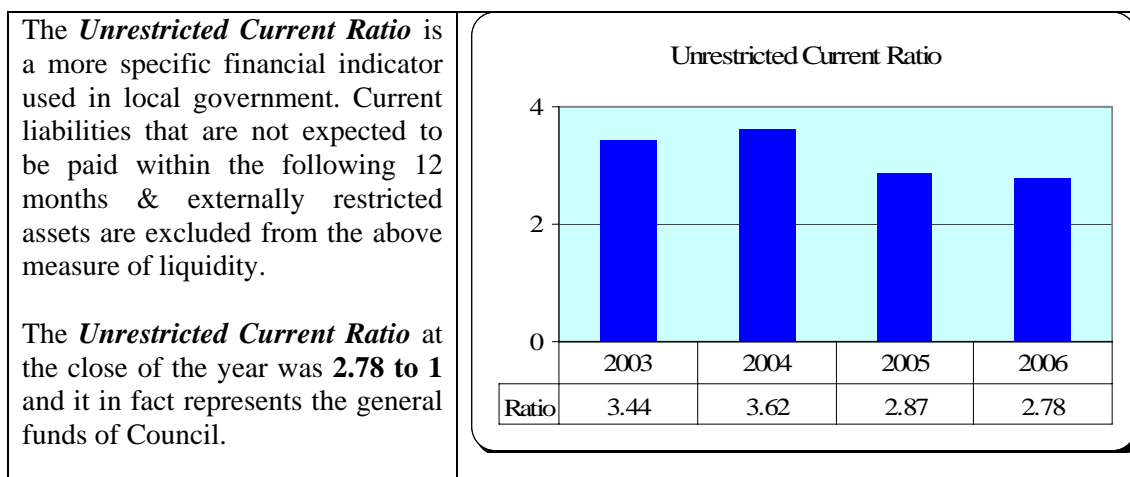
The operating result does not take into account all revenues and all expenditures and in reviewing the overall financial performance of Council it is useful to take into account the total source of revenues and where they were spent during the year which is illustrated in the table below.

	2006	2005
	\$000	\$000
Funds were provided by:-		
Operating Result (as above)	8,268	3,614
Equity adjustments in the adoption of new accounting standards	44	0
Add back non funding items:-		
Depreciation, amortisation & impairment	15,094	14,752
- Book value of non current assets sold	1,708	4,840
- (Surplus)Deficit in joint ventures	(2)	(29)
	<u>25,112</u>	<u>23,177</u>
Transfers from externally restricted assets (net)	481	0
Transfers from internal reserves (net)	0	2,418
Net Changes in current/non current assets & liabilities	438	337
	<u>26,031</u>	<u>25,932</u>
Funds were applied to:-		
Purchase and construction of assets	(23,213)	(25,282)
Transfers to externally restricted assets (net)	0	(2,213)
Transfers to internal reserves (net)	(2,231)	0
	<u>(25,444)</u>	<u>(27,495)</u>
Increase(Decrease) in Available Working Capital	587	(1,563)

2. FINANCIAL POSITION

2.1 Current Ratios

The *Current Ratio* is a good indicator of the ability of a business to meet its debts and obligations as they fall due. Current assets exceeded current liabilities by \$23.980 million representing a factor of 1.93 to 1.



2.2 Available Working Capital – (Working Funds)

A more meaningful financial indicator specific to local government is the level of *Available Working Capital*. Net Current Assets are adjusted by eliminating both external and internal reserves held for future purposes.

At the close of the year the Available Working Capital of Council stood at \$5.093 million as detailed below;

	2006	2005	Change
	\$000	\$000	\$000
Net Current Assets (Working Capital) as per Accounts	23,980	21,980	2,000
Add: Payables & provisions not expected to be realised in the next 12 months included above	11,854	13,055	(1,201)
Adjusted Net Current Assets	35,834	35,035	799
Add: Budgeted & expected to pay in the next 12 months			
- Employees leave entitlements	5,538	4,362	1,176
- Deposits & retention moneys	754	392	362
Less: Externally restricted assets	(14,098)	(14,579)	481
Less: Internally restricted assets	(22,935)	(20,704)	(2,231)
Available Working Capital as at 30 June	\$ 5,093	\$ 4,506	\$ 587

The balance of Available Working Capital should be at a level to manage Council's day to day operations including the financing of hard core debtors and inventories and to provide a buffer against unforeseen and unbudgeted expenditures. Taking into consideration the nature and level of the internally restricted assets (Reserves) set aside we are of the opinion that Available Working Capital as at 30 June 2006 was sound.

2.3 Debt

Council is free of debt and has been since 2001.

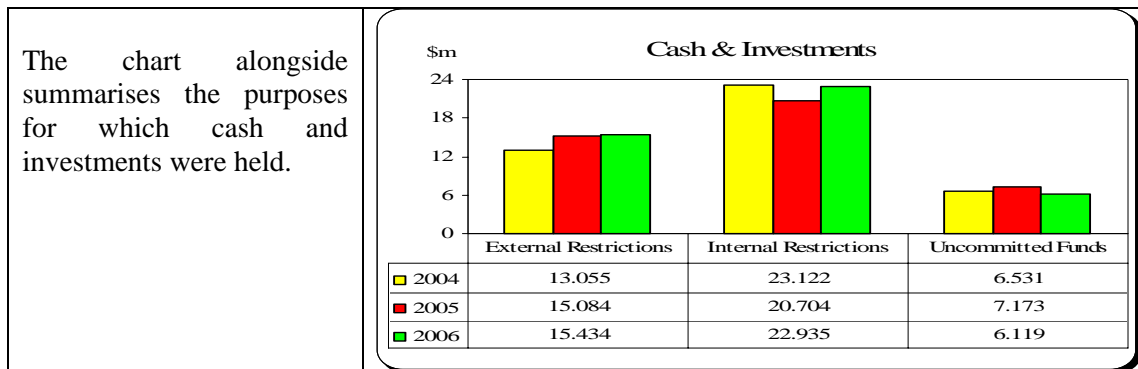
2.4 Summary

Council's overall financial position, when taking into account the above financial indicators is, in our opinion, sound.

3. CASH ASSETS

3.1 Cash & Investments

Cash and investments held at the close of the year amounted to \$44.488 million as compared with \$42.961 million and \$42.708 million at the close of financial years 2005 and 2004 respectively.



Externally restricted cash and investments are restricted in their use by externally imposed requirements and consisted of unexpended development contributions under Section 94 (\$10.848 million), domestic waste management charges (\$3.804 million) and specific purpose grants (\$782,000).

Internally restricted cash and investments have been restricted in their use by resolution or policy of Council to reflect forward plans, identified programs of works, and are, in fact, Council's "**Reserves**". These Reserves totalled \$22.935 million and their purposes are more fully disclosed in Note 6 of the financial statements.

Unrestricted cash and investments amounted to \$6.119 million, which are available to provide liquidity for day to day operations and form the basis of Council's sound financial position.

3.2 Cash Flows

The Statement of Cash Flows illustrates the flow of cash moving in and out of Council during the year and reveals that Cash Assets increased by \$1.352 million to \$34.813 million at the close of the year.

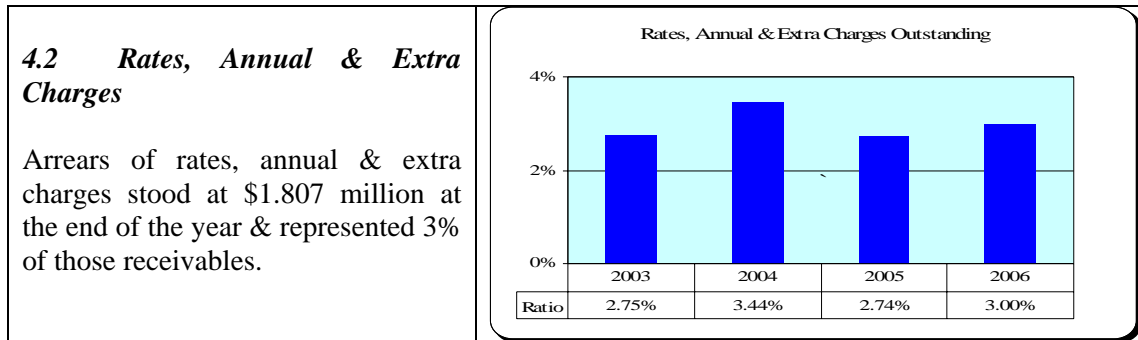
In addition to operating activities which contributed net cash of \$15.439 million were the proceeds from the sale of assets of \$2.730 million. Cash outflows other than operating activities were used to purchase and construct assets totaling \$16.817 million.

4. RECEIVABLES

4.1 Rates & Annual Charges (excluding interest & extra charges)

Net rates and annual charges levied during the year totalled \$58.510 million and represented 62.48% of Council's total revenues.

Including arrears, the total rates and annual charges collectible was \$59.604 million of which \$58.007 million (97%) was collected.



4.3 Other Receivables

Receivables (other than Rates & Annual Charges) totalled \$2.988 million. Those considered to be uncertain of collection have been provided for as doubtful debts and this provision stood at \$413,000. We have examined the outstanding balances and conclude that the provision appears adequate.

5. PAYABLES

5.1 Employees Leave Entitlements

Council's provision for its liability toward employees leave entitlements and associated on costs amounted to \$13.266 million. A cash reserve of \$2.600 million was held at year end representing 19.60% of this liability was, in our opinion, sufficient to enable Council to meet unbudgeted and unanticipated terminations.

5.2 Deposits, Retentions & Bonds

Deposits, Retentions and Bonds held at year end amounted to \$5.151 million which was funded by a cash reserve of \$4.397 million or 85% of the liability.

6. CONCLUSION

We wish to record our appreciation to your General Manager and his staff for their ready co-operation and the courtesies extended to us during the conduct of the audit and commend your staff for the early completion and in the presentation of the financial statements."

RELATIONSHIP TO CITY PLAN:

The relationship with the City Plan is as follows:

Outcome: 1: Leadership in Sustainability

Direction: 1c: Long term financial viability is achieved

FINANCIAL IMPACT STATEMENT:

There is no direct financial impact for this matter.

CONCLUSION:

Council's auditor advises "Council's overall financial position... is sound".

RECOMMENDATION:

That the Director Governance & Financial Services Report on the presentation of Financial Reports for the year ended 30 June 2006 be received and noted.

ATTACHMENT/S:

1. 2006 Financial Reports (UNDER SEPERATE COVER)

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GEOFF BANTING
DIRECTOR, GOVERNANCE &
FINANCIAL SERVICES

Director, Governance & Financial Services' Report 63/2006



SUBJECT:	COOGEE SURF LIFE SAVING CLUB RENOVATIONS
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DATE:	12 September, 2006	FILE NO:	F2006/00344
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REPORT BY: DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

INTRODUCTION:

A letter has been received from Mr Rob Yeldon, Club President of the Coogee Surf Life Saving Club regarding renovations which are underway in the downstairs area of the club building.

ISSUES:

The renovations are to repair the rundown state of the showers and change rooms, gymnasium and training hall.

The Surf Life Saving Club's budget for the renovation work was \$652,000. This was being financed by the Club in various ways including:

- Club provisions being maintained for this purpose – approximately \$170,000
- Grant from NSW Department of Sport, Recreation and Tourism \$255,000
- Commercial loan \$200,000
- Donations \$20,000
- Sponsorship – to be determined.

During the Development Application and Construction Certificate process, several items have been raised which, the Club considers, are not solely related to the maintenance of the building. They are matters that have been requested by Council through the Development Application and Construction Certificate stages and relate principally to disabled access and egress.

When the plans were initially submitted, the Club was informed that it had to make arrangements for disabled access to the upstairs area of the Club (the Ocean Room). This is the part of the Club that has the permit for Place of Public Entertainment. Works as recently as 5 years ago were carried out on this area and at that time Council was satisfied disabled access to the area did not need to be provided.

Based on Council's recent advice about disabled access, the Club included an elevator seat to the Ocean Room and also a disabled toilet and shower in the downstairs renovations.

Subsequent to that, the Club has been requested to include a disabled toilet upstairs in the Ocean Room. There have been no material changes made to the Ocean Room as a result of the renovations.

Other items that the Club has identified as relating to the additional costs relate to egress and remedial works.

Compliance with Council requests has resulted in additional costs to the planned original renovations of approximately \$80,000. This includes the need for a staged Construction Certificate and additional consultants and engineers reports.

In addition to various reports including (geotechnical, BCA, fire), the Club has paid Council over \$9,000 in various fees.

The Club is now seeking Council's support to assist it in funding these additional costs.

RELATIONSHIP TO CITY PLAN:

The relationship with the City Plan is as follows:

Outcome: 5 - Excellence in recreation and lifestyle opportunities.

Direction: 5b. A range of cultural, sporting and leisure activities;
- Acknowledge our cultural and sporting heritage.

FINANCIAL IMPACT STATEMENT:

The financial impact for this matter is the interest foregone for the \$89,000 over the seven (7) year period. This amounts to approximately \$4,500 per annum for the seven years (based on 6.3%, which is Council's average rate of return on investments for the 2005/2006 financial year).

If Council supports the provision of the interest free loan, this amount could be funded annually from the Contingency Fund.

CONCLUSION:

The overall aim of the project is to keep the Club in a well maintained state for the underlying purpose of providing life saving services to the community.

The Club suggest that compliance with disability and egress requests are really improvements beyond the scope of keeping the premises well maintained and have asked Council to consider the following options to assist the Club with these amounts:

1. An outright grant or contribution to the Club for that part of the cost of the renovations (on the basis that any contributions made are offset against any amounts payable by Council to the Club pursuant to the Lease, if the lease is ever terminated).
2. An interest free loan to the Club for these amounts (being \$89,000), which the Club would repay within seven (7) years.

RECOMMENDATION:

That:

- a) Council agree to an interest free loan to the Coogee Life Saving Club in the amount of \$89,000 to cover the additional expenses incurred by Coogee Surf Life Saving Club in the downstairs renovation of the Club building (as detailed in the Club's letter of 28 August 2006) subject to the Club entering into a Deed of Agreement with Council with respect to the repayment of the loan.
- b) the interest foregone for the loan (being approximately \$4,500 per annum) be funded from the Contingency Fund over the seven (7) year period.

ATTACHMENT/S:

Nil

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GEOFF BANTING
DIRECTOR, GOVERNANCE &
FINANCIAL SERVICES

Director, City Planning Report 80/2006

SUBJECT:	Affixing of the Council Seal - Community Services Grants Program.
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DATE:	17 August, 2006	FILE NO:	F2004/07715
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REPORT BY: DIRECTOR, CITY PLANNING

INTRODUCTION:

Clause 48 of the Local Government (Meetings) Regulations 1993 requires that the Seal of the Council must not be affixed to a document unless the document relates to business of the Council and the Council has resolved (by resolution referring to the document) that the Seal be so affixed.

ISSUES:

It is necessary for Council's Seal to be affixed to the service specifications for the period 2006 – 2007 between Council and the Department of Community Services, for the continuation of funding received for the following Council positions:

- Community Project Officer Youth & Families with Children
- Community Project Officer Aged & Disability
- Generalist Community Development Officer La Perouse & Surrounding Areas
- Community Project & Partnerships Coordinator

RELATIONSHIP TO CITY PLAN:

The relationship with the City Plan is as follows:

Outcome: 3 - A Vibrant and Diverse Community

Direction: 3d - An expanded range of community services that meet the community's needs

Direction: 3e – Strong partnerships between Council, community groups, and government agencies

Outcome 4 – An informed and engaged community

FINANCIAL IMPACT STATEMENT:

There is no unforeseen additional financial impact for Council entering into the revised service specifications for the 2006 – 2007 financial year with the Department of Community Services. Council has already completed and returned the service agreement for the same period resulting in an income of \$71,829 to Council by the Department of Community Services as a contribution towards salary costs for the abovementioned positions.

CONCLUSION:

As Clause 48 of the Meetings Regulation requires that the Council pass a resolution authorising the affixing of the Seal, it is necessary for this action to take place to facilitate legal formalities being completed.

RECOMMENDATION:

It is recommended that authority be granted for the Council's Common Seal to be affixed to the service specifications for the period 2006 – 2007 between Council and the Department of Community Services.

ATTACHMENT/S:

1. Service specification for the Community Project Officer Youth & Families with Children.
2. Service Specification for the Community Project Officer Aged & Disability.
3. Service Specification for the Generalist Community Development Officer LaPerouse & Surrounding Areas.
4. Service Specification for the Community Project & Partnerships Coordinator.

Attachments 1 to 4 are under separate cover.

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
SHANE LOWE
ACTING TEAM LEADER
COMMUNITY PROGRAMS &
PARTNERSHIPS

Director, City Planning Report 81/2006

SUBJECT:	CONSTRUCTION TRAFFIC MANAGEMENT PLAN FOR THE PRINCE HENRY SITE UNDER THE APPROVED NO. 763/2004.
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DATE:	13 September, 2006	FILE NO:	DA/763/2004
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REPORT BY: DIRECTOR, CITY PLANNING

1. INTRODUCTION:

On 26 May 2006, a Construction Traffic Management Plan (CTMP) was submitted by Landcom to Council for approval as required under (condition No. 37 of) the development consent for DA 763/2004. DA 763/2004 was approved on 26 April 2005 for the construction of Stage 2 infrastructure and streetscape works in the southern half of the Prince Henry site. The approved infrastructure works comprised, among other things, the construction of the proposed Harvey Street and its connection with Jennifer Street. The CTMP provided for part of the construction traffic for the Stage 2 works to have access through the Harvey Street at the Jennifer Street connection.

Landcom advised initially that this construction traffic access via Harvey and Jennifer Streets is required because Pine Avenue (the main and central access road into the Prince Henry site) will be undergoing remediation works to remove contaminants, and will then be rebuilt, for a period of five months beginning in November 2006. Landcom further advised that during this period, community groups located in the southern half of the Prince Henry site (comprising Coast Centre for Seniors, Sydney Surf Lifesaving Club and Trained Nurses Museum), will also need temporary use of Jennifer and Harvey Streets for access.

Concerns have been raised by residents in the locality regarding the amenity impacts of the proposed construction traffic through the Jennifer Street/Harvey Street intersection.

2. ISSUES:

On 2 September 2006, Councillors Matson, Belleli, Daley and Woodsmith, the General Manager and Council officers met with residents on-site to discuss the issue of construction traffic access from the Jennifer Street and Harvey Street intersection. Following this meeting, a number of discussions were held with Landcom. Landcom subsequently undertook to remove construction traffic access from the Jennifer Street and

Harvey Street intersection. This undertaking is contained in a letter to Council dated 7 September 2006 which included an amended CTMP with the following specific strategy:

- **Staging Plan No. 1 - September 2006 to December 2006:** To undertake the construction of Jennifer Street and Harvey Street intersection with all construction traffic associated with these works to access through Pine Avenue. No access through Jennifer Street.
- **Staging Plan No. 2 – December 2006 to June 2007 :** To remediate and construct the new Pine Avenue with all construction vehicles to access through Pine Avenue. The Pine Avenue works will result in Pine Avenue being closed for public use for a period of 5 months. During this period, existing community groups in the Prince Henry site (namely the Coast Centre for Seniors, Sydney Surf Lifesaving Club and Trained Nurses Museum) will have temporary use of the Jennifer Street and Harvey Street intersection to access their respective premises in the Prince Henry site. The Coast Golf Club and beach traffic will not access the site via the Jennifer Street/Harvey Street intersection but rather via a northern route through Jenner Street passing along Mayo Street, Lister Street and then along Coast Hospital Road to the beach or the golf-course.

Landcom further advised in its letter that the amended CTMP will be supported, amongst other things, by the following provisions:

- All infrastructure works will be submitted in accordance with the submitted plans and any variations to the proposed measures on public roads (Anzac Parade and Jennifer Street), if required due to any unforeseen circumstances shall be submitted to Council.
- All construction vehicles shall be directed to enter and exit the site through Pine Avenue.
- All construction vehicles shall be advised to use the main arterial roads (eg., Anzac Parade, Little Bay Road, Bunnerong Road and Botany Road) as the construction route to and from the site, and use of residential streets as short-cuts shall not be permitted.
- All trucks leaving the site will be washed down on-site, including tyres, and any water collected from on-site washing down will not be allowed to flow into the street stormwater system.

The amended CTMP as proposed in Landcom's letter dated 7 September 2006 provides an adequate and reasonable response to the concerns raised by residents regarding the impact of construction traffic impact in the south of the Prince Henry site.

3. RELATIONSHIP TO CITY PLAN:

The relationship to the City Plan is as follows:

3.1 Outcomes

Outcome 6 : A Liveable City – The amended CTMP will provide for safe and clean streets in the locality in line with the broader public domain strategy adopted in the approved DA No. 763/2004 for the southern part of the Prince Henry site and taking into account residents' concerns.

3.2 Directions and Actions

Direction 6b & associated action : Town centres, beaches, public places and streets are safe, inviting, clean and support a recognisable image of our city – The amended CTMP will provide for safe and clean streets by removing construction traffic from the local street network around the Prince Henry site, having regard to residents' concerns, and thus supporting the broader public domain strategy in the approved DA No. 763/2004 for the southern part of the Prince Henry site.

4. FINANCIAL IMPACT STATEMENT:

There is no direct financial impact for this matter.

5. CONCLUSION:

The amendments to the program of construction works for Pine Avenue, the Jennifer Street and Harvey Street intersection, and the Stage 2 area as a whole, as proposed by Landcom above are considered appropriate steps in removing the impact of construction traffic impact in the south of the Prince Henry site. The amended CTMP as proposed in Landcom's letter dated 7 September 2006, provides an adequate and reasonable response to the concerns raised by residents regarding the impact of construction traffic the construction traffic impact in the south of the Prince Henry site. In particular, Landcom has given an undertaking that, under the amended proposal, no construction traffic will proceed through Jennifer Street.

It should be noted that the CTMP was originally submitted by Landcom to Council on 26 May 2006 in accordance with condition No. 37 of development consent No. 763/2004. Accordingly, Council must determine the merits and adequacy of the CTMP as required by this condition.

It is recommended that the amendments to the CTMP be accepted and the original CTMP be amended accordingly to incorporate the changes, as well as the additional measures recommended by Council's Traffic Management Group.

RECOMMENDATION:

THAT Council approve the Construction Traffic Management Plan (CTMP) dated 26 May 2006 subject to the following amendments and that a revised CTMP be provided to the Director of City Planning prior to the commencement of construction works:

1. The CTMP shall be revised to include details of the construction program and access arrangements proposed by Landcom in its letter to Council dated 7 September 2006 as contained in the following plans:
 - **Staging Plan No. 1 - September 2006 to December 2006:**
To undertake the construction of Jennifer Street and Harvey Street intersection with all construction traffic associated with these works to access through Pine Avenue.
 - **Staging Plan No. 2 – December 2006 to June 2007:**
To remediate and construct the new Pine Avenue with all construction vehicles to access through Pine Avenue. The Pine Avenue works will result in Pine Avenue being closed for public use for a period of 5 months. During this period, existing community groups in the Prince Henry site (namely the Coast Centre for Seniors, Sydney Surf Lifesaving Club and Trained Nurses Museum) will have temporary use of the Jennifer Street and Harvey Street intersection to access their respective premises in the Prince Henry site. The Coast Golf Club and beach traffic will not access the site via the Jennifer Street/Harvey Street intersection but rather via a northern route through Jenner Street passing along Mayo Street, Lister Street and then along Coast Hospital Road to the beach or the golf-course.

ATTACHMENT/S:

Nil

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SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
DAVID ONGKILLI
ENVIRONMENTAL PLANNING
OFFICER

Director, City Planning Report 82/2006

SUBJECT:	Randwick City Recreational Needs Study
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DATE:	13 September, 2006	FILE NO:	F2006/00266
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REPORT BY: DIRECTOR, CITY PLANNING

EXECUTIVE SUMMARY:

The City Plan identifies the need to undertake a *Randwick City Recreational Needs Study* to update Council's understanding of the community needs in terms of active and passive recreation. The outcomes of the Project will provide a framework for policy formulation, strategic recreation planning and facilities development decision-making.

By undertaking the Study, Council aims to better understand the City's open space and recreation needs along with current and future trends within the City. This will enable priorities for the improvement of open space resources and the provision of future active and passive recreation facilities to meet the needs and demands of the local community. A significant consideration in the preparation of the Study is ensuring that the Council's open space and recreation management correlates with the current and future needs and aspirations of the local community. The last comprehensive study was completed in 1996 and trends in sport and recreation activities have since changed. As a result of major redevelopment sites, such as Prince Henry and Bundock Street, some additional open space has been provided.

Furthermore the use and intensity of usage of various open space areas over the years may have undergone some changes. Therefore it is timely to undertake a review of the recreational needs within the community. This report provides an outline of the study and anticipated timeframe for the study.

BACKGROUND:

The Recreational Needs study aims to establish a framework for the management of all Council owned "community" land and the Crown land that is managed by Council.

It is anticipated that the Study will provide strategic direction and guidance informing Council's open space and recreation works, management and maintenance, the draft development contributions plan and future plans of management for the City.

By undertaking the study, Council aims to better understand the open space and recreation needs of the City in order to determine priority for the information of open space resources and the provision for future active and passive recreation facilities. The study will be assisted by other Council planning and research, such as the City Plan background papers and the Heffron Park Concept Plan.

Together with the growth in structured recreation demands such as football, cricket, soccer and other organised sports, there appears to be a substantial growth and recognition of the benefits of passive recreation, such as walking and bicycling.

Preparation of the Study.

Council sent a brief for the preparation of a Recreational Needs Study to seven consultants with experience in preparing these studies. Quotations closed on 30 June 2006. A copy of the brief is attached (Attachment 1).

The following evaluation criteria included in the brief was use to select the consultant:

- Demonstrated appreciation of the Project task and schedule;
- Demonstrated ability to conform to the Project aim and objectives;
- Demonstrated experience in recreational needs assessment;
- Demonstrated understanding of the expertise relevant to recreational planning, community consultation and cost analysis; and
- Fee proposal

Stratcorp was the chosen consultant based on their response to the brief, which demonstrated strong and diverse expertise in recreational studies. They displayed an extensive range of team expertise and a strong understanding of the requirements stipulated in the brief. Their consultation strategy was extensive and appropriate to the project.

A Councillors Forum has be proposed by Stratcorp as part of the research and consultation, with an expected forum to be held in October 2006.

Below is guidance as to the time frame and consultation for the project, however this is an indication only and some tasks may take additional time.

TASK	APPROXIMATE TIMING
Recreational Needs Study	August 06 – March 07
Phase 1 – Project start up	August 06
Phase 2 – Situation Analysis	August/September 06
Phase 3 – Consultation	August 06 – December 06
Sport/Rec groups survey	September 06
Infield surveys- parks, retail areas	September/October 06

Household telephone survey	September/October 06
Schools interviews	September/October 06
Interviews/meetings/forums with target groups & the community	October 06
Key agencies/Council/Associations	September06 – October 06
Phase 4 – Recreational Needs Assessment	October 06 – November 06
Recreational Needs Assessment	October/ November 06
Sports groups meeting	November 06
Interim report/Key directions	November 06
Phase 5 – Prepare Draft Recreation Plan	November 06
Report to Council	February/March 07
Phase 6 – Public Exhibition of Draft Plan	February 07 – March 07
Phase 7 – Prepare final report/strategy plan	April 07
Report to Council	April/May 07

RELATIONSHIP TO CITY PLAN:

The relationship with the City Plan is as follows:

Outcome 2: A Vibrant and diverse community

Direction 2a: Maintain a current understanding of our community's needs

Outcome 5: Excellence in recreation and lifestyle opportunities

Direction 5a: Maximise opportunities for residents and visitors to enjoy both active and passive open space uses

Direction 5b: A range of cultural, sporting and leisure activities

Direction 5c: New open spaces is created as opportunities arise

Outcome 6: A Liveable City

Direction 6a: Our public assets are planned, managed and funded to meet community expectations and defines levels of service

FINANCIAL IMPACT STATEMENT:

The Recreational Needs Study has been commissioned for \$80,000.00 with funding of \$60,000.00 allocated in the City Services 2006/2007 budget and \$20,000.00 from the S94 budget. It will also involve approximately 1 day per week in staff time for 6 months.

CONCLUSION:

This study is anticipated to have the following key outcomes:-

- Identification of general recreational trends in the City;
- Assessment of Council's level of provision of recreation resources and any options available to expand, rationalise and/or improve viability;

- Assessment of existing resources' capacity to meet demand for use;
- Assessment of the community's level of satisfaction with Council's provision of recreational resources;
- Identification of redundant/underutilised recreation resources, what resources are required and where they should be located; and
- Assessment of whether Council's current management measures are adequate and whether aspects of current management measures could be addressed to improve the level of provision of recreational resources.

The consultants Stratcorp commenced preparation of the study in August and will be undertaking a variety of consultations over the next few months.

RECOMMENDATION:

That :

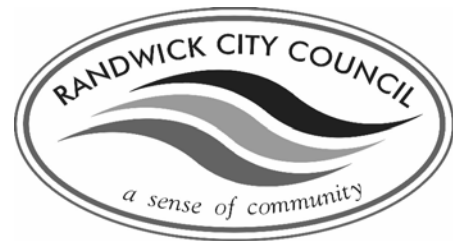
- a) the report be received and noted, and
- b) Councillors advise the Director, City Planning if they would like to be involved in a Councillor's Forum as part of the study.

ATTACHMENT/S:

Brief for the Study Brief

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
TARA MULHOLLAND
SECTION 94 PLANNER



Consultant's Brief

**For the preparation of a
Recreational Needs Study
for Randwick City**

Randwick City Council

June 2006

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Information for the tenderer

The purpose of this document is to outline the requirements for the provision of consultancy services for the preparation of a Recreational Needs Study (the Study) for Randwick City (the City).

It is proposed that the Study will provide strategic direction and guidance informing Council's open space and recreation works, management and maintenance, the preparation of Council's revised development contribution plan, and future plans of management for the City.

1.1 Background

Randwick City (the City) is located in the eastern suburbs of the Sydney metropolitan area, and covers an area of 36.55 square kilometres with a population of approximately 120,000. The City comprises the suburbs of Chifley, Clovelly, Coogee, Kensington, Kingsford, La Perouse, Little Bay, Malabar, Matraville, Maroubra, Phillip Bay and Randwick. The City has relatively extensive recreational resources particularly due to its coastal location and historical land uses.

Randwick City Council (Council) has identified the need to undertake the *Randwick City Recreational Needs Study 2006* (the Project) to update Council's understanding of the needs of the City's community in terms of active and passive recreation. The outcomes of the Project will provide a framework for policy formulation, strategic recreation planning and facilities development decision-making.

1.2 Aim and objectives

By undertaking the Study, Council aims to better understand the open space and recreation needs of the City in order to determine priorities for the improvement of open space resources and the provision of future active and passive recreation facilities. In accordance with Outcome 6 of Council's City Plan, a significant consideration in the preparation of the Study is ensuring that the Council's open space and recreation management correlates with the needs and aspirations of the local community.

Council's objectives for the study are to:

- Identify and analyse Council's inventory of recreational resources, including usage data;
- Identify current and likely trends in recreational activities and assess how Council should respond to these trends;
- Audit Council's current level of service provision relative to other Councils;
- Assess Council's current recreational and open space management policies and procedures;

- Analyse Council's commitments for the provision of passive and active recreational opportunities for the City since Council's *1996 City Open Space and Recreation Strategic Plan (COSRSPOM)*; and
- Provide guidance to Council for future decision-making in the resourcing and management of open space.

1.3 Key anticipated project outcomes

Key issues that must be addressed as part of the study are as follows:

- Identification of general recreational trends in the City;
- Assessment of Council's level of provision of recreation resources and any options available to expand, rationalise and/or improve viability;
- Assess existing resources' capacity to meet demand for use;
- Assess the community's level of satisfaction with Council's provision of recreational resources;
- Identify redundant/underutilised recreation resources, what resources are required and where they should be located; and
- Assess whether Council's current management measures are adequate and whether aspects of current management measures could be addressed to improve the level of provision of recreational resources.

2 PROJECT SCOPE

2.1 Schedule of works

In summary, the scope of the Project shall comprise the following phases:

Phase 1 – Brief and project schedule

- Assess in detail the scope and expected outcomes of the Project.

Phase 2 – Research and data collection

- Update the available baseline data in its various forms into a comprehensive format that is relevant to recreational planning and acts as an inventory to the study;
- Investigate the recreational needs of the community through survey and available demographic information;
- Investigate current and likely trends in recreational activities;
- Review the current provision and quality of recreational resources within the City (this will also include an inventory, with an assessment of current facility condition, life expectancy, level of usage, suitability for upgrade/extension etc);
- Collect data from adjoining Councils (or Councils providing equivalent facilities eg the Heffron Park Cycle track) in relation to fees & charges for seasonal and casual use of recreational facilities;
- Investigate Council's expenditure on open space maintenance and development relative to similar surrounding councils;
- Investigate Council's level of provision of active and passive recreation; and
- Investigate Council's current management practices for open space and recreation.

Phase 3 – Analysis

- Analyse the success of the implementation of Council's plans of management and future directions;
- Assess any changes/trends in the recreational needs of the City since the adoption of the COSRSPOM and recommend responses to these changes;
- Assess the equity of provision of open space in the City and how this may have changed;
- Identify standards/best practice guidelines on desirable usage capacity;
- Assess the provision of recreation resources for persons of diverse ethnic background and with specific needs;
- Identify key issues/concerns in the type of recreation facilities/resources provided by Council;
- Assess stakeholder satisfaction and other related matters;
- Compare Council's financial expenditure on open space and recreational resources with similar surrounding councils; and
- Analyse Council's Fees and Charges and recommend whether Council should change or maintain its fees and charges for either or both casual and seasonal use of its recreational facilities for each category.

Phase 4 – Conclusion and recommendations

The conclusions and recommendations of the study will be required to be presented in a comprehensive report. The report will address, as a minimum, the following matters:

- Results of the data collection and analysis phases;
- Current and future recreational needs of the City;
- Directions for open space usage;
- Best practice management procedures associated with recreation;
- Opportunities for cooperative links to other councils, regional organisations and other groups to establish initiatives that benefit the region or ensure complimentary facilities and initiatives across council areas;
- A ten (10) year action plan which outlines a works program for the development and improvement of key parks and facilities within the framework of Council's City Plan, existing budget structure and funding opportunities, and an estimate of costs associated with the Action Plan.

2.2 Consultation

Stakeholders in the Project comprise:

- Council and residents of the City;
- Landholders and facility operators that provide recreational facilities and services in the City;
- Sporting clubs and associations in the City and surrounding region;
- Relevant government agencies and surrounding council's;
- Educational institutions in the City and surrounding region; and
- Relevant Council officers.

2.3 Additional studies

The consultant is to identify, as early as possible, any additional analyses which may need to be undertaken for the Project. The cost of these studies (if

required) will be outside the scope of this brief and will need to be considered separately.

3 Estimated project timetable

It is envisaged that within three (3) working days of receipt of the letter of engagement (or such other time as agreed between the Project Manager and the consultant) the consultant will notify Council of their intention to either accept or decline the offer to undertake the Project.

The Project is to commence no later than five (5) working days after Council has acknowledged in writing the successful consultant's acceptance of Council's offer of engagement. Council will also nominate a date within this period for an initial meeting with the consultant.

Project phase	Period (weeks)
Pre-engagement	5
Fee proposal preparation	3
Fee assessment by Council	2
Phase 1 – Brief and project schedule	4
Preparation of detailed brief	2
Review by Council and stakeholders	2
Phase 2 – Research and data collection	9
Undertake user survey	3
Collate survey data	2
Compile inventory and map	2
Review by Council	2
Phase 3 – Conclusion and recommendations	7
Draft Recreational Needs Study Report	4
Review by Council	2
Final Recreational Needs Study Report	1
Total	25

4 AVAILABLE Documentation

Council will provide copies of the following documents to assist the consultant's analysis as part of the Project:

- (a) *Randwick City Council City Plan (2006)*
- (b) *Randwick Section 94 Contributions Plan (1998)*
- (c) *Draft Randwick City Development Contributions Plan (2006)*

- (d) *Randwick Local Environmental Plan (1998)* and associated development controls plans
- (e) List of sports associations and clubs within the City;
- (f) List of Council parks and open space areas;
- (g) Council's site-specific plans of management:
 - Clovelly Beach Plan of Management (1998)
 - Coogee Beach and Foreshore Plan of Management (1997)
 - Coogee Oval Plan of Management (1998)
 - Frenchmans Bay Plan of Management (2002)
 - Gordons Bay Plan of Management (1994)
 - Heffron Park Plan of Management (1997)
 - La Perouse Historic Site Plan of Management (2000)
 - Maroubra Beach Plan of Management (1996)
 - Pioneers Park Plan of Management
- (h) City-wide plans of management:
 - Pocket Parks Plan of Management
 - Remnant Bushlands Plan of Management
 - Neighbourhood Parks Plan of Management
 - Beach and Coast Reserves Plan of Management
 - District Parks Plan of Management
- (i) *City Open Space Recreation Strategic Plan (1996)*;
- (j) *A Survey of Recreational Needs in the Randwick Municipality (1986)*
- (k) Access to discussion and study papers for the preparation of the Randwick City Plan; and
- (l) Access to Council's property, finance, bookings and information management systems

5 Project management

The project will be led by a team comprising the Project Manager – Aaron Bowden, Strategic Planner; Karen Armstrong, Manager – Strategic Planning; John Calvani, Team Coordinator – Parks & Recreation; and Chris Hunter, Team Coordinator – Open Space (Operational).

6 Budget and expenses

The estimated maximum budget for the Project is \$80,000. This excludes any additional specialist advice that may be required, as discussed in clause 4.4 of the consultant's brief.

A timesheet (showing hours worked reconciled against individual tasks) is to be provided by the consultant to the Project Manager fortnightly. An indication of the consultant's hourly rates should also be provided should additional meetings or tasks arise which are outside of those required under the consultant's brief.

7 Consultant selection

Consultant tenders will be assessed on their:

- (a) Demonstrated appreciation of the Project task and schedule;
- (b) Demonstrated ability to conform to the Project aim and objectives;
- (c) Demonstrated experience in recreational needs assessment;
- (d) Demonstrated understanding of the expertise relevant to recreational planning, community consultation and cost analysis; and
- (e) Fee proposal

8 Contractual arrangements and payment

Contractual arrangements with the consultant will be by way of an exchange of written correspondence in accordance with Council's standard agreement (refer to **Attachment 1**). The consultant is to provide monthly invoices detailing tasks completed and an estimate of the proportional level of completion of the Project. Payment will be made within the 30 days proceeding the invoice date.

9 Request for quotation

Please provide a detailed quotation by 5:00pm, Friday 30 June 2006, including:

- Total estimated Project cost (including GST);
- Itemised breakdown of tasks, including an hourly rate for additional work; and
- Composition and structure of proposed consultant team

Note: *To be eligible to undertake consultancy work with Council the consultant must, at a minimum, produce evidence of professional indemnity insurance (\$5 million) and public liability insurance (\$10 million).*

10 Contact details

For further information, please contact the Project Manager – Aaron Bowden, Strategic Planner on 9399 0842 or at aaron.bowden@randwick.nsw.gov.au.

Director, City Planning Report 83/2006

SUBJECT:	45 Pine Street, RANDWICK
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DATE:	6 September, 2006	FILE NO:	DA/549/06 & PROP 036955
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REPORT BY: DIRECTOR, CITY PLANNING

INTRODUCTION:

Attached is Development Assessment Report for Development Application No DA/549/2006 for new garage, carspace and front fence to the front of the dwelling.

RECOMMENDATION:

That Council consider and determine the development application in accordance with the recommendations contained in the attached report.

ATTACHMENT/S:

Development Application Report dated 9 August 2006.

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
PERRY HEAD
SENIOR ASSESSMENT OFFICER

Development Application Report



REPORT BY: DIRECTOR, CITY PLANNING

DATE:	9 August 2006	FILE NO:	DA/549/06 & PROP 036955
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PROPOSAL:	New garage, carspace and front fence to front of dwelling.
PROPERTY:	45 Pine Street, RANDWICK
WARD:	North Ward
APPLICANT:	Mr T Blanch
OWNER:	Mr T Blanch



1. EXECUTIVE SUMMARY

The application is referred to Council for determination at the request of Councillor's Tracey, Procopiadis and Woodsmith.

The application details the erection of a garage and paved courtyard within the front yard of the dwelling.

The main issue is the impact of the proposed development upon the streetscape and its non compliance with the objectives and performance requirements of the DCP – Dwelling Houses.

The application is recommended for refusal.

2. THE PROPOSAL

The application details the excavation of the existing front yard area and underpinning of the dwelling to accommodate a single garage with roof terrace and planter, an adjoining hard stand car space and front fence and entry gate.

3. THE SUBJECT SITE AND SURROUNDING AREA:

The subject property is on the northern side of Pine Street and contains a semi detached dwelling sited on an allotment having a street frontage of 9.145m, an overall depth of 39.115m and a site area of 358m², the site falls from the rear to the street with a difference in levels of up to 6m. The locality is residential in nature and contains a mixture of semi detached and free standing dwellings and multi unit housing development.

Below is a photograph of the subject and adjoining property, 47 Pine Street Randwick.



4. SITE HISTORY

There are no other relevant matters relating to this property.

5. COMMUNITY CONSULTATION:

The proposal has been notified in accordance with the DCP – Notification. No submissions have been received.

6. RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

The site is zoned 2A under Randwick Local Environmental Plan 1998 and the proposal is permissible with Council's consent.

7. ENVIRONMENTAL ASSESSMENT

The site has been inspected and the application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act, 1979, as amended.

Development Control Plan - Dwelling Houses and Attached Dual Occupancies

The DCP for Dwelling Houses and Attached Dual Occupancies states that a proposal is deemed to satisfy the Objectives and Performance Requirements of the DCP if it complies with the corresponding Preferred Solutions. Therefore, the tables below assess the proposal against the Preferred Solutions, and where non-compliance results, assessment is made against the relevant Objectives and Performance Requirements.

Landscaping

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	40% of the total site area is provided as landscaped area.	40% of the site is landscaped area. Complies.
S1	A minimum of 25m ² of useable private open space is to be provided.	The rear yard has an area of 73m ² . Complies.
S1	Each dwelling must provide an area of private open space capable of containing a rectangle of minimum dimensions of 3m x 4m with minor changes in level.	The above area has dimensions of 8m x 9.1m. Complies
S1	Private open space in the front yard area is located behind the building line.	The above area is located in the rear yard. Complies.
S6	20% of the total site area has permeable treatment.	20% of the site is permeable. Complies.

Whilst the proposal complies with the preferred solutions in relation to landscaped area, the majority of the soft landscaped at the front of the dwelling will be replaced with hard surfaces, significantly impacting on the aesthetic qualities of the site and its contribution to streetscape character.

Building Setbacks

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Front setback is average of adjoining dwellings or 6m.	The proposed garage to the front of the dwelling is sited up to the street frontage, does not comply see assessment below.

The Objectives and Performance Requirements of the DCP seek to ensure that there is adequate access to sunlight, daylight and fresh air to building occupants and neighbours; and with respect to front boundary setbacks the proposal generally conform to the adjoining development or dominant streetscape.

See detailed assessment below with respect to siting of the garage in relation to the existing dwellings and the streetscape.

Garages & Driveways

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Council's Parking DCP requires 1 space, for dwellings with 2 bedrooms or less, or 2 spaces, for dwellings with 3 bedrooms or more.	The proposed dwelling has parking for 2 cars. Complies.
S1	Car parking spaces have a minimum dimension of 5.5m x 2.5m.	Complies.

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Driveways have minimum width of 3m and are set back at least 1m from the side boundary.	Access to the garage and carspace is by two individual driveways which are each 2.7m wide. Complies.
S1	Driveways have a maximum width of 3m at the property boundary.	The proposed driveways have a width of 2.7m at the front boundary. Complies.
S1	Driveway gradients should not exceed a maximum of 1 in 8 for the first 5m from street alignment and 1 in 6 thereafter.	The proposed driveway gradient is less than 1 in 8. Complies.
S2	Garages and carports located behind the building line where parking only available from the front of the site.	Does not comply – see assessment below
S2	Driveways, car parking spaces and structures do not occupy more than 35% of the width of the allotment	The proposed garage and carspace occupies about 90 % of the width of the site frontage. Does not comply – see assessment below.

The Objectives and Performance Requirements of the DCP include that car parking and driveways are not visually obtrusive and do not detract from the appearance of the dwelling and the street scape; and structures are compatible in scale, form, materials and finishes with the associated dwelling.

It is considered that the proposed new garage and carspace to the front of the property will not comply with the objectives and performance requirements of the DCP in that the garage in particular will be visually obtrusive and will detract from both the appearance of the dwelling and local streetscape.

The siting of the garage to the front of the dwelling will be very prominent in the local streetscape due to excessive height which is exacerbated by the fact that the garage and carspace will together occupy almost 90% of the width of the frontage.

It is noted that there are examples of other similarly sited structures located near the subject premises, however the majority of the dwellings in this street have either no off street parking or parking is provided via a driveway to the side of the dwelling, and an argument that the streetscape has already been compromised cannot be sustained.

In addition, the other instances of existing garages to front of dwellings such as that of the adjoining dwelling at 47 Pine Street, were granted consent prior to the adoption of the current planning controls that place more weight on the visual qualities of the streetscape.

Fences

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Existing sandstone fences and walls are retained/recycled.	Existing sandstone fence to be removed, does not comply see assessment below.

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Solid front fences or on street frontages in front of the building line are no higher than 1.2m.	The solid front fence is 2.1m in height, does not comply, see assessment below.

Generally, the Objectives and Performance Requirements for fences in the DCP are to ensure that front fencing is integrated with the street scape and is compatible with the appearance of the dwelling and any established local fence form and material.

The proposed new front fence to the western side of the property does not comply with the objectives and performance requirements of the DCP in that the height of the fence is excessive in comparison with the established local fence form and will not integrate or be compatible with the existing character of the streetscape.

8. RELATIONSHIP TO CITY PLAN

The relationship with the City Plan is as follows:

Outcome: Excellence in urban design and development
Direction: Improved design and sustainability across all development.

The proposal will not contribute to the above outcome as it fails to meet the objectives and performance requirements of the DCP-Dwelling Houses and will detrimentally impact on the streetscape character of Pine Street.

9. CONCLUSION

The proposal does not comply with the relevant assessment criteria and the objectives and performance requirements of the DCP for Dwellings and Attached Dual Occupancies and will result in an adverse impact upon the appearance of the dwelling and the local street scape and the character of the locality.

For these reasons the application for the erection of this garage and new front fence cannot be supported and is recommended for refusal.

RECOMMENDATION:

THAT Council as the consent authority, refuse development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No.549/06 for permission to erect a new garage, adjoining carspace and front fence at 45 Pine Street Randwick for the following reasons;

1. The proposed garage does not comply with the objectives and performance requirements of the Development Control Plan for Dwellings and Attached Dual Occupancies in that siting of the proposed garage and carspace to the front of the dwelling and up to the front boundary will detract from the appearance of the dwelling and the local streetscape.

2. The proposed garage and carspace does not comply with the objectives and performance requirements of the Development Control Plan for Dwellings and Attached Dual Occupancies in that the garage and carspace will occupy more than 35% of the width of the site, eroding the existing soft landscaping at the front of the site.
3. The proposed garage does not comply with the objectives and performance requirements of the DCP for Dwellings and Attached Dual Occupancies in relation to Building Setbacks as it does not conform to the dominant setback along the street.
4. The height of the proposed front fence does not comply with the objectives and performance requirements of the DCP for Dwellings and Attached Dual Occupancies in that the height of the front fence is excessive in comparison with the established local fencing form and will not integrate or be compatible with the existing character of the streetscape.

ATTACHMENT/S:

NIL

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
PERRY HEAD
SENIOR ASSESSMENT OFFICER

Director, City Planning Report 84/2006

SUBJECT:	38 Helena Street, Randwick
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DATE:	18 September, 2006	FILE NO:	DA/612/2006 & P043052
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REPORT BY: DIRECTOR, CITY PLANNING

INTRODUCTION:

Attached is Development Assessment Report for Development Application No DA/612/2006 for alterations and additions to the dwelling.

RECOMMENDATION:

That Council consider and determine the development application in accordance with the recommendations contained in the attached report.

ATTACHMENT/S:

Development Application Report dated 22 August, 2006

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
PERRY HEAD
SENIOR ASSESSMENT OFFICER

Development Application Report

REPORT BY: DIRECTOR, CITY PLANNING

DATE:	22 August, 2006	FILE NO:	DA/612/06 & PROP 043052
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PROPOSAL:	Alterations and additions to the dwelling.
PROPERTY:	38 Helena Street, RANDWICK
WARD:	East Ward
APPLICANT:	Redgen Stubbs Architects
OWNERS:	Mr A D Cogin & Ms B A Sullivan



1. EXECUTIVE SUMMARY

The application is referred to Council for consideration as one of the owners is a relative of a Councillor.

The proposal involves a ground floor rear addition, internal and external alterations, and new garage.

There are no significant issues with respect to impacts upon the adjoining properties or the streetscape, and the proposal generally complies with the objectives and performance requirements of the DCP for Dwelling Houses.

The application is recommended for approval.

2. THE PROPOSAL

The application details the erection of a ground floor addition to the rear of the existing dwelling to provide an open plan living area and kitchen having a floor area of 33m². The existing garage to the rear of the dwelling is to be demolished to accommodate these building works. To the existing dwelling it is proposed to renovate the bathroom and laundry, replace windows within the ground floor eastern elevation with timber frame windows and a door, and windows within the front of the dwelling with timber frame sliding doors opening onto the front courtyard. A new full height translucent glazed window is to be installed with the northern upper level elevation, infill two existing windows in that elevation and replace the existing staircase connecting the two levels of the dwelling within a new timber staircase. The existing front fence will be altered to reposition the front gate in alignment with the front door of the dwelling.

To the rear of the site it is proposed to erect a new garage sited up to the eastern side boundary with direct access off Helena Lane and a 3m high masonry wall to the rear boundary adjoining the laneway. It is also proposed to carryout landscaping works including paving to the rear and front yards and side passage, a small retaining wall across the rear of the site to provide for a level garden terrace and a pond within the front yard.

3. THE SUBJECT SITE AND SURROUNDING AREA:

The subject site is on the northern side of Helena Street and has a street frontage of 9.405m, a site depth of up to 35m and has a site area of 325m, the site is relatively level with a small fall from the rear to the street frontage. Rear lane access is available from Helena Lane. Presently on site is a two storey semi detached dwelling and detached garage in the rear yard. The surrounding locality is residential in nature and contains predominantly single and two storey semi detached dwellings.

4. SITE HISTORY

There are no relevant matters relating to this property.

5. COMMUNITY CONSULTATION:

The proposal has been notified in accordance with the DCP – Public Notification. No response has been received.

6. RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

The site is zoned 2A under Randwick Local Environmental Plan 1998 and the proposed activity is permissible with Council's consent.

7. ENVIRONMENTAL ASSESSMENT

The site has been inspected and the application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act, 1979, as amended.

Development Control Plan - Dwelling Houses and Attached Dual Occupancies

The DCP for Dwelling Houses and Attached Dual Occupancies states that a proposal is deemed to satisfy the Objectives and Performance Requirements of the DCP if it complies with the corresponding Preferred Solutions. Therefore, the tables below assess the proposal against the Preferred Solutions, and where non-compliance results, assessment is made against the relevant Objectives and Performance Requirements.

Landscaping

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	40% of the total site area is provided as landscaped area.	45% of the site is landscaped area. Complies.
S1	A minimum of 25m ² of useable private open space is to be provided.	The rear yard has an area of 84sqm. Complies.
S1	Each dwelling must provide an area of private open space capable of containing a rectangle of minimum dimensions of 3m x 4m with minor changes in level.	The above area has dimensions of 4.5m x 7.5 metres. Complies.
S1	Private open space in the front yard area is located behind the building line.	The above area is located in the rear yard. Complies.
S6	20% of the total site area has permeable treatment.	20 % of the site is permeable. Complies.

Floor Area

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	The preferred solution for an allotment of this area is that a maximum floor space ratio of 0.6:1 applies.	The proposed FSR is 0.58:1. Complies.

Height, Form & Materials

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	External wall height of the building not exceed 7m	The proposed addition to the rear of the dwelling has a maximum external wall height of 3.4 metres. Complies.
S3	No excavation within 900mm of a side boundary.	Excavation for the proposed garage will be up to the eastern side boundary which does not comply with the preferred solution, however there are no objections in this regard and a condition of consent with respect to proper excavation procedures including the shoring works to retain the adjoining property is included in the recommendation.
S3	No excavation within 4m of a rear boundary.	Excavation for the proposed garage will be up to rear boundary which does not comply with the preferred solution, however there are no objections in this regard and a condition of consent with respect to proper excavation procedures including the shoring works to retain the adjoining property and laneway is included in the recommendation.

Building Setbacks

	<i>Preferred Solution</i>	<i>Assessment</i>
S2	No part of the building is closer than 4.5m from rear boundary.	The new portion of the dwelling is 11metres from the rear boundary. Complies.
S3	Side setbacks be 900mm for any part of the building at ground level.	The proposed addition to the dwelling is set back 900mm from the side boundary which complies with the preferred solution of the DCP. The proposed garage is sited up to the eastern side boundary which does not comply with the preferred solution of the DCP, there are however no objections in that the garage wall will be sited up to the adjoining garage at the adjoining property and will not result in any adverse impact to the amenity of the adjoining property.

Garages & Driveways

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Driveways have minimum width of 3m and are set back at least 1m from the side boundary.	The proposed driveway is 4.5 metres wide and is sited up to the eastern side boundary. Does not comply see assessment below.

	<i>Preferred Solution</i>	<i>Assessment</i>
S1	Driveways have a maximum width of 3m at the property boundary.	The proposed driveway is 4.5 metres at the rear boundary. Does not comply see assessment below.
S1	Driveway gradients should not exceed a maximum of 1 in 8 for the first 5m from street alignment and 1 in 6 thereafter.	The proposed driveway gradient is less than 1 in 8. Complies.
S1	With respect to garages and carports to rear lanes these should be set back 1m to improve pedestrian visibility.	The garage is sited in part up to the rear boundary does not comply see assessment below.
S2	Driveways, car parking spaces and structures do not occupy more than 35% of the width of the allotment	The proposed garage occupies about 50 % of the width of the site frontage. Does not comply – see assessment below.

The Objectives and Performance Requirements of the DCP include that car parking and driveways are not visually obtrusive and do not detract from the appearance of the dwelling and the street scape; and structures are compatible in scale, form, materials and finishes with the associated dwelling.

There are no objections to the siting of the garage up to the laneway, occupying the whole width of the site and the access driveway being in excess of 3m in that the siting and width of the garage is the same as other garages within the laneway and the garage being sited hard up to the rear boundary cannot provide access from a driveway width of 3m. Having regard to the nature of the existing streetscape in the lane which contains predominantly garages sited up to the laneway and occupying the whole width of the site the garage will not detract from either the appearance of the dwelling or the laneway and therefore complies with the objectives and performance requirements of the DCP.

Solar Access and Energy Efficiency

	<i>Preferred Solution</i>	<i>Assessment</i>
S2	Private open space receives at least 3 hours sunlight over part of its area between 9am and 3pm on 21 June.	The rear yard will receive at least 3 hours of sunlight. Complies.
S2,8	North-facing windows to living areas receive at least 3 hours sunlight over part of its area between 9am and 3pm on 21 June.	The proposal includes north-facing windows that will receive at least 3 hours of sunlight. Complies.
S9	Solar access to existing or future solar collectors on adjacent buildings is maintained between 9am and 3pm each throughout the year.	The proposal will not overshadow solar collectors on adjoining properties. Complies.
S9	North-facing windows to living areas of neighbouring dwellings receive at least 3 hours sunlight over part of its area between 9am and 3pm on 21 June. If currently less than 3 hours, it is not further reduced.	The proposal will not reduce solar access to less than 3 hours on north-facing windows. Complies.

	<i>Preferred Solution</i>	<i>Assessment</i>
S9	Principal outdoor recreation space of neighbouring dwellings receive at least 3 hours sunlight over part of its area between 9am and 3pm on 21 June. If currently less than 3 hours, it is not further reduced.	The proposal will not reduce solar access to private open space to less than 3 hours. Complies.

8. RELATIONSHIP TO CITY PLAN

The relationship to the City Plan is as follows:

Outcome 5 : Excellence in urban design – The proposal has a good architectural quality and will improve the appearance of the dwelling and improve the amenity of the occupants.

Outcome 11 : A healthy environment – The proposed alterations and additions to the dwelling are orientated to the north of the site which will improve both solar access and cross ventilation and also increase the energy efficiency of the dwelling which therefore promotes the principles of environmental sustainable development. BASIX is not yet relevant for these works.

9. FINANCIAL IMPACT STATEMENT

There is no direct financial impact for this matter.

10. CONCLUSION

The proposal complies with the relevant assessment criteria and the objectives and performance requirements of the Development Control Plan for Dwellings and Attached Dual Occupancies and will not result in any significant additional adverse impacts upon either the amenity of the adjoining premises or the character of the locality.

RECOMMENDATION:

THAT Council as the consent authority grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No.612/06 for permission to carryout alterations and additions to the dwelling at 38 Helena Street, RANDWICK subject to the following conditions: -

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:

1. The development must be implemented substantially in accordance with the plans numbered 0613, D.01 (A), D.02 (B), DA1.03(A), dated July 2006 and received by Council on the 2nd August 2006, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:

2. The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.
3. The design, materials and colour of the roofing to the proposed building are required to match, as closely as possible, the existing roof.
4. Metal roof sheeting is to be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment.
5. There must be no encroachment of the structures onto any adjoining premises or onto Council's road reserve, footway or public place, unless permission has been obtained from the owners of the adjoining land accordingly.
6. 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.

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

7. 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.
8. New 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.

9. New 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.

The following group of conditions have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

10. Surface water/stormwater must be drained and discharged to the street gutter or suitably designed absorption pit, to the satisfaction of the Certifying Authority and details are to be included in the construction certificate application for the development.

Absorption pits must be located not less than 3m from any adjoining premises and the stormwater must not be directed or flow onto any adjoining premises or cause a nuisance.

Details of any works proposed to be carried out in or on a public road/footway are to be submitted to and approved by Council prior to commencement of works.

11. External paths and ground surfaces are to be constructed at appropriate levels and be graded and drained away from the building and adjoining premises, so as not to result in the entry of water into the building, or cause a nuisance or damage to the adjoining premises.

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

12. 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.

13. 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*.
14. **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.
15. **Prior to the commencement of any building works**, the person having the benefit of the development consent must: -
 - i) appoint a *Principal Certifying Authority* for the building work; and
 - ii) appoint a *principal contractor* for the building work, or in relation to residential building work, obtain an *owner-builder* permit in accordance with the requirements of the Home Building Act 1989, and notify the *Principal Certifying Authority* and Council accordingly in writing; and
 - iii) unless the person having the benefit of the consent is the *principal contractor* (i.e. *owner-builder*), notify the *principal contractor* of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and
 - iv) give at least two days notice to the Council, in writing, of the person's intention to commence building works.

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

16. 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.

17. 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*; and
 - a statement stating that "unauthorised entry to the work site is prohibited".
18. 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.

19. **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.

20. In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the provisions of the Home Building Act 1989.

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

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

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

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

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

21. 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.

22. Smoke alarms are required to be installed in each Class 1 building or residential dwelling in accordance with the relevant provisions of Part 3.7.2 of the B.C.A. – Housing Provisions.

Smoke alarms must comply with AS3786 – Smoke alarms and be connected to the consumer mains electric power supply and provided with a battery back-up.

The smoke alarms are to be installed in suitable locations on or near the ceiling, in any storey containing bedrooms; located between each part of the dwelling containing the bedrooms and the remainder of the dwelling, or where bedrooms are served by a hallway, the smoke alarms are to be located in that hallway; and smoke alarms are to be installed in any other storey not containing bedrooms, to the satisfaction of the certifying authority.

Smoke alarms are not to be located in ‘dead-air-spaces’, in the corner junction of walls and ceilings between exposed rafters/joists or at the apex of raked ceilings, as detailed in Part 3.7.2 of the Building Code of Australia – Housing Provisions.

Details of compliance with the provisions of the Building Code of Australia must be included in the plans/specification for the **construction certificate**.

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:

23. The demolition, removal, storage, handling and disposal of building products and materials must be carried out in accordance with the relevant requirements of WorkCover NSW, the NSW Department of Environment & Conservation (formerly the Environment Protection Authority) and Randwick City Council policies and conditions, including:
- Occupational Health and Safety Act 2000
 - Occupational Health and Safety (Hazardous Substances) Regulation 2001
 - Occupational Health and Safety (Asbestos Removal Work) Regulation 2001
 - WorkCover NSW Code of Practice for the Safe Removal of Asbestos
 - Australian Standard 2601 (2001) – Demolition of Structures
 - The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.
 - Relevant Department of Environment & Conservation (DEC) / Environment Protection Authority (EPA) and WorkCover NSW Guidelines.
 - Randwick City Council Asbestos Policy (adopted 13 September 2005)

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

24. 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.
25. All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Retaining walls, shoring, or piling must be designed and installed in accordance with appropriate professional standards and the relevant requirements of the Building Code of Australia and Australian Standards. Details of proposed retaining walls, shoring or piling are to be submitted to and approved by the Principal Certifying Authority for the development prior to commencing such excavations or works.

26. Except with the written approval of Council's Manager of Health, Building & Regulatory Services, all building, demolition and associated site works (including site deliveries) must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive and between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and Public Holidays.

In addition, the use of any rock excavation machinery or any mechanical pile drivers or the like, is restricted to the hours of 8.00am to 5.00pm (maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to nearby residents.

27. 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.
28. 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.

29. 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.

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.

30. 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

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.

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.

31. 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.

32. 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.
33. 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 (grater than 3m in length) or any container or other article.

The following conditions are applied to maintain reasonable levels of public health, amenity and safety:

34. The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with Randwick City Council's Asbestos Policy and the relevant requirements of WorkCover NSW and the NSW Department of Environment & Conservation (formerly the Environment Protection Authority), including:
 - Occupational Health and Safety Act 2000
 - Occupational Health and Safety (Hazardous Substances) Regulation 2001
 - Occupational Health and Safety (Asbestos Removal Work) Regulation 2001
 - WorkCover NSW Code of Practice for the Safe Removal of Asbestos
 - Australian Standard 2601 (2001) – Demolition of Structures
 - The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.

- Relevant Department of Environment & Conservation (DEC) / Environment Protection Authority (EPA) and WorkCover NSW Guidelines.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

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

35. 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.

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

36. 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.

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

37. That part of the naturestrip upon Council's footway which is damaged during the construction of the proposed works shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu turf or similar. Such works shall be completed at the applicant's expense prior to the issue of a final Occupation Certificate.
38. The naturestrip upon Council's footway shall be maintained by the applicant in accordance with Council guidelines. Such maintenance shall include, but not be limited to, watering, mowing, fertilising, and the removal of weeds.

Tree Management

39. The following trees shall be removed from the site to accommodate the proposed works as shown, subject to the planting of 1 x 25 litre (pot size at the time of planting) broad canopied replacement tree (not a palm) within the rear yard, using a native species which will attain a minimum height of 6 metres at maturity. The nominated species and proposed location shall be clearly shown on all plans, to the satisfaction of the certifying authority, prior to the issue of a construction certificate:

- a) All vegetation within the front yard of the site.
- b) One *Cupaniopsis anacardioides* (Tuckeroo) in the rear yard, virtually hard up against the western wall of the existing garage.
- c) One *Grevillea robusta* (Silky Oak) in the rear yard, in the northwest corner of the site due to structural defects.
- d) One tree (species undetermined) hard up against the western wall of the proposed relocated garage.

ADVISORY MATTERS:

- A1 Building or excavations works must not be commenced until a construction certificate has been obtained from Council's Building Certification Services or an Accredited Certifier and either Council's Building Certification Services or an Accredited Certifier has been appointed as the Principal Certifying Authority (PCA) for this development.

Failure to obtain a Construction Certificate and appoint a PCA before commencing works is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million under the Environmental Planning & Assessment Act 1979.

- A2 The applicant is advised that the Construction Certificate plans and specification must comply with the provisions of the Building Code of Australia (BCA) and the construction certificate must not be inconsistent with the development consent.

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

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

You are therefore advised to ensure that the development is not inconsistent with Council's consent and to consult with Council's Building Certification Services or an accredited certifier prior to submitting your construction certificate application to enable these matters to be addressed accordingly.

- A3 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.

ATTACHMENT/S:

Nil.

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
PERRY HEAD
SENIOR ASSESSMENT OFFICER

Director, City Planning Report 85/2006

SUBJECT:	212 Arden Street, COOGEE
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DATE:	11 September, 2006	FILE NO:	DA/533/2006 & PROP 028786
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REPORT BY: DIRECTOR, CITY PLANNING

INTRODUCTION:

Attached is Development Assessment Report for Development Application No DA/533/2006 for internal refurbishment of the ground floor Sports Bar/Pub TAB within the Coogee Bay Hotel.

RECOMMENDATION:

That Council consider and determine the development application in accordance with the recommendations contained in the attached report.

ATTACHMENT/S:

Development Report Dated September, 2006.

.....
SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
PATRICK LEBON
DEVELOPMENT ASSESSMENT
OFFICER

Development Application Report



REPORT BY: DIRECTOR, CITY PLANNING

DATE:	7 September, 2006	FILE NO:	DA/533/2006 & PROP 028786
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PROPOSAL:	Internal refurbishment of the ground floor Sports Bar/Pub TAB within the Coogee Bay Hotel.
PROPERTY:	212 Arden Street, Coogee
WARD:	East Ward
APPLICANT:	Noel Bell, Ridley Smith & Partners
OWNER:	Simmtown Pty Limited



1. EXECUTIVE SUMMARY

The application has been referred to the Health, Building and Planning Committee for determination at the request of Councillors: Bradley Hughes, Murray Matson, Margaret Woodsmith.

The proposed development was lodged on 3 July 2006, advertised in the Southern Courier and notified to the surrounding property owners from 18 July to 8 August 2006. The proposal involves the fit out of the existing gaming room located on the Coogee Bay Road frontage of the Coogee Bay Hotel into an extension of the Sports bar and inclusion of pub TAB facilities. The pub TAB will accessed via the existing entrance foyer and sports bar and pool tables room. The proposal will not increase the gross floor area of the Hotel.

Four objections were received and raised concerns relating to the potential increase in public drunkenness, public disorder and increased capacity of the Hotel bar area that would significantly impact the surrounding residential area. The proposal will not increase the gross floor area of the Hotel and will not increase the maximum number of patrons permitted by the existing Place of Public Entertainment (POPE) Licence. As such it is considered the proposed development is reasonable.

The applicant has provided Council with a breakdown of patron population numbers as per the proposed and approved ground floor areas of the Hotel west of the Beach Bar. The analysis indicates that under normal operating conditions (excluding when public entertainment is conducted) the total population of the pub TAB, Sports bar, pool table area and gaming room (excluding the bottle shop) would be 344 persons. A comparison of the proposed patron numbers against those envisaged under the Master Plan indicates that the proposed configuration of the new areas would result in a potential increase of 23 patrons.

In order to maintain the amenity of the surrounding residential and commercial area, and to ensure the proposed population generation remains below the adopted Master Plan population generation rates, a condition of consent has been included that will limit the number of patrons under normal operating conditions, in the pub TAB, Sports Bar, gaming room and pool table area to a maximum of 321 persons at any one time.

The recommendation is for approval subject to conditions.

2. THE PROPOSAL

The proposed development is seeking consent for the internal refurbishment of the Sports Bar within the Coogee Bay Hotel and its extension into the existing gaming room area. The Sports Bar is located on the northern side of the Hotel and has access to Coogee Bay Road.

The proposed development involves the following works:

- Demolition of additional openings in the wall between the Sports Bar and the existing Gaming Room
- Relocation of the existing pub TAB into this area, with new terminal positions and an extension of the bar
- An upgrade of the race wall, furniture and TV monitors to improve the amenity of the pub TAB for patrons
- Internal refurbishment of floor, wall and ceiling finishes.

Access to the pub TAB will be maintained via the eastern doorway that will be slightly relocated and the existing western opening to the Sports Bar. The pub TAB will operate Monday to Saturday from 9am to 5am and Sunday from 9am until 10pm.

The proposal does not involve external alterations to the Hotel.

3. THE SUBJECT SITE AND SURROUNDING AREA:

The subject site is located on the south western corner of the intersection of Arden Street and Coogee Bay Road. The rear south-western section of the subject site also has frontage to Vicar Street. The subject site has an area of 7,241sqm. Figure 1 is an aerial view of the subject site and surrounding area.

The land is currently occupied by a public Hotel, The Coogee Bay Hotel, along the Coogee Bay Road and Arden Street frontage and the Coogee Bay Boutique Hotel along the Vicar Street frontage.

The surrounding area comprises predominantly retail/commercial uses with the subject site located within the Coogee Bay Commercial Centre. To the north on the opposite side of Coogee Bay Road is an existing shopping strip comprising predominantly two-storey shops with continuous awning. Immediately to the east is a three storey ground-floor retail and upper floor residential building adjacent to Vicar Street and the existing Coogee Bay Road shopping strip beyond. To the south are two four-storey residential flat buildings one with frontage to Arden Street and the other to Vicar Street.



Figure 1: The subject site and surrounding area

4. SITE HISTORY

a. APPLICATION HISTORY

The development application was lodged on 3 July 2006 and was advertised and notified to the surrounding properties from 18 July to 8 August 2006. Four objections were received from residents primarily concerned about the potential increase in patronage, public disorder, public drunkenness and anti-social behaviour that would be generated by the proposal.

B. HISTORY OF SITE USEAGE

Numerous applications have been submitted relating to extensive alterations and additions including works to the beer garden, nightclub and sportsman's bar. In 2000 development consent 564/2000 was issued for partial demolition of Selina's nightclub and Garden Bar and construction of Arden lounge and bar which is known as stage 1 of the refurbishment of the site and has already been completed.

A Master Plan was adopted by Council at its Ordinary meeting of the 24 February 2004. The Master Plan and its relevance to this development application is discussed in greater detail in Section 7 of this report.

Development application 36/2004 for the refurbishment of ground floor bars and restaurants of the existing Coogee Bay Hotel was approved by Council at its Ordinary Council Meeting on 14 December 2004. The development also included the conversion of the existing accommodation at first and second floors into a bar and restaurant.

Development application 423/2005 for the refurbishment of the gaming room, Sports Bar and bottle shop was approved by Council at its Health, Building and Planing Committee meeting of 6 December 2005. A Section 96 application 423/2005/A was lodged on 29 June 2006 proposing minor changes to the layout and design of the gaming room, Sports Bar and bottle shop including the construction of a smoking room. This application was approved on 25 August 2006.

5. COMMUNITY CONSULTATION:

The proposal has been notified in accordance with the DCP – Public Notification.

5.1 Objections

The following submissions were received in response to the original proposal:

Terry Bunton - 234 Arden Street, Coogee

- *Is concerned the proposal will increase the floor area and add to the capacity of the Hotel by extending the bar.*

Comment – The proposal will not increase the gross floor area of the Coogee Bay Hotel or alter to the existing operating licence for the site. A condition is included in the consent limiting the maximum number of patrons (outside of times when public entertainment is conducted) to 321 which is consistent with the anticipated patron numbers under the adopted Master Plan.

- *Concerned that the surrounding area of Coogee may not cope with the increased patronage to the Hotel.*

Comment – The proposal will not increase the total floor area of the Coogee Bay Hotel or alter to the existing operating licenses for the site.

- *Believes the proposal will increase public drunkenness and offensive behaviour that is generated by Coogee Bay Hotel.*

Comment – The Hotel management has supplied Council with the Management Procedures and Policies of the Hotel as part of development application 423/2005. The policies satisfactorily outline measures to contain and manage intoxicated and offensive behaviour on the site. The proposal will operate within these management procedures. In conjunction with these procedures a condition of consent is included in the recommendation requiring a Plan of Management to be prepared prior to issuing of an Occupation Certificate.

See section 9.3 of this report for discussion regarding the Management Procedures and Policies of the Hotel.

Ronald G. McDonald and Dianne R. McDonald – 1/99 Dolphin Street, Coogee

- *Objector is concerned the proposal will increase patronage to the Hotel.*

Comment – The proposal will not increase the gross floor area of the Coogee Bay Hotel or alter to the existing operating license for the site. A condition is included in the consent limiting the maximum number of patrons (outside of times when public entertainment is conducted) to 321 which is consistent with the anticipated patron numbers under the adopted Master Plan.

- *Believes the proposal will increase public drunkenness and offensive behaviour that is generated by Coogee Bay Hotel.*

Comment – See previous comments.

Rona Wade - 138 Beach Street, Coogee

- *Believes the proposal will increase public drunkenness and offensive behaviour that is generated by Coogee Bay Hotel.*

Comment – See previous comments.

- *Is concerned the proposal will increase the area of the bar and gaming areas and contravenes the existing POPE licences for the site.*

Comment – The proposal will be consistent with the current POPE Licence for the site.

- *The proposal contravenes the Master Plan for the site which indicated the deletion of TAB retail outlet from the Coogee Bay Road frontage.*

Comment – The Master Plan refers to the deletion of a TAB outlet that was situated in a separate commercial occupancy located along Coogee Bay Road. The TAB outlet referred to is not related to the existing Pub TAB within Coogee Bay Hotel. The proposal is not considered to be inconsistent with the approved Master Plan for the site.

- *The proposal is inconsistent with the approved Master Plan as it will remove the Coogee Bay Road entry to the Hotel.*

Comment – The entry to the Hotel from Coogee Bay Road will not be altered by the proposed development.

Carolyn Murray - 5/169 Arden St, Coogee

- *Believes the proposal will increase public drunkenness and offensive behaviour that is generated by Coogee Bay Hotel.*

Comment – See previous comments.

- *Is concerned while the proposal will not increase floor area, it will increase bar capacity.*

Comment – The proposal will increase the area of Sports Bar by creating a pubTab facility into the existing gaming area. A condition is included in the consent limiting the maximum number of patrons (outside of times when public entertainment is conducted) to 321 which is consistent with the anticipated patron numbers under the adopted Master Plan.

6. TECHNICAL OFFICERS COMMENTS

6.1 Referral to NSW Police Service

In accordance with Council's referral protocol, the development application did not require referral to the NSW Police Service as the proposal would not involve works that are major or change the operating or licensing hours.

The Local police previously raised no objection to DA 423/05 as it was not changing the hours of operation and the usage of the Hotel was remaining substantially the same and requested Council to restrict the numbers of patrons using the new areas and bring them in line with the existing POPE. A condition is included in the

recommendation requiring new Local Approval application to be lodged with Council reflecting the reconfigured areas.

In accordance with the guidelines under Section 79C of the Environmental Planning and Assessment Act, the development has been assessed with consideration to the Crime Prevention Through Environmental Design (CPTED) principles.

6.2 Environmental Health comments

The proposal

Refurbishment of Sports bar (Pub TAB) entering from Coogee Bay Road, Coogee.

Key Issues

Noise has been considered as an issue and appropriate conditions have been included in this assessment in relation to requiring compliance with relevant noise criteria. The proposal indicates no increase in patron numbers and no increase in floor area.

As detailed the proposal involves refurbishment of existing area into Sports bar tab with bar facilities provided.

Compliance with Food Safety Standards

The bar area has be required to comply with relevant design and operational requirements of the Food Safety Standards.

The premises currently operates as a food premises and is registered with Council and arrangements are in place to deal with waste within the facility as such no conditions have been included on this issue.

RECOMMENDATION

It is recommended that the application for the above-mentioned premises be approved subject to the following conditions being attached to the development consent.

6.3 Building Services comments

The Proposal

The proposal provides for internal alterations at ground floor level to relocate the TAB to the position of the existing gaming room. The relocation of the gaming room is the subject of a previous recent DA approval.

BCA Building Classification: *Class – 9b (Assembly building)*

Background

The existing building on site is a purpose built Hotel bounded by commercial and residential buildings of a similar nature.

Key Issues

Site Management:

Standard conditions are proposed to be included in the consent to address construction site management issues, such as the location of stock piled material or the storage and disposal of excavated materials, sediment and erosion control, public safety and perimeter safety fencing.

Building Code of Australia (BCA):

Full details of compliance with BCA and fire safety provisions are not included in the DA documentation and therefore further detailed information would need to be incorporated in the documentation for a construction certificate.

Access for people with a disability:

The proposal appears to comply with the BCA requirements and Disability Discrimination Act (DDA) objectives, in relation to access and facilities for people with a disability.

Conclusion:

No objections are raised in relation to the proposed development, subject to the following conditions being included in any development consent.

RECOMMENDATION:

Should the approval be granted to the application, the following conditions should be included in the development consent.

7. MASTER PLANNING REQUIREMENTS

A Master Plan was lodged for Coogee Bay Hotel on 24 December 2003 and involved works primarily to the north-east wing including an upgrade to the Beach Bar and new balconies to the street frontage, refurbishment of the Coogee Bay Road frontage shops and bars, refurbishment of Selina's nightclub into a convention centre, the creation of new Hotel rooms and improvements to disabled access to the existing Hotel. The Master Plan for the proposed works was approved by Council at its Ordinary meeting of the 24 February 2004.

The Master Plan refurbishment of the site involved the deletion of the TAB outlet as part of the changes to the shops along the Coogee Bay Road frontage of the Hotel site. It should be noted that the proposed development is seeking to convert the existing gaming room area into a Pub TAB. This portion of the Coogee Bay Hotel was designated as a reception room in the Master Plan; however it is currently foyer with gaming room facilities.

It is important to note that it is not necessary in any particular case for a development to be consistent in every detail with a Master Plan. Rather, a proposed development must not be antipathetic to the underlying planning and design principles of the Master Plan.

The proposal is consistent with the planning and design principles in the adopted Master Plan that sought to make improvements within the footprint of the existing building and to refurbish the northern section of the Hotel. It is considered the proposal is relatively minor and will not result in an adverse impact to the streetscape or the surrounding business or residential area.

The approved works and improvements to the Hotel site as contained within the Master Plan did not increase the on-site car parking. As such additional car parking requirements for the site were provided by way of Section 94 contributions. The proposal to convert the foyer/reception room (as designated in the Master Plan) to a pub TAB will not result in additional car parking demand. The applicant has provided evidence that the proposal will not increase the number of people entering the site and will remain consistent with the population increase of the original Master Plan adopted for the site.

Therefore the proposal is considered to be consistent with the scope of the approved works and improvements of the adopted Master Plan.

8. RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

The Development application has been assessed in accordance with the provisions of the following relevant planning documents:

(a) Randwick Local Environmental Plan 1998

The site is zoned 3A (General Business Zone) under Randwick Local Environmental Plan 1998 and the proposed activity is permissible with Council's consent. The following Clauses of the LEP 1998 apply to the proposal:-

The relevant objectives of Zone No 3A are:

- a. to maintain the viability of existing business centres, and*
- b. to facilitate development of land, in places identified by the Council as suitable to be used as business centres, for commercial, retail, residential and community purposes:*
 - i. by introducing appropriate floor space ratio controls, and*
 - ii. by encouraging economically viable retail cores which are centrally located and in close proximity to public transport, and*
 - iii. by enhancing employment opportunities and servicing the needs of the local and regional community, and*
- c. to minimise the impact of development on adjoining and nearby residential zones.*

Comment: The proposal will involve refurbishment works that will improve the internal amenity of the Sports bar within the Hotel. The proposal will maintain the viability of the Hotel and enhance the Coogee Business Centre whilst minimising impact on neighbouring residential properties. The proposal is therefore consistent with the relevant aims and objectives of the zone.

Clause 29 – Foreshore scenic protection area

The subject site is not located within the Foreshore scenic protection area as defined in the Randwick Local Environmental Plan 1998, as amended.

Clause 43 – Protection of heritage items, heritage conservation areas and relics

The purpose of this clause is to establish consent requirements for development involving a heritage item or land within a heritage conservation area. The heritage impact statement supplied with the Master Plan was referred to Council's heritage assessment officer for comment. Generally the proposed alterations and additions to the street frontages of the Hotel, particularly the balconies to Coogee Bay Road, were considered not to adversely impact the heritage significance of the site. No concern regarding the proposed internal alterations was raised and as such no specific conditions of consent relating to heritage conservation for the internal portions of the site were included in the officer's recommendation or the Council resolution.

Council's Heritage Planner has advised that as the proposal involves internal works in an area where there is no original fabric and there are no changes to the external facade to Coogee Bay Road or Arden Street, and as such further consideration of this clause and the heritage significance of the building is not required.

(b) State Environmental Planning Policy No.11 – Traffic Generating Developments

The proposed development involves relatively minor alterations to the internal floor plan of the Coogee Bay Hotel and does not increase the floor area of the site. The proposal is not classified within Schedule 1 or 2 of the SEPP and therefore does not require referral to the Traffic Authority.

(c) State Environmental Planning Policy No. 71 – Coastal Protection

The subject site is not located within the area defined in the SEPP and therefore the application was not required to be forwarded to the Director-General for planning concurrence and further consideration or assessment in regard to the SEPP is not required.

9. ENVIRONMENTAL ASSESSMENT

The site has been inspected and the application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act, 1979, as amended.

9.1 Development Control Plan – *Parking*

(a) Car parking rate established in previous development applications

The DCP – *Parking* provides the following requirements for the provision of on-site car parking for Hotels and clubs:

- *1 space per 6sqm bar, lounge, entertainment venues, restaurant, dining room, games rooms, auditoriums and disco etc,*
- *plus 1 space per 3 employees, plus 1 space per 2 bedrooms, plus 1 space per manager/caretaker, plus Coach/Taxi Drop off/Pick up point to be provided on site.*

During the assessment of the Master Plan it was recommended that a parking study be submitted that to determine the likely parking demand that would be generated by the proposed development. In accordance with condition 2 of the Master Plan determination, a parking study prepared by Colston Budd Hunt & Kafes Pty Ltd was lodged for development application 36/2004 that claimed that the parking generation rates in the DCP were not an accurate guide for on-site parking provision for the site. The development application 36/2004 proposed to increase the licensed floor area by 761 sqm. Due to the parking short-fall the following points were raised in the parking study:

- A more appropriate way to calculate parking demand would be based upon increase in population to the site rather than the floor area of the Hotel. It was calculated that the development application 36/2004 would result in a net increase in population of 380 people.
- The RTA Guide to Traffic Generating Development suggests the provision for the 85 per cent level of demand should be provided rather than providing for the absolute peak demand.
- A survey of Hotel patrons undertaken on Saturday 17 April 2004 estimated the modal split of patrons. The results indicated that 26 per cent of patrons arrived to the site via car and that the average car occupancy was 2.85 people. Therefore it was calculated that 9.12 per cent of patron arrived to the site via car.

Therefore, the parking rate as per the numerical requirement of the DCP was reduced from 123 car parking spaces to an estimated demand for an additional 34 parking spaces. The development application 36/2004 did not increase on-site car parking spaces and as such a Section 94 contribution was levied at a rate of \$7902 per car parking space for 34 spaces. The total contribution required was \$268,668.00.

(b) Car parking requirements for the current application

Since the proposed development alters the approved reception room in the adopted Master Plan to an extension of the Sports Bar with Pub TAB the parking requirements are required to be re-calculated to reflect the change in use of that floor area. The following DCP - *Parking* requirements of the proposal are as follows:

Use	Parking generation rate	On-site parking required
Sports Bar extension and Pub TAB	1 space per 6 sqm of gross floor area	13

In response to the non-compliance with the DCP-Parking the applicant has asserted that the proposed conversion of the gaming room into a pub TAB will not increase the patronage to the site beyond the maximum persons permitted by the Place of Public Entertainment (POPE) licence. The current POPE licence for this section of the Hotel permits a maximum of 400 people within the area of the Sports Bar, pool table area and existing gaming room during times of public entertainment. The existing bottle shop is not included within the existing POPE licence. The following population generation rates (based on the Building Code of Australia) provided by the applicant include:

- *Bottle shop – 3sqm/ person*
- *Sports Bar, Gaming room, pool table room, TAB area – 1.2sqm/ person*

The previous development application 423/2005 approved an expanded gaming room and relocated and reduced bottle shop. The approved alterations to the gaming room did not alter the hours of operation or increase the total number of gaming machines.

	Masterplan	
	Floor Area	Population generated (persons)
Foyer/ Reception	62 m ²	0
Sports Bar	123 m ²	102
Pool Table area	138 m ²	114
Gaming Room	126 m ²	105
Bottle Shop	215 m ²	72
Total	664 m²	393

The Sports Bar, pool table area and existing gaming room (which is the proposed area for the pub TAB) has been compared against the same areas in the adopted Master Plan in terms of their service area and population (see Master Plan table above). The table below indicates the changes in floor area and the potential population generation as a result of the proposed works which includes works approved under application 423/2005/A.

It should be noted that the reception room as approved in the Master Plan does not have a population generation rate and does not contribute to the total floor area and population generation calculations for car parking. As indicated in the table above the proposed population (approximately 359 persons) for this section of the Hotel comprises of the pub TAB, Sports Bar, pool table area and the bottle shop and gaming room alterations approved in development application 423/2005. This is 34 persons less than the population generation of the Master Plan for the same uses.

	Current proposal	
	Floor Area	Population generated (persons)
Pub TAB	58 m ²	48
Sports Bar	105 m ²	88
Pool table area	143 m ²	119
Gaming Room	107 m ²	89
Bottle Shop	46 m ²	15
Total	459 m²	359

Therefore it is considered the proposal is unlikely to result in a significant increase of patrons to the site under normal operating conditions.

The analysis also indicates that under normal operating conditions (excluding when public entertainment is conducted) the total population of the pub TAB, Sports bar, pool table area and gaming room (excluding bottle shop) would be 344 persons. A comparison of the proposed patron numbers against those envisaged under the Master Plan for the corresponding areas indicates that the proposed configuration of the new areas would result in a potential increase of 23 patrons.

In order to ensure the number of patrons in the pub TAB, Sports Bar, pool table area and gaming room remains below the patron numbers in the adopted Master Plan and to maintain the amenity of the surrounding residential and commercial area, a condition of consent has been included that will permit no more than 321 persons at any one time in the area occupied by the proposed pub TAB, Sports Bar, pool table area and gaming room when there is no public entertainment being conducted.

It is therefore considered the proposed development subject to conditions will not increase the population of the Hotel beyond the maximum number of patrons permitted under the POPE licence and the Master Plan and will therefore not have a significant impact on the surrounding residential and commercial area.

9.2 Noise

The proposed development will be contained within the existing Coogee Bay Hotel and will not involve any external alterations. The proposal will make modifications to the internal walls and relocate the existing eastern doorway; however no alteration to the existing windows is proposed. The use of the site is not considered to be significantly altered by the proposed development and the proposal will be integrated with the proposed refurbishment of the adjoining pool room and sports bar. It should also be noted that the population generated by the pub TAB, Sports Bar, Gaming Room, Pool Table area and Bottle shop will be less than the patron numbers in the adopted Master Plan.

The site is located within the Coogee Bay Business Centre and is part of the active streetscape which includes a variety of outdoor footpath dining and restaurant uses that generate noise. The proposal involves the relocation of the internal Pub TAB, which will be enclosed within the existing Hotel and will have minimal noise impact

to the surrounding area. As such the proposed noise impacts are considered acceptable.

9.3 Anti-social behaviour

A number of objections have raised the issue of anti-social behaviour resulting from large numbers of patrons exiting from the Hotel.

The proposed development will relocate the existing Pub TAB located in the sports bar to the existing gaming room which is accessed from Coogee Bay Road and does not represent an intensification of the use of the premises. Notwithstanding it is considered appropriate to limit the number of patrons in the pub TAB, Sports bar, pool table area and gaming area to a maximum number of 321 patrons at any one time when there is not public entertainment being conducted on the premises in order to further safeguard the amenity of neighbouring residents and ensure an improvement of patron numbers in the adopted Master Plan.

The Management Procedures and Policies of the Hotel were provided with the previous development application 423/2005. The Management Procedures and Policies comprises of the Duty Manager's Procedures, CBH Handbook and Security Management Procedures. These procedures and policies outline the responsibilities of the Hotel staff on such matters as:

- Licence restrictions and trading times
- Underage persons
- Proof of Age
- Authorised areas
- Intoxicated persons
- Drugs
- Violence
- Undesirables
- Accidents
- Public Liability
- Emergencies such as evacuation and armed robbery.

The applicant has also submitted a Plan of Management specifically for the proposed pub TAB. The Plan of Management covers includes but is not limited to:

- Responsible service of alcohol
- Progressive exit policy
- Complaint response and handling policy

It is considered the Management Procedures and Policies supplied with development application 423/2005 in conjunction with the specific Plan of Management for this proposal will limit the level of anti-social behaviour generated by the site and ensure the amenity of the locality is maintained.

10. RELATIONSHIP TO CITY PLAN

The relationship with the City Plan is as follows:

Outcome:

Facilitate economic development and maintain the diversity of our local economic base, including maintaining our existing commercial and industrial land.
Improve and promote our town centres.

Direction:

8a. Vibrant business, commercial and industrial sectors that provide ongoing and diverse employment opportunities.

8b. Vibrant town centres that adequately serve the community and foster support for local business activity.

11. FINANCIAL IMPACT STATEMENT

There is no direct financial impact for this matter.

12. CONCLUSION

The proposed development will make relatively minor alterations to the existing building. The proposal will not alter the external facade or compromise the existing streetscape of Coogee Bay Road or Arden Street. The proposal is consistent with the aims and objectives of the 3A (General Business Zone) and the planning and design principles of the Master Plan and will not have a significant impact on the amenity of neighbouring residential area. The proposal subject to conditions will not increase patronage to the Hotel and there is no additional demand for car parking.

Therefore the application is recommended for approval.

RECOMMENDATION:

- A. THAT Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No DA/533/2006 for the Internal refurbishment of the Sports Bar/TAB within the Coogee Bay Hotel (ground floor) which is adjacent to the Sports Bar located off Coogee Bay Road. (Heritage Item) at 212 Arden Street, Coogee subject to the following conditions:-

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:

1. The development must be implemented substantially in accordance with the plans numbered DA03 and DA04, dated 30 June 2006 and received by Council on 3 July 2006, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:

2. There must be no encroachment of the structure/s onto any adjoining premises or onto Council's road reserve, footway or public place, unless permission has been obtained from the owner/s of the adjoining land accordingly.

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:

3. The L_{10} noise level emitted from the licensed premises shall not exceed the background noise level (L_{90}) in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 7.00am and 12.00 midnight at the boundary of any affected residence. The background noise level shall be measured in the absence of noise emitted from the licensed premises.

The L_{A10} noise level emitted from the licensed premises shall not exceed the background noise level (L_{A90}) in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12.00 midnight and 7.00am at the boundary of any affected residence. The background noise level shall be measured in the absence of noise emitted from the licensed premises.

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.

4. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage to other premises.
5. The hours of the operation of the Sports bar, pool table area, and pub TAB are restricted to:

Monday – Saturday: 24 Hours a day, and
Sunday: 7am to midnight.

6. The maximum number of patrons (when there is no public entertainment) in the pub TAB, Sports Bar, pool table area and gaming room area shall not exceed 321 at any one time. The maximum number of patrons permitted in the abovementioned areas of the Hotel during public entertainment shall not exceed the POPE licence conditions.
7. As amended Local Approval application must be submitted to and approved by Council prior to occupation of the area encompassed on this application in accordance with Section 68 of the Local Government Act 1993.
8. Security guards or a specially appointed members of staff must be provided at all times, identified as such by uniform (or the like), to take all reasonable steps to prevent noisy and unruly behaviour of patrons attending or departing the premises. The security guards are to patrol the locality until half an hour after close or until the last patron leaves the vicinity of the Hotel, whichever is the later. The number of security guards and patrol locations must be in accordance with the current Liquor License.

9. The licensee must establish and maintain a formal and documented system for the recording and resolution of complaints made to the licensed premises by residents. All complaints are to be attended to in a courteous and efficient manner and referred promptly to the licensee or duty manager. The appropriate remedial action, where possible, is to be implemented immediately and the licensee or duty Manager is to contact the complainant within 48 hours to confirm details of action taken.
10. A Plan of Management for ground floor areas west of the Beach Bar must be submitted to and approved by the Director of City Planning prior to the issuing of an Occupation Certificate. The Plan of Management must be consistent with the Plan of Management required under DA 36/04 and the details provided with DA/423/05.

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

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

The following conditions are applied to ensure compliance with the Food Act 2003 and to ensure public health and safety:

13. The premises is to be designed, constructed and operated in accordance with the Food Act 2003, Food Regulation 2004, Australia & New Zealand Food Standards Code and Australian Standard AS 4674-2004, Design, construction and fit-out of food premises and details of compliance are to be included in the documentation for the **construction certificate** to the satisfaction of the certifying authority.
14. Food safety practices and operation of the food premises must be in accordance with the *Food Act 2003*, Food Regulation 2004, *Food Standards Code* and Food Safety Standards at all times, including the requirements and provisions relating to:
 - **Food handling – skills, knowledge and controls.**
 - **Health and hygiene requirements.**
 - **Requirements for food handlers and businesses.**
 - **Cleaning, sanitising and maintenance.**
 - **Design and construction of food premises, fixtures, fitting and equipment.**
15. A failure to comply with the relevant food safety requirements is an offence and may result in legal proceedings, service of notices and/or the issuing of on-the-spot penalty infringement notices.

16. Upon completion of the work and **prior to the issuing of an occupation certificate**, the premises must be inspected by Council's Environmental Health Officer to ascertain compliance with relevant Food Safety Standards and the written approval of Council (being the relevant Food Authority for this food business) must be obtained prior to the operation of the food business.
17. The Proprietor of the food business and all staff carrying out food handling and food storage activities must have appropriate skills and knowledge in food safety and food hygiene matters, as required by the Food Safety Standards.
18. The design and construction of food premises (the bar area) must comply with the following requirements, as applicable:-
 - The floors of bar area, food preparation areas and the like are to be constructed of materials which are impervious, non slip and non abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer.
 - The intersection of walls with floor and plinths is to be coved, to facilitate cleaning.
 - Walls of the bar areas and the like are to be of suitable construction finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall adjacent to cooking and food preparation facilities or areas, to provide a smooth even surface.
 - The glazed tiling or other approved material is to extend up to the a minimum of 450mm above bench tops or other facilities and equipment.
 - Walls where not tiled are to be cement rendered or be of rigid smooth faced non-absorbent material (i.e. fibrous cement sheeting, plasterboard or other approved material) and finished to a smooth even surface, painted with a washable paint of a light colour or sealed with other approved materials.
 - The ceilings of bar areas, storerooms and the like are to be of rigid smooth-faced, non absorbent material i.e., fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material.
 - All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc. to be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.
 - Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particleboard or similar material is not permitted unless laminated on all surfaces.

- Wash hand basins must be provided in convenient positions, with hot and cold water, together with a sufficient supply of soap and clean towels. Such hot and cold water shall be supplied to the wash hand basins through an approved mixing device.
- Ceramic tiles being provided to a height of 450mm above bench tops, wash hand basins and similar fittings.
- A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance.
- All food that is to be kept hot should be heated within one (1) hour from the time when it was prepared or was last kept cold, to a temperature of not less than 60°C and keep this food hot at or above the temperature. Food that is to be kept cold should be cooled, within four (4) hours from the time when it was prepared or was last kept hot, to a temperature of not more than 5°C and keep this food cold at or below that temperature.

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

19. The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of `on-the-spot` penalty infringements or service of a notice and order by Council.

20. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the *Environmental Planning and Assessment Regulation 2000*.
21. **Prior to the commencement of any building works**, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.
22. **Prior to the commencement of any building works**, the person having the benefit of the development consent must:-
- i) appoint a *Principal Certifying Authority* for the building work, and
 - ii) appoint a *principal contractor* for the building work and notify the *Principal Certifying Authority* and Council accordingly in writing, and

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

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected in accordance with section 81A (2) (b1) (ii) of the Environmental Planning & Assessment Regulation 2000 and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

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

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

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

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.

26. **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 must also be provided to Council with the occupation certificate.

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

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 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:

28. The demolition, removal, storage, handling and disposal of building products and materials must be carried out in accordance with the relevant requirements of WorkCover NSW, the NSW Department of Environment & Conservation (formerly the Environment Protection Authority) and Randwick City Council policies and conditions, including:
- Occupational Health and Safety Act 2000
 - Occupational Health and Safety (Hazardous Substances) Regulation 2001
 - Occupational Health and Safety (Asbestos Removal Work) Regulation 2001
 - WorkCover NSW Code of Practice for the Safe Removal of Asbestos
 - Australian Standard 2601 (2001) – Demolition of Structures
 - The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.
 - Relevant Department of Environment & Conservation (DEC) / Environment Protection Authority (EPA) and WorkCover NSW Guidelines.
 - Randwick City Council Asbestos Policy (adopted 13 September 2005)

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

29. 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.
30. Except with the written approval of Council's Manager of Health, Building & Regulatory Services, all building, demolition and associated site works (including site deliveries) must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive and (except as detailed below) between 8.00am to 5.00pm on Saturdays.

All building, demolition and associated site works are strictly prohibited on Sundays, Public Holidays and also on Saturdays adjacent to a Public Holiday.

In addition, the use of any rock excavation machinery or any mechanical pile drivers or the like is restricted to the hours of 8.00am to 5.00pm (maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to nearby residents.

31. 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.
32. 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.

33. 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.

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.

34. A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority prior to the commencement of demolition, excavation or building works. The site management plan must include the following measures, as applicable to the type of development:
- location and construction of protective fencing / hoardings to the perimeter of the site;
 - location of site storage areas/sheds/equipment;
 - location of building materials for construction;
 - provisions for public safety;
 - dust control measures;
 - site access location and construction
 - details of methods of disposal of demolition materials;
 - protective measures for tree preservation;
 - provisions for temporary sanitary facilities;
 - location and size of waste containers/bulk bins;
 - details of proposed sediment and erosion control measures;
 - construction noise and vibration management.

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

35. 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.
36. 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.
37. 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 or 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 (grater than 3m in length) or any container or other article.

ADVISORY MATTERS:

1. 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:

- p) Part E1 - Fire fighting equipment
- s) Part E4 - Emergency lighting, exit signs & 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.

You are advised to ensure that the development is not inconsistent with Council's consent and if necessary consult with Council's Building Certification Services or your accredited certifier prior to submitting your construction certificate application to enable these matters to be addressed accordingly.

2. The applicant/owner is advised that this approval does not guarantee compliance with the provisions of the Disability Discrimination Act 1992 and the applicant should therefore consider their liability under the Act. In this regard, the applicant is advised that compliance with the requirements of the Building Code of Australia and Australian Standard 1428.1 - Design for Access and Mobility does not necessarily satisfy the objectives of the Disability Discrimination Act 1992.

The applicant/owner is requested to give consideration to providing access and facilities for people with disabilities in accordance with Australian Standard 1428 Parts 1, 2, 3 and 4 - Design for Access and Mobility, which may be necessary to satisfy the objectives of the Disability Discrimination Act 1992.

ATTACHMENT/S:

Nil

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SIMA TRUUVERT
DIRECTOR, CITY PLANNING

.....
PATRICK LEBON
DEVELOPMENT ASSESSMENT
OFFICER

MOTIONS PURSUANT TO NOTICE

12.1 Motion By Councillor Nash – Request for a Footpath in Hincks Street, Kingsford. (PROP030299 xr F2005/00434 xr F2005/00171)

That in accordance with requests from Hincks Street residents, Council consider funding the construction of a footpath in Hincks Street, Kingsford as part of the 2007/08 Budget.

