

THESE MINUTES ARE DRAFT UNTIL CONFIRMED AT THE NEXT MEETING OF THIS COUNCIL AND/OR COMMITTEE

MINUTES OF PLANNING COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 12 NOVEMBER 2013 AT 6:28PM

Present:

- | | |
|--------------|--|
| North Ward | - Councillors K Neilson & L Shurey |
| South Ward | - Councillors R Belleli, N D'Souza & P Garcia |
| East Ward | - Councillors T Bowen, M Matson & B Roberts |
| West Ward | - Councillors G Moore (Chairperson), & H Stavrinos |
| Central Ward | - Councillors A Andrews, T Seng (Deputy Chairperson) & G Stevenson |

Officers present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoples
Director City Planning	Ms S Truuvert
Acting Director Governance & Financial Services	Mr D Kelly
Manager Development Assessment	Mr K Kyriacou
Senior Administrative Coordinator	Ms J Hartshorn
Communications Manager	Mr J Hay

The meeting was adjourned at 6.28pm and was resumed 6.51pm.

Apologies/Granting of Leave of Absences

Apologies were received from the Mayor (Cr Nash) and Cr Smith.

RESOLVED: (Roberts/Neilson) that the apologies received from the Mayor (Cr Nash) and Cr Smith be accepted and leave of absences from the meeting be granted.

Confirmation of the Minutes

CONFIRMATION OF THE MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON TUESDAY 8 OCTOBER 2013

PL97/13

RESOLUTION: (Roberts/Neilson) that the Minutes of the Planning Committee Meeting held on Tuesday 8 October 2013 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Andrews declared a pecuniary interest in Item D90/13 as he has a professional relationship with the owner of the property. Cr Andrews indicated that he would not take part in the debate or the voting on the matter.
- b) Cr Bowen declared a non significant non pecuniary interest in Item D91/13 as he knows the applicant.
- c) Cr Neilson declared a non significant non pecuniary interest in Item D93/13 as a former executive member of Randwick Precinct Committee. Cr Neilson indicated that she would not take part in the debate or the voting on the matter.
- d) Cr Neilson declared a non significant non pecuniary interest in Item D94/13 as some of the objectors are known to her.
- e) Cr Matson declared a non significant non pecuniary interest in Item D90/13 as the applicant is a former Council employee.
- f) Cr Garcia declared a non significant non pecuniary interest in Item D94/13 as some of the objectors are known to him.
- g) Cr Bowen declared a non significant non pecuniary interest in Item D94/13 as some of the objectors are known to him.
- h) Cr Matson declared a non significant non pecuniary interest in Item D94/13 as some of the objectors are known to him.
- i) Cr Moore declared a non significant non pecuniary interest in Item D94/13 as some of the objectors are known to him.

Address of Council by Members of the Public

Prior to consideration of the Agenda by the Committee, deputations were received in respect of the following matters:

D91/13 47 DENNING STREET, SOUTH COOGEE (DA/253/2006/A)

Applicant Adam Cogan

D94/13 32-34 CARR STREET, COOGEE (DA/725/2012)

Objector John Pearson

Applicant Eugene Marchese - representing the applicant

D95/13 211-213 ANZAC PARADE, KENSINGTON (DA/744/2012/C)

Applicant Tony Robb

D96/13 3 PARK AVENUE, RANDWICK (DA/472/2013)

Applicant Liam Hillier

D97/13 123-129 DOLPHIN STREET, COOGEE (DA/169/2011/A)

Objector Jane Poidevin

Applicant Francis Formakidis – representing the applicant

D98/13 150 -156 DONCASTER AVE, KENSINGTON (DA/656/2012/B)

Applicant Anthony Betros – representing the applicant

Procedural motion

RESOLVED:(Seng/Bowen) that Item D96/13 (3 Park Ave, Randwick (DA/472/2013)) be brought forward for immediate consideration.

The meeting was adjourned at 7.40pm and was resumed 7.58m.
Cr Andrews left the meeting at 7.40pm and did not return.

Urgent Business**UB9/13 Urgent Business - Super Typhoon Haiyan – Philippines
(F2011/00015)**

PL98/13 **RESOLUTION: (Garcia/Seng)** that Council:

- a) recognise the devastation caused by Super Typhoon Haiyan in Tacloban in the Philippines.
- b) note that the death toll from this typhoon might be more than 10,000.
- c) send to the Philippines Consulate a letter of sympathy on behalf of our residents.
- d) donate water purifying equipment or a monetary donation of equivalent value.

MOTION: (Garcia/Seng) CARRIED UNANIMOUSLY – SEE RESOLUTION.

Development Application Reports**D90/13 Development Application Report - 35 Denning Street, South Coogee
(DA/585/2013)**

PL99/13 **RESOLUTION: (Stevenson/D'Souza)** that Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 585/2013 for reconstruction of a portion of the existing southern retaining wall and construct a new timber paling fence above at No. 35 Denning Street, South Coogee, subject to the standard conditions contained in the development application compliance report attached to this report:

- a. **The key conditions relating to the retaining wall are provided below:**
8. A report must be obtained from a suitably qualified and experienced professional engineer/s, which includes the following details, to the satisfaction of the Certifying Authority for the development:
 - a) Detailed structural specifications including plans and sections showing the methodology of the repair work including methods of excavation and support for the adjoining land and buildings, demolition, the location of the adjoining storage room and pathway above and the method of support of existing structures.
 - b) The re-constructed part of the wall is to be a minimum of 1.3m or half the height of the wall and undertaken using new bricks and not the existing bricks. The length of the wall to be re-constructed should be a minimum of 6m and indicated on the methodology plan.
 - c) Details to demonstrate that the proposed methods of excavation, support and construction are suitable for the site and should not result in any damage to the adjoining property as a result of the works and any associated vibration.
 - d) Details confirming a suitably qualified structural engineer will oversee the building works and certify the works at their completion.

- e) The adjoining land and buildings located upon the adjoining land must be adequately supported at all times throughout demolition, excavation and building work, to the satisfaction of the Principal Certifying Authority.
- f) Written approval must be obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place) and details must be provided to the *Certifying Authority*.
- h) Details in relation to notification of the adjoining property regarding access and the insurance and licence requirements of the builder undertaking the physical works.

Support of Adjoining Land, Excavations & Retaining Walls

21. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 E of the *Environmental Planning & Assessment Regulation 2000*, it is a prescribed condition that the adjoining land and buildings located upon the adjoining land must be adequately supported at all times.
22. 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 must 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.

Details of proposed retaining walls, shoring, piling or other measures are to be submitted to and approved by the Principal Certifying Authority.

23. Prior to undertaking any demolition, excavation or building work in the following circumstances, a report must be obtained from a *professional engineer* which details the methods of support for the dwelling or associated structure on the adjoining land, to the satisfaction of the *Principal Certifying Authority*:
- when undertaking excavation or building work within the zone of influence of the footings of a dwelling or associated structure that is located on the adjoining land;
 - when undertaking demolition work to a wall of a dwelling that is built to a common or shared boundary (e.g. semi-detached or terrace dwelling);
 - when constructing a wall to a dwelling or associated structure that is located within 900mm of a dwelling located on the adjoining land;
 - as may be required by the *Principal Certifying Authority*.

The demolition, excavation and building work and the provision of support to the dwelling or associated structure on the adjoining land, must also be carried out in accordance with the abovementioned report, to the satisfaction of the *Principal Certifying Authority*.

Building Encroachments (public domain)

24. There must be no encroachment of any structures or building work onto Council's road reserve, footway, nature strip or public place.

Retaining Wall Encroachments (adjoining property)

25. The reconstructed wall must not encroach the adjoining property boundary at

No. 37 Denning Street.

26. **Supervision of Works**

A suitably qualified structural engineer must oversee the re-construction works and certify the works upon their completion.

MOTION: (Stevenson/D'Souza) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D91/13 Development Application Report - 47 Denning Street, South Coogee (DA/253/2006/A)

PL100/13

RESOLUTION: (Shurey/Stavrinou) that Council, as the consent authority, grants consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify the Development consent No. DA/253/2006/A for raise the garage floor level, provide a subfloor storage area beneath the garage, increase the internal width of the driveway, a new entrance to the dwelling and additional landscaping at No. 47 Denning Street, Coogee, in the following manner:

Amend Conditions Nos.1 and 39 to read:

1. The development must be implemented substantially in accordance with the plans numbered DA1, DA2, DA3, DA4 and DA5, dated March 2006 and received by Council on 10 February 2006, the application form and on any supporting information received with the application, as amended by the **Section 96 plans numbered A01c, A02c, A03c & A04c, dated 07.06.13 and received by Council on the 13th June 2013, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application**, except as may be amended by the following conditions and as may be shown in red on the attached plans:
39. In order to ensure the retention of the stand of *Banksia integrifolia* (Coastal Banksia's) growing on the sloped embankment within Council's reserve, on the unformed portion of Wisdom Street, to the north of the site in good health, the following measures are to be undertaken:
 - a. All detailed documentation submitted for the Construction Certificate application shall show the retention of the existing trees adjoining the proposed works, with the position of their trunks and full diameter of their canopies clearly shown on all drawings.
 - b. There is to be no storage of materials or machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble within 2.5 metres of the trunks of any of these trees within Council's reserve.
 - c. Prior to the commencement of any works associated with the sub-floor/storage area, an initial trench is to be dug by hand along the northern wall of the works, where it falls within a radius of 3.5 metres of their trunks (measured off the outside edge at ground level), with the trench to be a minimum depth of 600mm and a minimum width of 200mm, and must be careful not to damage any roots during this process.
 - d. Prior to proceeding with any further works, Council's Landscape Development Officer (9399-0613) must be contacted, giving at least 2 working days notice, to inspect the trench and any roots encountered.
 - e. Where roots are in direct conflict with the works and approval is given for their pruning, they must be cut cleanly by hand using hand held tools, with the affected area to be backfilled with clean site soil as soon as

practically possible.

- f. The PCA must ensure that a construction method such as contiguous piling or a similar approved alternative is used for the wall that is shown on the common boundary on dwg A01c for the new sub-floor/storage area 03, as well as for the northern wall of sub-floor/storage area 02.

MOTION: (Shurey/Stavrinos) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D92/13 Development Application Report - 1 Fleming Street & 30-36 Harvey Street, Little Bay (DA/1113/2010/E)

PL101/13

RESOLUTION: (Shurey/Stavrinos) that Council, as the consent authority, grants consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development No. DA/1113/2010/E at 1 Fleming Street and 30-36 Harvey Street, Little Bay, in the following manner:

A. Amend Condition No. 1 to read:

1. The development must be implemented substantially in accordance with the following plans:

Plan Number	Dated	Received	Prepared By
A0.001 (2)	17-12-10	17 December 2010	Bates Smart Pty Limited
A0.002 (3)	17-12-10	17 December 2010	
A1.001 (2)	17-12-10	17 December 2010	
A1.002 (6)	17-12-10	17 December 2010	
A2.00 (6)	17-12-10	17 December 2010	
A2.01 (7)	17-12-10	17 December 2010	
A2.02 (6)	17-12-10	17 December 2010	
A2.03 (6)	17-12-10	17 December 2010	
A2.04 (7)	17-12-10	17 December 2010	
A2.05 (7)	17-12-10	17 December 2010	
A2.06 (6)	17-12-10	17 December 2010	
A2.07 (6)	17-12-10	17 December 2010	
A2.08 (6)	17-12-10	17 December 2010	
A2.000 (6)	24-05-12	13 June 2012	
A2.002 (7)	24-05-2012	13 June 2012	
A2.003 (7)	24-05-2012	13 June 2012	
A2.004 (7)	24-05-2012	13 June 2012	
A2.005 (6)	24-05-2012	13 June 2012	
A2.008 (6)	24-05-2012	13 June 2012	
A2.009 (6)	24-05-2012	13 June 2012	
A5.001 (1)	17-12-10	17 December 2010	
A5.002 (1)	17-12-10	17 December 2010	
A7.003 (4)	17-12-10	17 December 2010	
A8.001 (4)	24-05-2013	13 June 2012	
A8.002 (4)	24-05-2013	13 June 2012	
A8.003 (4)	24-05-2013	13 June 2012	
A8.004 (1)	17-12-10	17 December 2010	
Draft subdivision plans	dated 14 Dec 2010 and 17 December 2010	17 December 2010	Denny Linker and Co.
Screen Details (Heritage Presentation – 11 February 2011)		17 March 2011	Bates Smart Pty Limited

only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, and as amended by the following **Section 96 plans "E"**:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
A2.001 (E)	BATESSMART	2 July 2013	18 July 2013
A2.003 (F)	BATESSMART	2 July 2013	18 July 2013
A2.006 (F)	BATESSMART	2 July 2013	18 July 2013
A2.007 (F)	BATESSMART	2 July 2013	18 July 2013
A3.107 (L)	BATESSMART	2 July 2013	18 July 2013
A7.001 (G)	BATESSMART	1 July 2013	18 July 2013
A7.002 (H)	BATESSMART	28 June 2013	18 July 2013
A7.003 (G)	BATESSMART	28 June 2013	18 July 2013
SK-127 (B)	BATESSMART	1 July 2013	18 July 2013

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received by Council</i>
350830M_6	22 August 2013	

B. Amend Condition No. 5 to read:

5. Public access to the visitor's car parking spaces is to be maintained at all times and an intercom system is to be provided adjacent to the vehicular entrance to the car park together with appropriate signage providing instructions for use.

A total of **201** car parking spaces (including 11 disabled spaces and no more than 12 visitor spaces) are to be provided and maintained within the basement car park of Buildings 'A' and 'B'.

Each unit must be allocated at least one (1) car space. The remaining spaces (25) must be allocated according to the following:

- Nil (0) to two (2) EXTRA spaces per three (3) bedroom unit.
- Nil (0) to one (1) extra car space per two (2) bedroom unit.

Details of compliance are to be indicated on the Construction Certificate plans and final strata subdivision plans

C. Amend Condition No. 10 to read:

10. The development must be implemented substantially in accordance with the General Terms of Approval issued by the Heritage Council of NSW as detailed in the letter from the Council dated **23 October 2013**.

A section 65A application will be required to modify the original consent (2011/s60/84) for the redevelopment, issued on the 13 January 2012.

MOTION: (Shurey/Stavrinos) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D93/13 Development Application Report - 10 Frenchmans Road, Randwick (DA/740/2006/A)

PL102/13

RESOLUTION: (Shurey/Stavrinos) that, Council, as the consent authority, grants development consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No DA/740/2006 for the modification of the approved development by adding an internal staircase to the attic level within the caretaker's room and new bathroom and skylights at attic level for 10 Frenchmans Road, Randwick in the following manner:

A. Amend Condition 1 to read:

1. The development must be implemented substantially in accordance with the architectural plans numbered A03, A04, A05 and A09 dated December 2006 and received by Council on 19 December 2006, and Landscape Plan numbered 06.111 dated 26 July 2006 and received by Council 12 September 2006, the application form and on any supporting information received with the application, **and as amended by the Section 96'A' plans numbered 01 through to 03, prepared by M&O Drafting Pty Ltd., dated 9 September 2013 and received by Council on 13 September 2013**, except as may be amended by the following conditions.

B. Include new Conditions 68 and 69 to read:

68. No approval is granted for the construction of the staircase, bedroom and bathroom which are associated with the caretaker's room within the attic of the existing boarding house. Consent is only granted for the use of the staircase, bedroom and bathroom which are associated with the caretaker's room.
69. The caretaker's quarters are restricted to no more than one (1) person who ordinarily resides therein.

C. Include the following advisory note:

- A1 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 requirements is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million. Alternatively, Council may issue a penalty infringement notice (for up to \$1,500) for each offence. Council may also issue notices and orders to demolish unauthorised or non-complying building work, or to comply with the requirements of Council's development consent.

MOTION: (Shurey/Stavrinos) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D94/13 Development Application Report - 32-34 Carr Street, Coogee (DA/725/2012)

PL103/13 **RESOLUTION: (Roberts/Bowen) -**

- A. That Council does not support the objections to development standards under SEPP 1 in respect to non-compliance with Clauses 20F(1), 20G(2) and 20G(4) of Randwick Local Environmental Plan 1998 (Consolidation), relating to maximum floor space ratio, maximum building height and maximum external wall height, respectively, on the grounds that the proposed development does not comply with the objectives of the above clauses, and will adversely affect the amenity of the locality, and that the Department of Planning & Infrastructure be advised accordingly.
- B. That Council, as the consent authority, refuses development consent under Sections 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 725/2012 for the demolition of existing dwellings, construction of a part 3/part 4 storey multi unit development with 10 units, basement car parking for 19 vehicles, landscaping and associated works (SEPP1 objection to floor space ratio and wall height controls) at No. 32-34 Carr Street, Coogee, for the following reasons:
 1. The SEPP 1 objections to the FSR and building height standards in RLEP 1998 are not well founded.

2. The proposal is not in the public interest as it will detract from the character of the area and will adversely impact the amenity of adjoining and neighbouring residents.

MOTION: (Roberts/Bowen) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D95/13 Development Application Report - 211-213 Anzac Parade, Kensington (DA/744/2012/C)

PL104/13

RESOLUTION: (Bowen/Stavrinos) that Council, as the consent authority, modify the development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, for Development Application No. DA/744/2012/C for 211 Anzac Parade Kensington in the following manner:

Amend Condition No. 72 to read:

72 The applicant shall meet the full cost for the overhead power lines located along the Anzac Parade site frontage to be aerially bundled. The applicant shall liaise directly with the relevant service utility authorities to organise for the wires to be bundled. All cables/wires must be bundled to the satisfaction of the relevant service utility authority prior to the issuing of an occupation certificate for the development.

MOTION: (Stevenson/Matson) that Council, as the consent authority, refuses the application to modify the development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, for Development Application No. DA/744/2012/C for 211 Anzac Parade Kensington for the following reasons:

1. the cost for the undergrounding of the cables for this application should be borne by the applicant as with many other developments in the area.
2. the undergrounding of cables will improve the streetscape and result in clean sight lines. **LOST.**

A **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor D'Souza	Councillor Belleli
Councillor Matson	Councillor Bowen
Councillor Neilson	Councillor Garcia
Councillor Shurey	Councillor Moore
Councillor Stevenson	Councillor Roberts
	Councillor Seng
	Councillor Stavrinos
Total (5)	Total (7)

MOTION: (Bowen/Stavrinos) CARRIED - SEE RESOLUTION.

A **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Belleli	Councillor D'Souza
Councillor Bowen	Councillor Shurey
Councillor Garcia	Councillor Stavrinos
Councillor Matson	
Councillor Moore	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	

Councillor Stevenson

Total (9)**Total (3)****D96/13 Development Application Report - 3 Park Avenue, Randwick
(DA/472/2013)**

PL105/13

RESOLUTION: (Seng/Bowen) that the application be deferred to allow for the submission of amended plans that provide for the lowering of the footpath at the front of 1 and 3 Park Avenue, at the applicant's expense.

MOTION: (Seng/Bowen) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D97/13 Development Application Report - 123-129 Dolphin Street, Coogee
(DA/169/2011/A)**

PL106/13

RESOLUTION: (Shurey/Stavrinos) that Council as the consent authority, grants development consent under Section 96(1A) of the Environmental Planning and Assessment Act 1979 to modify Development Consent No DA/169/2011 by increasing lift size, internal changes to Unit 2.04, alteration to Arden Street building fire stair with new walls at ground level, alteration to units 301, 401 and 501, extension in floor slab at second floor of Dolphin street building on north side, addition of operable pergolas and planters for units 502 and 503 facing Dolphin Street at 123-129 Dolphin Street, Coogee, in the following manner:

A Amend Condition No. 1 to read:

- The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

<i>Plan</i>	<i>Revision</i>	<i>Drawn by</i>	<i>Stamped</i>
DA01	G	Julie Cracknell & Peter Lonergan Architects	14 November 2011
DA02	G		
DA03	G		
DA04	G		
DA05	G		
DA06	G		
DA07	G		
DA08	G		
DA09	G		
DA12	G		

<i>Landscape Plan</i>	<i>Revision</i>	<i>Drawn by</i>	<i>Stamped</i>
LP 01/B	B	Narelle Sonter Botanica	14 March 2011

<i>Basix Certificate</i>	<i>Number</i>	<i>Date</i>
123 Dolphin Street	348606M	13 December 2010

only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, **and as amended by the Section 96 "A" plans and supporting documentation listed below:**

<i>Plan</i>	<i>Revision</i>	<i>Drawn by</i>	<i>Stamped</i>
S96 202		Arkivis	16 July 2013
S96 203			
S96 204			
S96 205			
S96 206			
S96 301			
S96 302			

S96 303		
S96 304		
S96 401		

except as may be amended by the following conditions and as may be shown in red on the attached plans:

B Add Condition No. 133 as follows:

133. All references to alterations to the lower ground car park level to match the existing level shall be deleted from the Section 96 "A" drawings referred to in Condition No. 1.

C Add Condition No. 134 as follows:

134. The extent of the masonry privacy screen to the third floor level of the Dolphin Street building is to be reduced by setting it back to the front edge of the terraces and reducing its height to 1.8m, in order to minimise the streetscape prominence of the additional level. Amended drawings 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.

D Add Condition No. 135 as follows:

135. The proposed concrete block boundary wall to the Arden Street building shall be rendered and painted in a recessive colour compatible with the paint finish to the heritage item on the corner of Dolphin Street and Arden Street, in order to improve its consistency with the adjacent rendered façade. Amended drawings and details of the proposed colours, materials and textures (ie- a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director 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.

E Amend Condition No. 62 to read as follows:

62. Landscaping at this site must be installed substantially in accordance with the Landscape Plan by Narelle Sonter Botanica, job no. 100708, sheet 1 of 1, issue B, dated 02.11.10, subject to the following changes being shown on an amended plan, which must be submitted to, and be approved by, the PCA, prior to the commencement of works;
- a. So as to ensure the line of sight of approaching vehicles and pedestrians is not obscured when exiting the site, the row of 6 x SRD (*Strelitzie reginae*) shown along the western edge of the internal driveway shall be replaced with an alternative species that will not exceed 600mm in height at maturity;
 - b. An informal access path such as stepping stones or similar must be incorporated into the densely planted deep soil zone at the rear to facilitate future maintenance;
 - c. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm, with a construction detail to be submitted;
 - d. In order to reduce the amount of storm-water generated by the site, as well as to recharge groundwater supplies, porous/permeable paving shall be used in all hard surfacing not over slab;
 - e. To ensure satisfactory maintenance of the landscaped areas, an automatic drip irrigation system shall be installed throughout all planted areas. Details shall be provided showing that the system will be connected to the sites rainwater tanks, with back-up connection to the mains supply, in

accordance with all current Sydney Water requirements;

- f. All detention tanks and below ground stormwater infiltration systems located within the landscaped areas shall have a minimum soil cover of 600mm to ensure sufficient soil depth for the establishment of planting;
- g. Details of the species proposed for the raised planter shown on the amended Third Floor Plan by Arkivis, sheet no. S96 205, job no 00213S96, issue A dated 12.07.13, along the southern sides of Units 502-503, must be provided, and is to be consistent with the style of treatment that is shown for the ground floor landscaped areas, while also including spill-over type groundcovers that can cascade over the edge of this planter.

MOTION: (Shurey/Stavrinos) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D98/13 Development Application Report - 150 -156 Doncaster Ave, Kensington (DA/656/2012/B)

PL107/13

RESOLUTION: (Shurey/Stavrinos) that Council, as the consent authority, grants consent under Section 96(2) of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Application No. DA/656/2012/B through deletion of roof top decks and structures, extend slabs of rear block by 300mm to north and south boundaries, amendment to approved opening sizes, add floor space to bedrooms at level three (3), provide habitable roof space within the existing terrace building, add dormer windows to new terraces fronting Doncaster Ave, and various internal reconfigurations across the development at No. 150–156 Doncaster Ave, Kensington, in the following manner:

- **Amend Condition No. 1 as follows:**
Approved Plans & Supporting Documentation
 1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

<i>Plan</i>	<i>Rev</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
DA0.02	B	Fox Johnston	14 January 2013	15 January 2013
DA1.01				
DA1.02				
DA1.03				
DA1.04				
DA1.05				
DA1.06				
DA2.01				
DA2.02				
DA2.03				
DA2.04				
2140-01	D	Peter Glass & Assoc.		
2140-02				
Sample Board: (150-156 Doncaster Ave, Kensington)		Fox Johnston	Not dated	12 October 2012

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
Multi Dwelling	449156M_03	14 January 2013

as amended by the **Section 96 plans only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application**, except as may be amended by the following conditions and as may be shown in red on the attached plans:

Plan	Rev	Drawn by	Dated	Received by Council
DA1.02	C	Fox Johnston	10 May 2013	8 July 2013
DA1.03				
DA1.04				
DA1.05				
DA1.06				
DA2.01	D			
DA2.02	C			
DA2.03				

BASIX Certificate	No.	Dated	Received by Council
Multi Dwelling	449156M_04	3 July 2013	8 July 2013
Alterations & Additions	A148587_03	4 July 2013	
Alterations & Additions	A148571_03	4 July 2012	

Non standard conditions

- **Amend Condition No. 2 as follows:**
Privacy measures
2. Privacy measures shall be provided in accordance with the commitments detailed on the approved plans and the following additions;
 - c) Units numbered 301 and 304:
 - ***The side elevation balcony returns shall be trafficable to a maximum 750mm in width. The approved planters should be increased to cover the remaining non trafficable area;***
 - A minimum of two (2) full height sliding screens shall be installed to those kitchen and living windows with north or south aspects.
 - d) ***The north elevation bathroom window corresponding to unit number 105 shall be obscured to a minimum height of 1600mm above finished floor level.***

Details demonstrating compliance shall be incorporated in the Construction Certificate documentation.

- **Delete Condition No. 3:**
Rooftop terraces:
3. ~~Privacy measures shall be implemented in accordance with the following:~~
 - a) ~~The roof top terraces associated with units 301 and 304 shall be reduced to be no greater than 16 square metres in trafficable area each. The terraces shall not be trafficable within 12 metres of the northern or southern side boundaries;~~
 - b) ~~The erection of any structure on the roof top terraces, whether temporary or permanent is prohibited. The terraces are to remain open and remain for the private use of the associated dwelling. After market privacy screens~~

e) ~~Planting shall be maintained in the planter boxes of the terraces in accordance with the landscape plan.~~

▪ **Amend Condition No. 8 as follows:**

8. The colours, materials and finishes of the external surfaces to the development must be consistent with the relevant approved plans, documentation and colour schedules including the submitted 'Sample Board', referenced '150-156 Doncaster Ave, Kensington', prepared by Fox Johnston and received by Council on 12 October 2012.

Further detail is required of the design, materials and finishes of the proposed screens/shading to front terraces of new building at the front of the site. Details 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.

External surfaces to the development are to be compatible with the existing building, surrounding buildings in the heritage conservation area and consistent with the architectural style of the building.

All materials used within the development shall be treated so as to minimise the impact of reflectivity upon neighbouring sites. This may be achieved through powder coating or anodizing treatments.

▪ **Amend Condition No. 112 as follows:**

Landscaping

112. Prior to issuing a Final (or any type of interim) Occupation Certificate, certification from a qualified professional in the landscape/horticultural industry must be submitted to, and be approved by, the PCA, confirming the date that the completed landscaping was inspected, and must state that landscaping at the site has been installed substantially in accordance with the Ground Floor + Level Three & Roof Level Landscape Plans by Peter Glass & Associates, dwg no's 2140-01 - 02, issue D, dated 14/01/13, **including the treatment provided to the raised planters along the northern, western and southern edges of apartment 301, and the southern edge of Apt 304 (part of S96B)** as well as the relevant conditions of consent, with the owner/s to implement strategies to ensure that it is maintained in a healthy and vigorous state until maturity.

MOTION: (Shurey/Stavrinos) CARRIED UNANIMOUSLY - SEE RESOLUTION.

Miscellaneous Reports

Nil.

Notice of Rescission Motions

Nil.

The meeting closed at 8.34pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 3 December 2013.

.....
CHAIRPERSON