

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 24TH OCTOBER 2006 AT 6:07 P.M.**

PRESENT:

The Mayor, Cr P. Tracey (Chairperson) (North Ward)

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

North Ward	-	Crs J. Kenny & M. Woodsmith
South Ward	-	Crs R. Belleli, M. Daley (until 7.25 pm) & A. White
East Ward	-	Crs B. Notley-Smith & D. Sullivan (from 7.20 pm)
West Ward	-	Crs B. Hughes, S. Nash, & J. Procopiadis
Central Ward	-	Crs A. Andrews (from 6.21 pm), C. Bastic (from 6.38 pm) & T. Seng (from 6.28 pm)

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoples.
Director, City Planning	Ms. S. Truuvert.
Director, Governance & Financial Services	Mr. G. Banting.
Manager, Administrative Services	Mr. D. Kelly.
Manager, Technical Services	Mr. M. Shaw
Manager, Policy, Planning & Performance	Ms. K. Walshaw
Manager, Development Assessment	Mr. K. Kyriacou

1. PRAYER & ACKNOWLEDGEMENT OF LOCAL INDIGENOUS PEOPLE.

The Council Prayer was read by Councillor Scott Nash.

The Acknowledgement of Local Indigenous People was read by the Mayor, Cr. P. Tracey.

2. APOLOGIES/GRANTING OF LEAVE OF ABSENCES.

Nil.

3. CONFIRMATION OF THE MINUTES.

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL
MEETING HELD ON TUESDAY, 19TH SEPTEMBER, 2006.**

289 **RESOLUTION:** (*Belleli/Procopiadis*) that the Minutes of the Ordinary Council Meeting held on Tuesday, 19th September, 2006 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 26TH SEPTEMBER, 2006.

290 **RESOLUTION:** (*Belleli/Procopiadis*) that the Minutes of the Ordinary Council Meeting held on Tuesday, 26th September, 2006 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

4. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS.

(a) Cr Belleli declared a non pecuniary interest in Item 6.11 as he and his wife provide entertainment for the event.

5. ADDRESSING OF COUNCIL BY MEMBERS OF THE PUBLIC.

Item 6.8 MAYOR'S MINUTE 79/2006 – COOGEE ARTS FESTIVAL.

For Mr Barry Watterson PO Box 591 Coogee

Item 6.9 MAYOR'S MINUTE 80/2006 – FINANCIAL ASSISTANCE FOR WORKS AT YARRA OVAL.

For Mr Danny Allende 14/15 Grace Campbell Cres, Hillsdale

Item 6.10 MAYOR'S MINUTE 81/2006 – MAROUBRA COMMUNITY PLANNING

For Ms Rozita Leoni 3/41 Minneapolis Crescent Maroubra

Item 6.14 MAYOR'S MINUTE 85/2006 – PROGRESSING RANDWICK'S ENERGY CONSERVATION CAMPAIGN FOR RESIDENTS.

For Mr John Dee Planet Ark

Item 8.1 DIRECTOR, CITY PLANNING REPORT 92/2006 - 5 MCDOUGALL STREET, KENSINGTON.

The Objector Mr Angelo Di-Paola 24 Hayward Street, Kingsford

The Applicant Mr Anthony Betros 282-290 Oxford Street, Bondi Junction

Item 8.2 DIRECTOR, CITY PLANNING REPORT 93/2006 - 138 COOGEE BAY ROAD, COOGEE.

The Objector Mrs Melissa Dryden 25 Powell Street, Coogee

The Applicant Mr John Coudounaris 138 Coogee Bay Road, Coogee

**Item 8.3 DIRECTOR, CITY PLANNING REPORT 94/2006 - 68-76
WENTWORTH STREET, RANDWICK.**

The Applicant Mr Angelo Candalepas 64 Brennan Street, Lilyfield

**Item 8.4 DIRECTOR, CITY PLANNING REPORT 95/2006 - 15 PEARCE
STREET, SOUTH COOGEE.**

The Objector Ms Angela Drikakos 5 Close Street, South Coogee

The Applicant Mr Chris Kokkinis 2/4 Manning Road, Double Bay

**Item 8.5 DIRECTOR, CITY PLANNING REPORT 96/2006 – 35-37 ST PAULS
STREET, RANDWICK.**

The Applicant Mr Anthony Betros 282-290 Oxford Street, Bondi Junction

**Item 9.8 GENERAL MANAGER'S REPORT 42/2006 - 2007-2008 OCEAN
THUNDER SURF BOAT SERIES.**

For Mr Simon Patterson 48 Arcadia Street, Coogee

**Item 13.4 MOTION BY COUNCILLOR MATSON – PENDING CLOSURE OF
ECOLIVING PERMACULTURE GARDEN.**

For Ms Kristina Warton 5/8 Prince Street, Randwick

**Item 13.5 MOTION BY COUNCILLOR MATSON – ADOPTION OF NEW
TELECOMMUNICATIONS AND RADIO COMMUNICATIONS DCP.**

For Mr Bob Sheather 61 Maroubra Road, Maroubra

The meeting was adjourned at 6.56 p.m. and was resumed at 7.13 p.m.

Note: At this point in the meeting Council moved that a vote of thanks be extended to Mr Tony Watson for his invaluable contribution during his time at Randwick Council.

Cr Daley left the chamber at this point in the meeting, the time being 7.25 pm.

6. MAYORAL MINUTES.

**6.1 MAYOR'S MINUTE 72/2006 - USE OF MAROUBRA BEACH FOR MOLLOY
SHIELD SURF CARNIVAL - REQUEST FOR WAIVING OF FEES.
(F2004/08302)**

291 **RESOLUTION:** *(Mayor, Cr. P. Tracey) that:*

- 1) *Council vote \$880.37 to cover the fees associated with the Molloy Shield to be held at Maroubra Beach on 19 November, 2006, from 12noon to 3.00pm and funds be allocated from the Contingency Fund 2006/2007;*
- 2) *The event organiser undertakes 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.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.2 MAYOR'S MINUTE 73/2006 - WAIVING OF FEES - COOGEE SURF LIFE SAVING CLUB - EXPRESS ISLAND CHALLENGE AROUND WEDDING ISLAND. (F2004/08286)

292 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- 1) *Council vote \$1,874.71 to cover the fees associated with the Express Glass Island Challenge and funds be charged to 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 be given the opportunity to address the event on behalf of Council.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.3 MAYOR'S MINUTE 74/2006 - INSTALLATION OF BANNER FOR RAINBOW STREET PUBLIC SCHOOL - REQUEST FOR WAIVING OF FEES. (F2004/06257)

293 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *the fees associated with the installation and dismantling of a banner for the Rainbow Street Public School (on the flagpole on the corner of Alison Road and Doncaster Avenue in Term 1, 2007), be waived and \$1,132.00 be allocated from the Contingency Fund 2006/07;*
- b) *the wording of the banner being presented to Council for approval prior to being ordered; and*
- c) *the fundraising event organiser undertakes to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.4 MAYOR'S MINUTE 75/2006 – ESTABLISHING A CARSHARE OPERATION IN RANDWICK CITY. (F2005/00230)

294 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *Council provides financial support of \$7,500 per year for a period of 2 years through the Environmental Levy Program and in conjunction with financial support of \$2,500 per annum from Maroubra Junction Uniting Church for the same period for the GoGet Car Share operation being established in Randwick;*

- b) *Council promotes the availability of the GoGet Car Share operation in Randwick City to residents and finalises vehicle locations with the operators prior to commencement but within proximity to Belmore Road shopping centre, Maroubra Junction and UNSW;*
- c) *GoGet Car Share accepts all responsibility for vehicle insurance, booking, running and other associated costs other than the financial contribution referred to above.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.5 MAYOR'S MINUTE 76/2006 – OXFAM FAIR TRADE PROGRAM. (F2004/08174)

295 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *the resolution adopted by the LGA at its 2005 Conference be endorsed by Randwick City Council; and*
- b) *the General Manager bring a report back to Council on how Oxfam's suggested activities could be implemented by Randwick City Council.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.6 MAYOR'S MINUTE 77/2006 – INVITATION TO ATTEND MAROUBRA SURF LIFE SAVING CLUB CENTENARY DINNER. (F2006/0006)

296 **RESOLUTION: (Mayor, Cr. P. Tracey) that Council purchase tickets for two tables of ten (10) to both acknowledge and support the Maroubra Surf Life Saving Club on reaching its centenary year, such funds to come from the 2006/2007 Contingency Fund.**

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.7 MAYOR'S MINUTE 78/2006 - AUSTRALIA DAY BOTANY BAY REGATTA - REQUEST FOR FINANCIAL ASSISTANCE. (F2004/07076)

297 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *Council vote \$500.00 from the 2006/2007 Contingency Fund as a contribution towards the 2007 Australia Day Botany Bay Regatta activities;*
- b) *Council nominate both Cr Hughes and Cr Nash for the 'Councillors Challenge' event; and*
- c) *the event organisers undertake to appropriately and prominently acknowledge and promote Council's contribution at the Regatta events.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.8 MAYOR'S MINUTE 79/2006 – COOGEE ARTS FESTIVAL. (F2004/07843)

298 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *Council vote to support the Coogee Arts Festival in principal and financially with a \$10,000 contribution for 2007 and cover the costs associated with the use of the Reserve and associated outdoor/cleansing costs from the Contingency Fund 2006/2007.*
- b) *Council enter into an agreement with the Event Organiser to host the Coogee Arts Festival and associated activities in Grant Reserve and Coogee Beach until 2011.*
- c) *Council consider the Coogee Arts Festival for future allocation of funds in its annual budget preparation.*
- d) *the Festival's Event Organiser agrees to acknowledge Council's contribution to, and support for, to the Festival.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.9 MAYOR'S MINUTE 80/2006 - FINANCIAL ASSISTANCE FOR WORKS AT YARRA OVAL. (F2004/06526)

299 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *Council guarantee funding of up to \$150,000, if necessary, from Council reserve to be used;*
- b) *Council enter into discussions with the current Trustees and Lands Department with a view to having Care, Control and Management transferred to Council;*
- c) *A further report be brought to Council on the outcomes of these discussions for Council's considerations.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.10 MAYOR'S MINUTE 81/2006 - MAROUBRA COMMUNITY PLANNING. (F2004/07993)

300 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *Council continue to give priority to negotiations with the Office of Community Housing about the provision of affordable housing at the 64-66 Minneapolis Crescent site, while continuing to investigate alternative funding sources for the provision of affordable housing on the site;*
- b) *Council investigate short term locations at Maroubra, Maroubra Beach and South Maroubra for use by local residents for a community centre; and*
- c) *Council commence a review of the Local Environmental Plan and Development Control Plans for Maroubra Beach commercial centre bounded by McKeon to Fitzgerald, Marine Parade to Fenton Street, including the Broad Arrow Reserve and consider the provision of a community centre as part of that process, and that the facility be included in the draft S94 Plan currently being prepared, for the funding of this facility.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.11 MAYOR’S MINUTE 82/2006 – WAIVING OF FEES - SOUTH MAROUBRA VILLAGE GREEN - CAROLS BY CANDLELIGHT. (F2004/07079)

301 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *Council vote \$2,917.50 to cover the fees associated with the event and funds be charged to the Contingency Fund 2006/2007;*
- b) *the event organiser undertake to appropriately and prominently acknowledge and promote Council’s contribution prior to and during the event; and*
- c) *the Mayor, or his representative, be given the opportunity the address the “Carols By Candlelight” on behalf of Council.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.12 MAYOR’S MINUTE 83/2006 – COUNCIL SUPPORT FOR THE BICYCLE PLAN UPDATE AND INITIATIVES TO ENCOURAGE CYCLING BY OUR RESIDENTS, STAFF AND COUNCILLORS. (F2004/07234)

302 **RESOLUTION: (Mayor, Cr. P. Tracey) that:**

- a) *a report be prepared for Council’s consideration on the Bicycle Plan Update for Randwick City, identifying ongoing funding opportunities for its implementation over the next 3 to 5 years and including an updated map of the City’s bicycle plan;*
- b) *Council purchases 3 “corporate” bicycles and necessary safety and security measures for an amount not exceeding \$3,000.00 and a system be established for staff to use these bicycles for work purposes, attending meetings etc; and*
- c) *an invitation be extended to the Mayors and Councillors of neighbouring Councils to join Randwick’s Mayor and other willing Councillors to take part in a community bike ride between Centennial Park and Bicentennial Park to coincide with International Earth Day, Saturday, April 21, 2007.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.13 MAYOR’S MINUTE 84/2006 - EMISSIONS TRADING SCHEME FOR LOCAL GOVERNMENT IN NSW. (F2005/00230)

303 **RESOLUTION: (Mayor, Cr. P. Tracey) that Council:**

- a) *supports the development and implementation of a voluntary emissions trading scheme for Local Government in NSW; and*
- b) *delegates to the Mayor to write on its behalf to the LGSA and to NSW Mayors inviting them to register their interest in participating in a development workshop for an Emissions Trading Scheme for Local Government by early March 2007.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

6.14 MAYOR'S MINUTE 85/2006 – PROGRESSING RANDWICK'S ENERGY CONSERVATION CAMPAIGN FOR RESIDENTS. (F2005/00230)

304 **RESOLUTION:** *(Mayor, Cr. P. Tracey) that Council:*

- a) *support the Fridge Buyback Scheme described above and its promotion to residents;*
- b) *support the free 10 percent Green Power offer to residents being provided by Jackgreen Energy.*

MOTION: (Mayor, Cr. P. Tracey) CARRIED – SEE RESOLUTION.

7. URGENT BUSINESS.

7.1 CONFIDENTIAL GENERAL MANAGER'S REPORT 43/2006 – COUNCILS ONLINE (COL) – PHASE 2 SIGN OFF. (F2005/00422)

305 **RESOLUTION:** *(Andrews/Nash) that the draft heads of agreement and proposed deed of agreement put forward by Capgemini Pty Ltd, not be entered into.*

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

8. DIRECTOR, CITY PLANNING REPORTS.

8.1 DIRECTOR, CITY PLANNING REPORT 92/2006 - 5 MCDOUGALL STREET, KENSINGTON. (DA/543/2006 & PROP006147)

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

- A. *Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 543/2006 for a new first floor addition to the existing dwelling to include a new sitting room, bedroom and associated amenities at 5 McDougall Street, Kensington 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 Dwg. No.39/06, dated 5 September 2006 and received by Council on 7 September 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.*

Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's

Director of City Planning, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the relevant building works.

3. *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.*
4. *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 applied to maintain the heritage significance and amenity of the premises and locality:

5. *Details of the proposed paint scheme are to be submitted to and approved by Council's Director City Planning, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development. Unpainted surfaces, eg- brickwork/stonework are to remain unpainted.*

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

6. *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.*
7. *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.*

8. *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:

9. *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.

10. *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:

11. *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.

12. *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.*

13. ***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.

14. ***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.

15. *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.

16. *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".*

17. *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.

18. ***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.

19. *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.*

20. *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.

21. *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:

22. *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.

23. *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.*

24. *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.

25. *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.

26. *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.*

27. *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.

28. *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.

29. *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.

30. *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.

31. *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.*

32. *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 group of conditions have been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

33. *A Certificate of Adequacy supplied by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority)*

prior to a construction certificate being issued for the development, certifying the structural adequacy of the existing structure to support the additional storey.

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.

35. **A Demolition Work Plan** must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures.

The Work Plan must include the following information (as applicable):

- *The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor*
- *Details of hazardous materials, including asbestos*
- *Method/s of demolition and removal of asbestos*
- *Measures and processes to be implemented to ensure the health & safety of workers and community*
- *Measures to be implemented to minimise any airborne asbestos and dust*
- *Methods and location of disposal of any asbestos or other hazardous materials*
- *Other relevant details, measures and requirements to be implemented as identified in the Asbestos Survey*
- *Date the demolition and removal of asbestos will commence*

*The Demolition Work Plan must be submitted to Council and the Principal Certifying Authority (PCA) if the Council is not the PCA, not less than two (2) working days **before commencing any demolition works** involving asbestos products or materials. A copy of the Demolition Work Plan must also be maintained on site and be made available to Council officers upon request.*

Note *it is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*

36. *A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 200 m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.*
37. *On demolition sites involving the removal of asbestos, a professionally manufactured sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor. The sign shall measure not less than 400mm x 300mm and the sign is to be installed prior to demolition work commencing and is to remain in place until such time as all asbestos has been safely removed from the site.*
38. *Asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996.*

Asbestos waste must be disposed of at an approved waste disposal depot (refer to the DEC or Waste Service NSW for details of sites). Copies of all receipts detailing method and location of disposal must be maintained on site and be provided to Council officers upon request, as evidence of correct disposal.

39. *A Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council **upon completion of the works** (prior to an Occupation Certificate being issued), which confirms that the relevant requirements contained in the Asbestos Survey and conditions of consent, in relation to the safe removal and disposal of asbestos, have been satisfied.*

The following conditions have been applied to ensure that adequate security provisions are made for vehicular access, parking and public infrastructure:

40. *The applicant must meet the full cost for Council or a Council approved contractor to install vehicular crossings and 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.*
41. *A Road Opening Permit must be obtained from Council's City Services Department prior to opening-up or carrying out any proposed works within the road, footpath, nature strip or other public place and all works including repairs are to be carried out to Council's satisfaction.*

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.

MOTION: (Hughes/Matson) that this matter be deferred for mediation between the two parties. **LOST.**

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

8.2 DIRECTOR, CITY PLANNING REPORT 93/2006 - 138 COOGEE BAY ROAD, COOGEE. (DA/675/2006 & PROP005444)

307 **RESOLUTION: (Matson/Woodsmith) that:**

- A. *Council support the objections under State Environmental Planning No. 1 (SEPP No.1) in respect to non-compliance with Clause 33 of the Randwick Local Environmental Plan 1988, relating to height, on the grounds that the proposed development is consistent with the objective of the clause and will not adversely affect the amenity of the surrounding locality and that the Department of Planning be advised accordingly.*

AND

- B. *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. 675/2006 for alterations to three existing dwelling units including internal reconfiguration, new windows and door openings to the rear elevation at 138 Coogee Bay Road, COOGEE NSW 2034 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 HK 0405/11/C, dated August 2006 and received by Council on the 18th of*

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. A 1.8m high privacy screen shall be provided along the eastern edge of the upper floor landing. Details of compliance are to be included in the **construction certificate** application.
3. The subject premises shall only be used for the purpose of 'multi-unit housing', as defined by Randwick Local Environmental Plan 1998.
4. The colours, materials and finishes of the external surfaces of the landing extensions are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.
5. Metal roof sheeting is to be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment.
6. 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.
7. 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.
8. The proposed landing extensions on the top and middle levels and the associated proposed new doorway opening must be deleted. Details of compliance must be shown in the construction certificate plans.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations and to provide for reasonable levels of fire safety:

9. 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.

10. 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.
11. **Prior to the commencement of any building works** (including necessary upgrading works specified in the conditions of this consent), 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.

12. *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.

13. *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.

14. *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”.*

15. *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.

16. ***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.

17. *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.*

18. *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.

19. *Upon completion of the fire safety upgrading works and **prior to the issuing of an occupation certificate**, a final fire safety certificate is to be submitted to Council and a copy of the fire safety certificate and fire safety schedule are to be displayed in a prominent position within the building (i.e. entrance area), in accordance with the provisions of the Environmental Planning and Assessment Act 1979.*
20. *A Certificate of Adequacy prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) **prior to issuing an occupation certificate** certifying the structural adequacy of the building and that the building works satisfy the relevant structural design requirements of the Building Code of Australia.*

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

21. *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.*
22. *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.

23. *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.*
24. *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.

25. *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.

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

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

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.

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

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

- a) *Part B1 - Structural provisions*
- b) *Clause D2.16 - Balustrades and handrails*

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.

MOTION: (Andrews/Bastic) Council supports the SEPP1 objection and as the responsible authority grants its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 675/2006 for alterations to three existing dwelling units including internal reconfiguration, new windows and door openings to the rear elevation and minor extensions to the landings on the top and middle levels at 138 Coogee Bay Road, COOGEE NSW 2034 subject to the conditions outlined in the Director City Planning's report.

**AMENDMENT: (Matson/Woodsmith).CARRIED AND BECAME THE MOTION.
MOTION CARRIED – SEE RESOLUTION.**

8.3 DIRECTOR, CITY PLANNING REPORT 94/2006 - 68-76 WENTWORTH STREET, RANDWICK. (DA/125/2003/E & PROP007843)

308 **RESOLUTION:** (Andrews/Nash) that:

- A. Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No 125/2003/E for Section 96 modification of approved development in Block A: including reconfiguration of internal spaces, relocation of internal courtyard to attic level for increased living spaces and changes to roof structure. Block B: alteration of external walls to provide for more internal space including, deletion of balconies facing Tramway Lane and a level 3 cantilevered balcony at 68-76 Wentworth Street, Randwick subject to the following conditions:-

Amend Condition 1 to read:

The development must be implemented substantially in accordance with the plans numbered DA 01 – DA 16 issue L and dated 28 July 2002, except where amended by plans numbered DA-01 to DA-11, and DA-15, Issue L, dated 3 October 2003, and the Section 96 plans numbered S96-3101 Issue B, S96-3102 Issue B, S96-3103 Issue B, S96-3104 Issue B, S96-3105 Issue B, S96-3106 Issue B, S96-3201 Issue B S96-3301 Issue B and S96-3302 Issue B dated 6 February 2004, and the Section 96 plans numbered S96-0107 Issue A, S96-1102 Issue B, S96-1103 Issue B, S96-1301 Issue A, S96-2102 Issue B, S96-2103 Issue B, S96-2104 Issue B, S96-2201 Issue B, S96-2301 Issue B, S96-2302 Issue A, S96-3103 Issue C, dated 20 August 2004, and S96-3301 Issue D and S96-3302 Issue D, dated 20 January 2005, the application form and on any supporting information received with the application, as amended by the Section 96 plans numbered S96-1102 – 1105 Issue C, S96-1201 Issue C, S96-1301 Issue A, S96-1302 Issue C, S96-1303 Issue C, S96-2102 Issue C, S96-2103 Issue C, 2104 Issue C, S96-2201 Issue C, S96-2301 Issue C, S96-2302 Issue C, and received by Council on 28 July 2006, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application.

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

8.4 DIRECTOR, CITY PLANNING REPORT 95/2006 - 15 PEARCE STREET, SOUTH COOGEE. (DA/647/2006 & PROP035044)

309 **RESOLUTION:** (Andrews/Nash) 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. 647/2006 for permission to Demolish the existing dwelling and construct a two storey dwelling with basement garaging, swimming pool and balconies at first floor level at 15 Pearce Street, SOUTH COOGEE NSW 2034 subject to the following conditions:

Conditions of Consent

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 following plans and information except as may be amended by the conditions of this consent and/or as may be shown in red on the attached plans:

- a. *Plans prepared by Ergo Architecture and Interiors, May 2006 and numbered consecutively 01 – 08 (received by Council 11 August 2006).*
 - b. *Site Management Plan prepared by Ergo Architecture and Interiors, May 2006 (received by Council 11 August 2006).*
 - c. *Landscape Plan prepared by Susan Miles Landscape Architect 28 August 2006 (received by Council 29 August 2006).*
 - d. *Colour scheme and sample board prepared by Ergo Architecture and Interiors, July 2006 (received by Council 11 August 2006).*
 - e. *The development application form, Statement of Environmental Effects and any supporting information received with the application.*
2. *To preserve views over the site, the Podocarpus elatus and Banksia integrifolia shown in the rear yard on the landscape plan must be deleted. In their place, the owner shall plant a native tree or shrub with a height when mature that does not exceed 3 metres. Details must be provided to the Principle Certifying Authority with the Construction Certificate application.*
 3. *To ensure the front fencing contributes positively to street character, the timber screen on the front terrace shall be constructed so that it is at least 50% open. Design details must be provided to the Principle Certifying Authority with the Construction Certificate application.*
 4. *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.*
 5. *Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.*
 6. *The finished ground levels external to the building are to be consistent with the development consent and are not to be raised (other than for the provision of approved paving or the like on the ground) without the written consent of Council.*
 7. *Lighting to the premises shall be designed so as not to cause a nuisance to nearby residents.*
 8. *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.

9. *In accordance with Section 80A (11) of the Environmental Planning and Assessment Act 1979 and Clause 97A of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition that all of the required commitments listed in the relevant BASIX Certificate for this development are fulfilled.*

10. *In accordance with the provisions of the Environmental Planning & Assessment Regulation 2000, a relevant BASIX Certificate and associated documentation must be submitted to the Certifying Authority with the Construction Certificate application for this development.*

The required commitments listed and identified in the BASIX Certificate are to be included on the plans, specifications and associated documentation for the proposed development, to the satisfaction of the Certifying Authority.

The design of the building must not be inconsistent with the development consent and any proposed variations to the building to achieve the BASIX commitments may necessitate a new development consent or amendment to the existing consent to be obtained, prior to a construction certificate being issued.

11. *The following provisions are to be implemented in accordance with the relevant BASIX Certificate and details are to be included in the Construction Certificate documentation (as applicable), to the satisfaction of the Certifying Authority:*

- *Stormwater management (i.e. rainwater tanks)*
- *Water efficiency (i.e. triple A rated taps and showers, dual flush toilets and water re-use)*
- *Landscaping provisions*
- *Thermal comfort (i.e. construction materials, glazing and insulation)*
- *Energy efficiency (i.e. cooling & heating provisions and hot water systems)*

12. *In accordance with Clause 154B of the Environmental Planning & Assessment Regulation 2000, a Certifying Authority must not issue a final Occupation Certificate for this development, unless it is satisfied that each of the required BASIX commitments have been fulfilled.*

Relevant documentary evidence of compliance with the BASIX commitments is to be forwarded to the Council upon issuing the final Occupation Certificate.

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: (Note: Stormwater drainage plans have not been approved as part of this development consent.)

13. *Detailed drainage plans shall be submitted to and approved by the certifying authority prior to the issue of a construction certificate. The drainage plans shall demonstrate compliance with the conditions of this development approval.*

14. *Generally all site stormwater shall be piped to a sediment/silt arrester pit that drains to an infiltration area with a minimum 5 m² base area. An overflow pipe shall be provided from the silt arrester pit to drain to Council's kerb and gutter.*

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

Notes:

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

 - b. *The infiltration/rubble pit shall:*
 - i. *have a minimum 300 mm of soil cover (600 mm where the pit is located under a garden/landscaping area).*
 - ii. *be located a minimum of 3.0 metres from the dwelling or other structure (closer if a structural engineer certifies that the infiltration area will not adversely affect the structure) and 2.1 metres from the adjacent side or rear boundaries.*
 - iii. *be constructed with a minimum 200 mm thick layer of 20 mm basalt/blue metal (or similar) that is wrapped in a suitable geotextile material covering with a high filtration rating (Geofabrics Bidim "A" range of filtration fabrics or equivalent). A suitable means of dispersing the stormwater over the area of infiltration is to be constructed. Other equivalent methods of infiltration may be adopted.*
 - iv. *have a minimum base area of 5.0 square metres (m²).*
 - v. *The outlet from the silt arrestor pit to the infiltration area shall be located at least 50 mm below the outlet from the silt arrestor pit to the kerb and gutter.*

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

 - d. *The overflow pipe/s from the rainwater tank/s shall be directed into the infiltration area.*
15. *As the above site may encounter groundwater/seepage water within the depth of the basement excavation, the basement carpark or similar structures are to be suitably tanked and waterproofed. A Structural Engineer\Geotechnical Engineer shall certify the tanking & waterproofing has been carried out to an acceptable standard, to the satisfaction of the certifying authority. A copy of the certification is to be forwarded to Council.*

Notes:

- a. *Any subsoil drainage (from planter boxes etc) is to be disposed of within the site and is not to be discharged to Council's kerb & gutter and/or underground drainage system.*
 - b. *Adequate provision is to be made for the ground water to drain around the basement carpark (to ensure that the basement will not dam or slow the movement of the ground water through the development site).*
16. *Any seepage water must be drained directly into an absorption pit within the site. Seepage water must not be drained from the site.*
 17. *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:

18. *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.

19. *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.*
20. ***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.*
21. ***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.

Note: 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.

22. *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.

23. *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".*
24. *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.*
25. *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 and must also be provided to Council with the occupation certificate.

27. *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.*

28. *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*

29. *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.*

30. *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.*

31. *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.*

32. *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:

33. *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.

34. *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.*

35. *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.*

36. *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.*

37. *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.*
38. *If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must:*
- *preserve and protect the building /s on the adjoining land from damage; and*
 - *if necessary, underpin and support the building and excavation in an approved manner; and*
 - *at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land (including a public road or public place), give notice of the intention to do so to the owner of the adjoining land. Particulars of the excavation are to be provided to the owner of the adjoining land and also the owner of the land where the building is being erected or demolished.*
39. *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.*
40. *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.*
- Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy, prepared by a suitably qualified consultant is to be implemented during the works, to the satisfaction of the Principal Certifying Authority.*
41. *A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the following stage/s of construction:*
- a) *Prior to construction of the footings or first completed floor slab (prior to the pouring of concrete), showing the area of the land, building and boundary setbacks and levels of the building.*

- b) *On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying the building has been constructed at the approved levels.*
42. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, to the satisfaction of WorkCover NSW and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.*
43. *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.

44. *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.

45. *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.

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

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

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

47. *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.*
48. *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.*

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.

49. *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.*

50. *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.*

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

51. *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.

52. *A **Demolition Work Plan** must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures.*

The Work Plan must include the following information (as applicable):

- *The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor*
- *Details of hazardous materials, including asbestos*
- *Method/s of demolition and removal of asbestos*
- *Measures and processes to be implemented to ensure the health & safety of workers and community*
- *Measures to be implemented to minimise any airborne asbestos and dust*
- *Methods and location of disposal of any asbestos or other hazardous materials*
- *Other relevant details, measures and requirements to be implemented as identified in the Asbestos Survey*
- *Date the demolition and removal of asbestos will commence*

*The Demolition Work Plan must be submitted to Council and the Principal Certifying Authority (PCA) if the Council is not the PCA, not less than two (2) working days **before commencing any demolition works** involving asbestos products or materials. A copy of the Demolition Work Plan must also be maintained on site and be made available to Council officers upon request.*

***Note** it is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*

53. *A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 200 m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.*
54. *On demolition sites involving the removal of asbestos, a professionally manufactured sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor. The sign shall measure not less than 400mm x 300mm and the sign is to be installed prior to demolition work commencing and is to remain in place until such time as all asbestos has been safely removed from the site.*
55. *Asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996.*

Asbestos waste must be disposed of at an approved waste disposal depot (refer to the DEC or Waste Service NSW for details of sites). Copies of all receipts detailing method and location of disposal must be maintained on site and be provided to Council officers upon request, as evidence of correct disposal.

56. *A Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council **upon completion of the works** (prior to an Occupation Certificate being issued), which confirms that the relevant requirements contained in the Asbestos Survey and conditions of consent, in relation to the safe removal and disposal of asbestos, have been satisfied.*

The following conditions are applied to ensure that adequate provisions are made for the management of waste from the development:

57. *Adequate provisions are to be made within the premises for the storage and removal of waste and recyclable materials, to the satisfaction of Council and details are to be included in the construction certificate documentation.*
58. *A demolition and construction Waste Management Plan (WMP) must be developed and implemented for the development, to the satisfaction of Council, **prior to the issuing of a construction certificate.***

The Waste Management Plan must provide details of the type and quantities of demolition and construction waste materials, proposed re-use and recycling of materials, methods of disposal and details of recycling outlets and land fill sites.

Where practicable waste materials must be re-used or recycled, rather than disposed and further details of Council's requirements including relevant guidelines and pro-forma WMP forms can be obtained from Council's Customer Service Centre or by telephoning Council on 9399 0999.

Details and receipts verifying the recycling and disposal of materials must be kept on site at all times and presented to Council officers upon request.

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

59. *The following damage/civil works security deposit requirement is to be complied with prior to a construction certificate being issued for the development, as security for Council or a Council approved subcontractor to carry civil works such as construction of a new vehicular crossing to the subject site.*

a. \$1000.00 - Damage / Civil Works Security Deposit

The damage/civil works security deposit may be provided by way of a cash or cheque with the Council and is refundable upon:

- *A satisfactory inspection by Council that no damage has occurred to the Council assets such as roadway, kerb, guttering, drainage pits footway, or verge; and*
- *Completion of the civil works as conditioned in this development consent by Council.*

The applicant is to advise Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.

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

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

60. *Prior to the issue of an occupation certificate, the applicant must meet the full cost for Council or a Council approved contractor to:*
- a. *Construct a new concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site. This shall include any necessary excavation of rock on Council's nature strip.*
 - b. *Remove any redundant sections of the concrete vehicular crossing and layback and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.*
 - c. *Reconstruct the Council concrete footpath to suit the new levels for the driveway entrance. This shall include the reconstruction of steps to the west of the driveway entrance.*
 - d. *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.*
61. *The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.*
62. *The gradient of the internal access driveway must be designed and constructed in accordance with AS 2890.1 (2004) – Off Street Car Parking and the levels of the driveway must match the alignment levels at the property boundary (as specified by Council). Details of compliance are to be included in the construction certificate.*
- The height of the building must not be increased to satisfy the required driveway gradients.*
63. *A Road Opening Permit must be obtained from Council's City Services Department prior to opening-up or carrying out any proposed works within the road, footpath, nature strip or other public place and all works including repairs are to be carried out to Council's satisfaction.*

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

64. *The Council's Development Engineer has inspected the above site and has determined that the design alignment level (concrete/paved/tiled level) at the property boundary shall be as follows:*
- a. *Pedestrian Gate Entrance – Match the existing Council footpath level at this*

location.

b. Driveway Entrance – RL 21.67 AHD

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

65. *The design alignment levels (concrete/paved/tiled level) issued by Council must be indicated on the building plans for the construction certificate.*
66. *The above alignment levels and the site inspection by Council's Development Engineer have been issued at a prescribed fee of \$620.00 calculated at \$44.00 (inclusive of GST) per metre of site frontage. This amount is to be paid to Council prior to a construction certificate being issued for the development.*

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

67. *A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.*
68. *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 landscaping and to maintain reasonable levels of environmental amenity

69. *Landscaping shall be provided to the site to enhance its amenity and reduce the impact of the development upon neighbouring properties. A landscape plan shall be submitted to and approved by the Director of City Development, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, prior to a construction certificate being issued.*
70. *Landscaped areas must contain a predominance of species that require minimal watering once established or species with water needs that match rainfall and drainage conditions.*
71. *Landscaped areas must include an area dedicated to on-site composting.*
72. *The landscaping shall be installed in accordance with the approved documentation (except as amended by the terms of this consent) prior to the issue of a final occupation certificate and shall be maintained in accordance with those plans.*
73. *The nature strip upon Council's footway shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu Turf or similar. Such works shall be installed prior to the issue of a final Occupation Certificate.*

74. *The nature strip 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.*
75. *In order to visually 'soften' the expanses of hard pavement, brick unit pavers or similar shall be used throughout the driveway and carpark areas on the site. Such details shall be shown on the detailed engineering documentation and shall include all structural design details including pavement/subgrade thickness.*
76. *Such details shall be in accordance with the relevant Australian Standard and shall be submitted to, and approved by, the Principal Certifying Authority, prior to the issue of the Construction Certificate.*

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.*

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

8.5 DIRECTOR, CITY PLANNING REPORT 96/2006 - 35-37 ST PAULS STREET, RANDWICK. (DA/43/2006 XR PROP05088)

310 **RESOLUTION: (Notley-Smith/Procopiadis) that:**

- A. *Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. D/43/2006 for demolition of the existing building, retaining two shop-front facades to St Paul Street, and construction of a part-3, part-4 storey mixed use development designed as 2 buildings with central courtyard and containing 2 retail shops, 10 residential dwellings with 4 carparking spaces provided with access off Aeolia Lane, and strata subdivision at 35-37 St Pauls Street, Randwick, for the following reasons:-*
1. *The proposed development does not comply with Clause 32 of the Randwick Local Environmental Plan 1998 which prescribes the maximum floor space ratio standard, and the SEPP No.1 Objection submitted in relation to this standard is not well founded as the proposed development will have an excessive bulk and scale that detracts from heritage significance of The Spot Heritage Conservation Area and, specifically, the visual quality and architectural integrity of the adjoining group of buildings comprising Nos. 29-33 St Pauls Street, having regard to the existing nature of the rear elevations of these adjoining properties; and will generate a significant off-street car parking requirement that will not be fully provided for within the proposed development thus placing pressure upon the existing limited availability of on-street and public carparking in The Spot.*
 2. *The proposed development does not comply with Clause 33 of the Randwick Local Environmental Plan 1998 which prescribes the maximum building height standard, and the SEPP No.1 Objection submitted in relation to this standard is not well founded as the proposed development will have an excessive height, bulk and scale that detracts from the heritage significance of The Spot Heritage Conservation Area and, specifically, the visual quality and architectural integrity of the adjoining group of buildings comprising Nos. 29-33 St Pauls Street, having regard to the existing nature of the rear elevations of these adjoining properties.*
 3. *The proposed development does not meet the carparking requirements for multi-unit housing contained in Clause 2.3 – Requirements for Various Land Uses of the DCP – Parking, in that the proposed development will have a numerical deficiency of 13 carspaces which is unacceptable and unreasonable in the context of the critical shortage of on-street/public carparking in The Spot.*
 4. *The proposed height, bulk, scale and form of the proposed development is unsuitable for the subject site in that it constitutes an over development of the subject site and detracts from the heritage significance and character of existing development in The Spot Heritage Conservation Area, specifically, the visual quality and architectural integrity of the adjoining group of buildings comprising Nos. 29-33 St Pauls Street, having regard to the existing nature of the rear elevations of these adjoining properties.*
 5. *The Heritage Impact Statement prepared by Urbanistes Pty Limited and submitted with the development application is deficient as it fails to provide an adequate heritage impact assessment that assesses the proposed development and its impact on the heritage significance of the relevant affected heritage item and its setting, and the heritage conservation area as required under Clause 43 and 46 of the Randwick LEP 1998. In this regard, the Heritage Impact Statement fails to provide adequate assessment of the impact of the excessive height, bulk and scale of the building on Aeolia Lane and the visual quality and architectural integrity of the adjoining group of buildings comprising Nos. 29-33 St Pauls Street, specifically the rear elevations of*

these adjoining properties to the west; has not addressed the fundamental Questions to be Answered in the case of Major partial demolition of heritage items as listed in the Statements of Heritage Impact publication published by the NSW Heritage Office and the Department of Urban Affairs and Planning; and is not a final, complete and comprehensive assessment of the heritage impact of the proposed development as required under Clauses 43 and 46 of the Randwick LEP.

6. *The site is unsuitable for the proposed development because it is inadequate in size to contain the proposed development which has an FSR and building height that is excessive relative to the size of the subject site and the nature of adjoining development in the Spot Heritage Conservation Area.*
7. *The documentation submitted with the application is deficient of information and details relating to a thorough and comprehensive site analysis that assesses a range of internal and external site factors that affects the design and siting of development on the subject site, and that demonstrates the development opportunities and constraints that have been instrumental in shaping the design of the proposed development. In this regard, the site analysis must give due and proper acknowledgement of the constraints posed by a relatively small development site such as the subject site.*
8. *The documentation submitted with the application is deficient of information and details relating to the ingress/egress arrangements in Aeolia Lane to indicate that vehicular or pedestrian access and safety along this laneway is not compromised and to achieve satisfactory sight-lines along the laneway.*
9. *The documentation submitted with the application is deficient of information and details relating to the proposed glazed opening in the western elevation of the proposed development which are necessary to ensure no loss of privacy to the adjoining western properties.*
10. *No details have been provided with respect to the potential for contamination on the site to enable an adequate assessment of the proposal under SEPP55- Remediation of Land.*
11. *No details have been provided with respect to compliance with the BASIX – Building Sustainability Index in relation to the multi-unit residential component of the proposed development.*
12. *The proposed development is not in the public interest because it will result in a excessively high, bulky and intrusive development that will detract from the visual character and heritage significance of the Spot Heritage Conservation Area, and will create a development significantly lacking in carparking that will exacerbate the existing critical shortage of on-street and public carparking in The Spot.*

MOTION: (Kenny/Bastic) that Council as the responsible authority grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. D/43/2006 for demolition of the existing building, retaining two shop-front facades to St Paul Street, and construction of a part-3, part-4 storey mixed use development designed as 2 buildings with central courtyard and containing 2 retail shops, 10 residential dwellings with 4 carparking spaces provided with access off Aeolia Lane, and strata subdivision at 35-37 St Pauls Street, Randwick, subject to standard conditions. **LOST.**

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

8.6 DIRECTOR, CITY PLANNING REPORT 97/2006 - 707-745 ANZAC PARADE, MAROUBRA. (DA/255/2002/I)

311 **RESOLUTION: (Andrews/Nash) that:**

- A. Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No.255/2002 on property 707–745 Anzac Parade, Maroubra in the following manner:

Amend Condition 1 of the Development Consent Conditions to read:

*The development must be implemented substantially in accordance with the plans drawn by Crone Nation Architects, Revision C of drawings numbered with the prefix A2004/ ADA and individually numbered Z1054-Z1064 dated 25 October, 2002 and Revision B of drawings numbered with the prefix A2004/ ADA and individually numbered Z2000, Z2001, Z2005 and drawings numbered SK.02-SK.07 dated 18 September, 2002 except where amended by plans with prefix A2004/ADA and numbered Revision A of S6501, S6502, S6504, S6505- S6507, S6509, S6511, S6513, S6514, S6515, S6520, S6530-S6533 and Revision B of S6510, only insofar as they relate to the areas highlighted on the plans by way of a “cloud” in the north-western corner of Building I, the application form and any supporting information received with the application except as may be amended by the **Section 96 plans numbered:***

<i>Plan number</i>	<i>Plan date</i>	<i>Plan Revision</i>
<i>2129A/ ADA Z1056</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1057</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1058</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1059</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1060</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1061</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1062</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1063</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z1064</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z2001</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z2002</i>	<i>21 September 2006</i>	<i>BC</i>
<i>2129A/ ADA Z2003</i>	<i>21 September 2006</i>	<i>BC</i>

and the following elevation diagrams numbered:

<i>Plan number</i>	<i>Plan description</i>
<i>2129A/ ADA 52111</i>	<i>Building 5 North Elevation</i>
<i>2129A/ ADA 52112</i>	<i>Building 5 West Elevation</i>
<i>2129A/ ADA 52113</i>	<i>Building 5 East Elevation Courtyard</i>

and received by Council on 25 September 2006, only in so far as they relate to the modifications highlighted and clouded on the Section 96 plans and

detailed in the Section 96 application and only insofar as those changes are substantially related to the original approval 255/02.

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

8.7 DIRECTOR, CITY PLANNING REPORT 98/2006 - 707-745 ANZAC PARADE, MAROUBRA. (DA/1188/2003/B & LOT 8 DP1071735)

312 **RESOLUTION: (Andrews/Nash) that:**

- A. Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No.1188/2003 on property 707–745 Anzac Parade, Maroubra in the following manner:

*The development must be implemented substantially in accordance with the plans drawn by Crone Nation Architects, Revision C of drawings numbered with the prefix A2004/ ADA and individually numbered Z1054-Z1064 dated 25 October, 2002 and Revision B of drawings numbered with the prefix A2004/ ADA and individually numbered Z2000, Z2001, Z2005 and drawings numbered SK.02-SK.07 dated 18 September, 2002 except where amended by plans with prefix A2004/ADA and numbered Revision A of S6501, S6502, S6504, S6505- S6507, S6509, S6511, S6513, S6514, S6515, S6520, S6530-S6533 and Revision B of S6510, only insofar as they relate to the areas highlighted on the plans by way of a “cloud” in Building G and the southern section of Building I, the application form and any supporting information received with the application except as may be amended by the **Section 96 plans numbered:***

Plan number	Plan date	Plan Revision
2129A/ ADA Z1056	21 September 2006	BC
2129A/ ADA Z1057	21 September 2006	BC
2129A/ ADA Z1058	21 September 2006	BC
2129A/ ADA Z1059	21 September 2006	BC
2129A/ ADA Z1060	21 September 2006	BC
2129A/ ADA Z1061	21 September 2006	BC
2129A/ ADA Z1062	21 September 2006	BC
2129A/ ADA Z1063	21 September 2006	BC
2129A/ ADA Z1064	21 September 2006	BC
2129A/ ADA Z2001	21 September 2006	BC
2129A/ ADA Z2002	21 September 2006	BC
2129A/ ADA Z2003	21 September 2006	BC

and the following elevation diagrams numbered:

Plan number	Plan description
2129A/ ADA 52111	<i>Building 5 North Elevation</i>
2129A/ ADA 52112	<i>Building 5 West Elevation</i>
2129A/ ADA 52113	<i>Building 5 East Elevation Courtyard</i>

and received by Council on 25 September 2006, only in so far as they relate to the modifications highlighted and clouded on the Section 96 plans and

detailed in the Section 96 application and only insofar as those changes are substantially related to the original approval 255/02.

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

9. GENERAL MANAGERS' REPORTS.

9.1 GENERAL MANAGER'S REPORT 35/2006 - DISCLOSURE OF INTEREST RETURNS. (F2005/00800)

313 **RESOLUTION: (Andrews/Nash) that:**

- a) *the report be received and noted; and*
- b) *it be noted that the Disclosure of Interests Register has been tabled at the Ordinary Meeting of the Council held on 24 October, 2006.*

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

9.2 GENERAL MANAGER'S REPORT 36/2006 - PREMIER'S CRIME PREVENTION PARTNERSHIP. (F2004/07501)

314 **RESOLUTION: (Matson/Andrews) that:**

- a) *the report be received and noted, and*
- b) *the General Manager liaise with the Premiers Delivery Unit for joint funding of security personnel for the public toilets in Goldstein Reserve and that Councillors be notified of the outcome.*
- c) *Council acknowledges the good work of the Eastern Beaches Crime Prevention Partnership in developing and implementing initiatives and strategies to reduce the number of non-domestic related assaults and other related crime and anti-social behaviour.*

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

9.3 GENERAL MANAGER'S REPORT 37/2006 - 150TH ANNIVERSARY OF RANDWICK MUNICIPALITY 2009. (F2004/08383)

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

- 1) *Council set up a Working Party to oversee the 150th Anniversary Celebration of Randwick City Council and the projects that lead up to its commemoration;*
- 2) *Council supports the publication of a comprehensive history of Randwick City, with a view to launching it during the 150th Anniversary of the Council in 2009;*
- 3) *Council employ a professional historian for two years to research and write the history of Randwick City; and*
- 4) *Council manage the publication of the history of Randwick, contracting out the key*

elements of design, editing, indexing, proof-reading and printing to ensure a cost-effective, well-designed and professional publication.

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

9.4 GENERAL MANAGER'S REPORT 38/2006 - APPLICATION FOR SUPPLEMENTARY POLICING IN THE COOGEE BASIN. (F2004/07501)

316 **RESOLUTION: (Matson/Hughes) that:**

- a) *the Report be received and noted,*
- b) *Council acknowledge and support the Eastern Beaches Local Area Command's commitment to develop and implement strategies to reduce incidents of anti-social behaviour in the Coogee Basin;*
- c) *Council acknowledge and thank the Coogee Precinct Committee for their advice and input in the implementation of these strategies; and*
- d) *Council thank Mr Paul Pearce, State Member for Coogee and any individuals who have worked with the extra police resources at Coogee.*

MOTION: (Matson/Hughes) CARRIED – SEE RESOLUTION.

9.5 GENERAL MANAGER'S REPORT 39/2006 - TAKING THE NEXT STEP IN UNDERSTANDING, APPLYING & REPORTING ON RANDWICK'S ECOLOGICAL FOOTPRINT ANALYSIS OF THE EASTERN SUBURBS & ADJACENT LOCAL GOVERNMENT AREAS. (F2004/06495)

317 **RESOLUTION: (Andrews/Nash) that the report be received and noted.**

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

9.6 GENERAL MANAGER'S REPORT 40/2006 - PROCESS FOR MID-TERM REVIEW AND EVALUATION OF RANDWICK'S SUSTAINING OUR CITY INITIATIVE. (F2004/06495)

318 **RESOLUTION: (Andrews/Nash) that the report be received and noted.**

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

9.7 GENERAL MANAGER'S REPORT 41/2006 - RANDWICK'S SUSTAINING OUR CITY COMMUNITY & SCHOOLS EDUCATION INITIATIVES. (F2004/08350)

319 **RESOLUTION: (Andrews/Nash) that the report be received and noted.**

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

9.8 GENERAL MANAGER'S REPORT 42/2006 - 2007-2008 OCEAN THUNDER SURF BOAT SERIES. (F2004/08302)

320 **RESOLUTION:** *(Andrews/Nash) that Council:*

- a) *Approve, in principle, the holding of the Ocean Thunder Surf Boat series event to be held at Maroubra Beach on 16 February 2008;*
- b) *A further report be presented to Council once the cost to Council has been determined; and*
- c) *Staff liaise with event organisers to ensure that all Council conditions are satisfactorily complied with.*

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

10 DIRECTOR, CITY SERVICES' REPORTS.

10.1 DIRECTOR, CITY SERVICES' REPORT 75/2006 - CITY OF RANDWICK SIGNAGE STRATEGY - "CITY GATEWAY SIGNAGE". (F2004/06170)

321 **RESOLUTION:** *(Notley-Smith/Andrews) that the Gateway Signage, as proposed, be adopted.*

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

11. DIRECTOR, GOVERNANCE & FINANCIAL SERVICES' REPORTS.

11.1 DIRECTOR, GOVERNANCE & FINANCIAL SERVICES' REPORT 67/2006 - DETERMINATION OF THE LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2006/2007 FEES FOR COUNCILLORS AND MAYORS. (F2004/06576)

322 **RESOLUTION:** *(Andrews/Nash) that a Councillor's Annual Fee of \$17,795.00 and a Mayor's Annual Fee of \$47,275.00 be set for the 2006/2007 financial year in accordance with the Remuneration Tribunal's determination of 19 April 2006 and that these fees be effective from 1 July 2006.*

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

12. PETITIONS.

Nil.

13. MOTIONS PURSUANT TO NOTICE.

13.1 NOTICE OF RESCISSION MOTION BY COUNCILLORS NASH, PROCOPIADIS & ANDREWS –(HEALTH, BUILDING & PLANNING COMMITTEE MEETING – 10TH OCTOBER, 2006 – ITEM 6.7 – DEVELOPMENT APPLICATION REPORT – 96-98 ST PAULS STREET, RANDWICK. (D1082/2004 & PROP000231)

(Note: A rescission motion on this matter was submitted to the General Manager prior to the close of the meeting.)

323 **RESOLUTION: (Andrews/Procopiadis)** that the resolution passed at the Health, Building & Planning Committee Meeting held on 10th October, 2006 reading as follows:-

“that this matter be deferred in order for it to be referred back to the SEPP65 design review panel for reassessment.”

BE AND IS HEREBY RESCINDED.

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

324 **FURTHER RESOLUTION: (Andrews/Procopiadis)** that

A. *THAT Council as the responsible authority grant its consent under Section 96 (2) of the Environmental Planning and Assessment Act 1979 (as amended) to modify Development Consent No.1082/2004 on property at 96-98 St Pauls Street, Randwick, in the following manner:*

Amend Condition No. 1 to read:

1. The development must be implemented substantially in accordance with the plans numbered 020, 030-036, 040-044, 050-055, all Issue B, dated 1 23/03/05, prepared by Buzacottwebber and received by Council on 24/03/05, the application form and on any supporting information received with the application, except as may be amended by the details approved with the deferred commencement conditions and as amended by the Section 96 plans numbered 030 Issue F, 031 Issue E, both dated 16/01/2006 and received by Council on 17/01/2006; 032 Issue D, 033 Issue E, 034 Issue F, 035 Issue D, 036 Issue D, 040 Issue F, 041 Issue F, 042 Issue E, 043 Issue E, 044 Issue F, 050 Issue D, 051 Issue D, 052 Issue D, 053 Issue D, all dated 27/10/2005 and received by Council on 28/10/2005; 054 Issue E, dated 17/11/2005 and received by Council on 20/12/2005; 055 Issue E, dated 17/11/2005 and received by Council on 18/11/2005, only so far as they relate to the modifications detailed in the Section 96 application, except as may be amended by the Section 96 plans numbered 030 Issue H, 031 Issue G, 032 Issue F, 033 Issue H, 034 Issue I, 035 Issue F, 036 Issue F, 037 Issue E, 040 Issue I, 041 Issue I, 042 Issue H, 043 Issue G, 044 Issue H, 050 Issue G, 051 Issue F, 052 Issue G, 055, 053 Issue F, 054 Issue H, 055 Issue H, all dated 1/8/2006 and received by Council on 3 August, 2006 only so far as they relate to the modifications detailed in the Section 96 application, except as may be amended by the following conditions and as may be shown in red on the attached plans:

Amend Condition No. 134 to read:

134. Balconies of Units 4, 8, 10, 12 and 18 shall have fixed external louvre screens along the full length of their western elevation located adjacent to the inner face of the balustrade, with the louvres fixed in a horizontal position in order to restrict overlooking to the private open space and windows of 94 St Pauls Street, while Units 16 and 20 shall have a fixed external louvre screens along the western edge of the roof for the extent of the living room and balcony with the louvres fixed in a horizontal position in order to restrict overlooking to the private open space and windows of 94 St Pauls Street. Details shall be shown on the construction certificate plans prior to the issue of the construction certificate.

Amend Condition No. 135 to read:

135. *Balconies of Units 7, 9, 11 and 17 shall have fixed external louvre screens along the full length of their eastern elevation located adjacent to the inner face of the balustrade, with the louvres fixed in a horizontal position in order to restrict overlooking to the private open space of 14C Dudley Street and 14E Dudley Street, while Units 15 and 19 shall have a fixed eternal louvre screens along the eastern edge of the roof for the extent of the living room and balcony with the louvres fixed in a horizontal position in order to restrict overlooking to the private open space 14C Dudley Street and 14E Dudley Street . **Details shall be shown on the construction certificate plans prior to the issue of the construction certificate.***

Amend numbering of following conditions:

136. *The bedroom door of Unit 19 shall be relocated to allow separate access to the bathroom. Details shall be shown on the construction certificate plans **prior to the issue of the construction certificate.***
137. *Mechanical car stackers shall be deleted from the approval and the three spaces designated with double car stackers shall be used only as single car spaces. Details shall be shown as such on the plans **prior to the issue of the construction certificate.***
138. *The basement carpark in the development must allocate not less than one (1) car parking space to each residential unit and two (2) spaces as visitor spaces, one of which shall also be designated as a carwash space. Details of compliance with this condition are to be shown on the relevant plans for the construction certificate **prior to the issue of the construction certificate.***
139. *Access to the St Pauls Street shall be provided from the point of exit from the fire isolated passageway and details of such shall be shown on the construction certificate plans **prior to the issue of the construction certificate.***
140. *The landscape plan shall be revised to be consistent with the amended Section 96 architectural plans as approved and conditions of consent **prior to the issue of the construction certificate.***

Additional conditions

141. *Side and rear boundary fences behind the front building alignment shall be a maximum of 1.8m high and the landscape plan shall be amended accordingly **prior to the issue of the construction certificate.***
142. *The fixed screening along the western elevation of the balcony of Unit 18 (Level 4) shall be returned along its northern elevation for a length of 1m and shall be detailed as such on the construction certificate plans to the satisfaction of the certifying authority **prior to the issue of the construction certificate.***
143. *All external privacy screens shall be be non reflective and consist of anodised fixed horizontal aluminium bar screening and shall be detailed as such on the construction certificate plans **prior to the issue of the construction certificate.***

144. *The front entry doors to the building at the basement floor levels shall be re-located a further 1.3m to the south to remove the apparent conflict with the access door to the garbage room. Details in accordance with this requirement shall be shown on the construction certificate **plans prior to the issue of the construction certificate.***
145. ***Prior to the issue of the construction certificate** the landscape plans shall be amended to show consistency with the architectural plans with particular respect to terrace areas and planted areas adjacent to Units 1, 2 and 14. In this regard the paved terrace area on the eastern side of Unit 1 and the western side of Unit 2 shall have a maximum depth of 1.2m in front of the kitchen and the full width of Bedroom 2, and shall follow the line of the balconies above these units. The reclaimed areas of terrace shall be detailed as planted areas in both the architectural and landscape plans.*
146. *Eaves 1m in depth shall be provided to north facing balcony walls of Units 7, 8, 15, 16, 19 and 20 with the eaves to be integrated into the existing roof form and the retractable awnings on Units 7 and 8 shall be deleted from the design. Details shall be shown on the construction certificate plans to the satisfaction of the certifying authority **prior to the issue of the construction certificate.***
147. *Ventilated skylights shall be provided to the ensuites of Units 19 and 20, with the skylights to be of a translucent polycarbonate material, with a minimum size of 900mm x 900mm. Details be shown on the construction certificate plans to the satisfaction of the certifying authority **prior to the issue of the construction certificate***
148. *Weather protection shall be provided to the rear (southern) balconies by extending the non-trafficable roof of the building over the balconies of Units 19 and 20 by approximately 1m to align with the rear (southern most) walls adjacent to the west and east respectively to the balconies. Details in accordance with this requirement shall be shown on the construction certificate plans **prior to the issue of the construction certificate.***
149. *Weather protection shall be provided to the rear (southern) access door of the building by the provision of a glazed canopy projecting 1m from the building its width in alignment with the access path. Details in accordance with this requirement shall be shown on the construction certificate plans **prior to the issue of the construction certificate.***
150. *In order to make the rear (southern) access door of similar proportions to windows along the rear (southern) elevation, the Bedroom 1 of Unit 19 shall be relocated to the east to align with the window of Bedroom 3 of Unit 17 below and the rear (southern) access door shall be fully glazed and increased in width to the width of the internal access corridor. A new glazed window shall also be provided above the door aligned with and matching the door, with the top of the window in alignment with the top of window of Bedroom 3 of Unit 17. Details in accordance with these requirements shall be shown on the construction certificate plans **prior to the issue of the construction certificate.***

FURTHER MOTION: (Andrews/Procopiadis) CARRIED – SEE RESOLUTION.

A division was called for by Crs Hughes and Matson. Voting was as follows:-

For	Against
Andrews	Belleli
Bastic	Hughes
Kenny	Matson
Nash	Notley-Smith
Procopiadis	Woodsmith
Seng	
Sullivan	
Mayor, Cr. P. Tracey	
White	

13.2 MOTION BY COUNCILLOR NASH – CONSTRUCTION OF FOOTPATHS IN THE RANDWICK CITY AREA. (F2005/00434 XR F2005/00171)

325 **RESOLUTION:** *(Nash/Procopiadis)* that Council consider funding the construction of footpaths in the following streets as part of the 2007/2008 Budget-

1. *Beulah Street, Kingsford;*
2. *Lancaster Crescent, Kingsford;*
3. *Pardey Street, Kingsford;*
4. *Smith Street, Kingsford;*
5. *Walenore Avenue, Kingsford;*
6. *Sherwood Avenue, Kensington; and*
7. *Tunstall Avenue, Kensington on the western side between Day Avenue and Balfour Road.*

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

13.3 MOTION BY COUNCILLOR MATSON – EXTENSION OF COOGEE RESIDENT PREFERRED PARKING SCHEME. (F2004/07236 XR F2005/00171)

326 **RESOLUTION:** *(Matson/Woodsmith)* that Council extend the Coogee Resident Preferred Parking Scheme to cover both sides of Baden Street as a matter of priority before the summer beach-going period commences in earnest.

MOTION: (Matson/Woodsmith) CARRIED – SEE RESOLUTION.

13.4 MOTION BY COUNCILLOR MATSON – PENDING CLOSURE OF ECOLIVING PERMACULTURE GARDEN. (F2004/06574 XR F2005/00171)

327 **RESOLUTION:** *(Matson/Nash)* that Council write to the Director of UNSW Facilities, Alan Egan requesting that consideration be given to the management model proposed by the present users of the EcoLiving Permaculture Garden.

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

13.5 MOTION BY COUNCILLOR MATSON – ADOPTION OF NEW TELECOMMUNICATIONS AND RADIO COMMUNICATIONS DCP. (F2006/00373 XR F2005/00171)

328 **RESOLUTION:** *(Matson/Woodsmith) that:*

- a) *Council initiates all required steps towards the drafting and advertising for public submissions towards a new Telecommunications and Radiocommunications DCP.*
- b) *Further, that the DCP will have the clear intent of forcing telecommunication carriers to rigorously justify to Council how a proposed new piece of infrastructure fits the definition of “low impact” as defined under the Commonwealth Telecommunications Act.*
- c) *Further the new policy shall have the following objectives:*
 - 1) **Social**
 - a) *To apply a precautionary approach to the deployment of radiocommunications infrastructure;*
 - b) *To minimise EMR exposure to the public;*
 - c) *To avoid community sensitive locations;*
 - d) *To ensure that the general public and local communities have access to telecommunications technology;*
 - e) *To achieve equity for the various stakeholders by endeavouring to balance their various needs;*
 - f) *To enable members of the public to adequately identify infrastructure and the agencies responsible for them; and*
 - g) *To provide mechanisms by which information can be disseminated to ensure that the community is adequately informed and empowered to participate in the planning/decision-making process.*
 - 2) **Environmental**
 - a) *To help implement principles of urban design in respect to telecommunications and radiocommunications infrastructure;*
 - b) *To promote good industrial design of infrastructure;*
 - c) *To provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage building/areas and culture icons;*
 - d) *To minimise adverse impacts on the natural environment;*
 - e) *To assess whether the proposed infrastructure is consistent with the amenity of the area; and*
 - f) *To restore the site after discontinuation or removal of infrastructure.*
 - 3) **Economic**
 - a) *To identify the type of land use areas suitable for infrastructure in a local government area;*
 - b) *To accommodate the planning requirements of new technology;*
 - c) *To provide equitable availability of locations to carriers;*

- d) *To assess whether the proposed infrastructure is consistent with permitted development in adjacent areas;*
- e) *To ensure reasonable access to telecommunications technology; and*
- f) *To provide certainty for stakeholders and a consistent approach to the implementation of telecommunications infrastructure.*

4) **Administrative**

To ensure that Council obtains information about existing and proposed infrastructure to assist with strategic planning.

MOTION: (Matson/Woodsmith) CARRIED – SEE RESOLUTION.

13.6 MOTION BY COUNCILLOR MATSON – PROTECTING NSW WORKERS FROM WORKCHOICES BILL 2006. (F2004/06921 XR F2005/00171)

329 **RESOLUTION: (Matson/Procopiadis)** *that this motion be deferred to the next Council meeting for consideration of legal advice.*

MOTION: (Matson/Procopiadis) CARRIED – SEE RESOLUTION.

13.7 MOTION BY COUNCILLOR MATSON – CONSEQUENCES TO SYDNEY OF GLOBAL PEAK OIL PRODUCTION. (F2005/00166 XR F2005/00171)

330 **RESOLUTION: (Matson/Hughes)** *that:*

- a) *Council notes that it is considered that global oil production has now peaked and resolves to write to the Prime Minister and Leader of the Opposition as well as the Premier and the Leader of the NSW opposition seeking guidance as to what plans are being prepared to adjust Sydney's oil consumption in light of this event; and*
- b) *these questions be asked prior to the 2006 NSW State Election.*

MOTION: (Matson/Hughes) CARRIED – SEE RESOLUTION.

14. CONFIDENTIAL REPORTS.

14.1 CONFIDENTIAL DIRECTOR, CITY SERVICES' REPORT 76/2006 - TENDER NO T13/06. COUNCIL NURSERY STORMWATER DRAINAGE AND REUSE WORKS. (F2004/00104)

331 **RESOLUTION: (Andrews/Nash)** *that:*

1. *The tender from Pan Civil Pty Ltd for the Randwick City Council Nursery Stormwater Drainage and Re-use Works Tender T13/06 for the lump sum price of \$228,752.00 excluding GST be accepted under the Local Government (Tendering) Regulation 2005;*
2. *authority is granted to the General Manager in conjunction with the Mayor to sign and affix Council's Common Seal to the Agreement for the Randwick City Council Nursery Stormwater Drainage and Reuse Works Tender T13/06 with Pan Civil Pty Ltd; and*
3. *The unsuccessful Tenderers be notified of the tender result.*

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

14.2 CONFIDENTIAL DIRECTOR, CITY SERVICES' REPORT 77/2006 - COFFEE CART AND LOUNGES IN FOYER OF BOWEN LIBRARY -TENDER EVALUATION REPORT. (F2006/00377)

332 **RESOLUTION: (Andrews/Nash) that:**

- a) *The tender from Ground Zero for a Coffee Shop in the foyer of Bowen Library & Community Centre (T20/2006) be accepted;*
- b) *Authority is granted to the General Manager in conjunction with the Mayor to sign and affix Council's Common Seal to the Agreement for a Coffee Shop in the foyer of Bowen Library & Community Centre with Ground Zero; and*
- c) *The unsuccessful tenderer be notified of the tender result.*

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

14.3 CONFIDENTIAL DIRECTOR, CITY SERVICES' REPORT 78/2006 - RECEIVAL, RECOVERY AND DISPOSAL OF DRY WASTE TENDER REPORT. (F2006/00456)

333 **RESOLUTION: (Andrews/Nash) that Council:**

1. *Accepts the tender offered by WSN Environmental Solutions at \$287,410.00 (excluding s. 88(2) contribution and GST) per annum for the receival, recovery and disposal of dry waste: and*
2. *Delegates the General Manager authority to sign a contract with WSN Environmental Solutions to provide the service.*

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

15. NOTICE OF RESCISSION MOTIONS.

A notice of rescission motion on Item 13.1, 96-98 St Pauls Street, Randwick was submitted to the General Manager by Crs Hughes, Matson and Woodsmith and will be considered at the next Health, Building & Planning Committee Meeting on 21st November, 2006.

There being no further business, His Worship the Mayor, Cr P. Tracey, declared the meeting closed at 8.35 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 28TH NOVEMBER, 2006.

.....
CHAIRPERSON