

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, 3 DECEMBER 2013 AT 6:06PM**

Present:

The Mayor, Councillor S Nash (West Ward)

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

Officers present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoules
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr G Banting
Manager Development Assessment	Mr K Kyriacou
Senior Administrative Coordinator	Ms J Hartshorn
Communications Manager	Mr J Hay
Manager Sustainability	Mr P Maganov

Apologies/Granting of Leave of Absences

An apology was received from Cr Andrews.

RESOLVED: (Smith/Stavrinou) that the apology received from Cr Andrews be accepted and leave of absence from the meeting be granted.

Confirmation of the Minutes

**CONFIRMATION OF THE MINUTES OF THE PLANNING COMMITTEE MEETING
HELD ON TUESDAY 12 NOVEMBER 2013**

PL108/13

RESOLUTION: (Smith/Stavrinou) that the Minutes of the Planning Committee Meeting held on Tuesday 12 November 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 Neilson declared a non-significant non pecuniary interest in Item D108/13 as some of the objectors are known to her.
- b) Cr Neilson declared a non-significant non pecuniary interest in Item M17/13 as some of the objectors are known to her.
- c) Cr Neilson declared a non-significant non pecuniary interest in Item M19/13 as some of the objectors are known to her.
- d) Cr D'Souza declared a significant non pecuniary interest in Item D100/13 as he owns property in the vicinity. Cr D'Souza indicated that he would not take part in the debate of the vote on the matter.

Procedural motion

RESOLVED (Smith/Mayor, Cr Nash) that Item D106/13 be brought forward for immediate consideration.

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:

D101/13 9 SEASIDE PARADE SOUTH COOGEE (DA/303/2013)

Objector Martin Linnartz - Architect representing the objector

For Ian Poole - Architect representing the applicant

D102/13 3 MINNEAPOLIS CRESENT, MAROUBRA (DA/486/2012/A)

Applicant Anthony Betros – representing the applicant

D105/13 697-699 ANZAC PARADE, MAROUBRA (DA/107/2013)

Applicant Anthony Betros – representing the applicant

D107/13 87 STOREY STREET, MAROUBRA - DA/570/2013

Applicant Anthony Betros – representing the applicant

D108/13 4 HOLKHAM AVENUE, RANDWICK (DA/392/2013)

Applicant Anthony Betros – representing the applicant

Urgent Business

Nil.

Development Application Reports

D100/13 Development Application Report - 1/484 Bunnerong Road, Matraville (DA/666/2013)

Note: Having previously declared an interest, Cr D'Souza left the chamber and took no part in the debate or voting on this matter.

PL109/13

RESOLUTION: (Garcia/Stavrinos) 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. DA/666/2013 for the change of use of an existing physiotherapy clinic to a remedial Thai massage clinic including signage, with hours of operation from 10am to 9pm Monday to Sunday, at

No. 1/484 Bunnerong Road, Matraville, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non standard conditions:

2. Details of signage to the shop front windows must be submitted to Council's Manager of Development Assessment for approval prior to the commencement of the use.

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

**D101/13 Development Application Report - 9 Seaside Parade South Coogee
(DA/303/2013)**

PL110/13 **RESOLUTION: (Smith/Garcia) -**

- A. That Council supports the application to vary a development standard under clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clause 4.4 (2a)(c) of Randwick Local Environmental Plan 2012, relating to maximum floor space ratio, on the grounds that the proposed development complies with the objectives of the above clause and will not adversely affect the amenity of the locality and that the Department of Planning and Infrastructure be advised accordingly.
- B. 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. DA/303/2013 for demolition of the existing dwelling and construction of a new part 2 and part 4 storey dwelling with garage, swimming pool and associated works, at No. 9 Seaside Parade, South Coogee, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:
 1. The trafficable terrace above the garage to the front of the dwelling is to be deleted; this area is to be non-trafficable. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.
 2. The deck at the rear of level 4 must be reduced in depth by 2m. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.
 3. The deck at the rear of level 5 must be reduced in depth by 600mm. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.
 4. The pergola structure above the deck at the rear of level 3 is to be deleted. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.
 5. Details of fencing on northern and southern side boundaries must be submitted to and approved by Council's Manager Development Assessment prior to the issue of a construction certificate.
 6. The existing outbuilding structure with proposed terrace above, indicated for retention on the plans of level one and two in the development application, is to be demolished and removed from the site. This area is to be landscaped with low-level vegetation and ground levels are to

match existing levels adjacent to the common boundary between Nos 9 and 11 Seaside Parade. Details are to be submitted to and approved by Council's Manager Development Assessment prior to the issue of a construction certificate.

MOTION: (Smith/Garcia) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D102/13 Development Application Report - 3 Minneapolis Crescent, Maroubra (DA/486/2012/A)

PL111/13

RESOLUTION: (Smith/Garcia) 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/486/2012 at 3 Minneapolis Crescent, Maroubra, in the following manner:

A. Amend Condition No. 1 to read:

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

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
A1010	ALE X	31/07/2012	1 August 2012
A2003 , 2204 & A2205		31/07/2012	1 August 2012
A2201 & A2202		23/08/2012	30 August 2012
A3001 & A3002		31/07/2012	1 August 2012
A3101 to A3103		31/07/2012	1 August 2012
A3104		31/07/2012	30 August 2012
A9001		31/07/2012	1 August 2012
L01	Habitation	18/07/2012	1 August 2012

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received by Council</i>
421673M	31 July 2012	1 August 2012

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 "A"**:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
A2201	ALE X	31/07/2012	5 August 2013
A2202		31/07/2012	5 August 2013
A2003		31/07/2012	5 August 2013
A2204		31/07/2012	5 August 2013
A2005		31/07/2012	5 August 2013
A3001		31/07/2012	5 August 2013
A3002		31/07/2012	5 August 2013
A3103		31/07/2012	5 August 2013
A3104		31/07/2012	5 August 2013

B. Amend Condition No. 20 to read:

- The vehicular access driveways, internal circulation ramps and the carpark areas, (including, but not limited to, the ramp grades, carpark layout and height clearances) are to be in accordance with the requirements of AS2890.1:2004. The Construction Certificate plans must demonstrate compliance with these requirements.*

C. Condition 2e is to be retained.

MOTION: (Smith/Garcia) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D103/13 Development Application Report - 205 Oberon Street, Coogee -
DA/500/2010/B**

PL112/13 **RESOLUTION: (Smith/Garcia)** that Council, as the consent authority, modifying the development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/500/2010/B to allow the replacement of garage to Unit 1 with open carport, decrease front set back of Unit 2 garage and construction of storage area adjacent to Unit 1 carport, at No. 205 Oberon Street, Coogee in the following manner:

A. Amend Condition No. 1 to read:

1. The development must be implemented substantially in accordance with the plans numbered DA01 to DA14 and stamped received by Council on 11 February 2011, the application form and on any supporting information received with the application, except as may be amended by the

- Section 96 'A' plans numbered S9601 – S9614, Issue S96, dated 23/10/12 and received by Council on 24 October 2012
- **Section 96 'B' plans numbered S9601 – S9614, Issue A, dated 26/09/13 and received by Council on 27 September 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:

MOTION: (Smith/Garcia) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D104/13 Development Application Report - 33 Harvey Street, Little Bay
(DA/628/2013)**

PL113/13 **RESOLUTION: (Smith/Garcia) -**

A. That Council supports the Exception to Development Standard pursuant to Clause 4.6 of Randwick Local Environmental Plan (LEP) 2012, in respect to the non-compliance with Clause 4.3 of the same LEP relating to building height, on the grounds that the proposed development complies with the objectives of the above clause, and will not unreasonably affect the amenity of the adjoining premises and the locality, and that the Department of Planning and Infrastructure be advised accordingly.

B. 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. DA/628/2013 for construction of a 5-storey residential flat building containing 55 apartments, basement car parking for 72 vehicles, landscaping and associated works and Strata subdivision, at No. 33 Harvey Street, Little Bay, subject to the conditions of consent attached to the "Compliance Report".

Non standard conditions

2. The approved plans and documents must be amended in accordance with the following requirements:
 - a) The awnings above the main pedestrian entries on the western elevation of the building shall be re-designed so that they are setback a minimum of 8m from the western boundary.

In addition, any new fencing structures within 8m from the western boundary shall be constructed with non-combustible materials.

- b) The full-height screens at the ends of the common hallways on all storeys (on both the eastern and western elevations of the building) shall be replaced with balustrades of not more than 1200mm in height above finished floor levels.
 - c) Suitable security lighting must be installed along the pedestrian pathways adjacent to the eastern and western boundaries of the site. The lighting devices must have the light source positioned not higher than 1.2m above the finished ground level, and must be directed towards the ground.
3. The following apartments as shown on the approved drawings shall be dedicated to Randwick City Council in accordance with the terms set out in the Deed of Agreement between Landcom (i.e. Urban Growth NSW) and Randwick City Council dated 4 March 2004:

Ground level	G.01	Two-bedroom unit
Level 1	G.04	Two-bedroom unit
Level 2	1.04	Two-bedroom unit

MOTION: (Smith/Garcia) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D105/13 Development Application Report - 697-699 Anzac Parade, Maroubra (DA/107/2013)

PL114/13

RESOLUTION: (Stevenson/Matson) 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. DA/107/2013 for demolition of existing building and construction of 7 storey mixed use development comprising 6 commercial/retail tenancies, 50 residential units, 3 basement levels with car parking for 55 vehicles, landscaping and associated works at No 697-699 Anzac Parade, Maroubra, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non standard conditions

Amendment of Plans & Documentation

- 2 The approved plans and documents must be amended in accordance with the following requirements:
 - 2a. Apartments 106 and 206 at the western perimeter of the site adjacent to the pool area of No 108 Boyce Rd, Maroubra must be redesigned in accordance with plans DA01.05 & DA01.06 both version dwg No. C dated 29/10/2013 so that the setback of the building is increased to a minimum of 3m at levels 1 & 2.
 - 2b. A privacy screen having a height of 1.6m must be provided to the southern edge of the courtyard of Unit 106. The privacy screens must be permanently fixed and constructed with either obscure glass, metal or timber slats, horizontally or vertically positioned, with any openings not exceeding 25% of the surface areas of the screens.
 - 2c. The proposed brick screen to Anzac Pde at levels 1 & 2 must be deleted from the plans.

- 2d. Unit 605 and the associated fire stairs at the upper level shall be deleted from the plans. Details must be submitted to Council's Manager Development Assessment for approval prior to the issuing of a construction certificate.
- 2e. The floor to ceiling height at level 1 shall be reduced to 2.7m so that the overall height of the building is lowered by 600mm. Details must be submitted to Council's Manager Development Assessment for approval prior to the issuing of a construction certificate.
- 2f. Two car share spaces must be provided within the basement of the development. The applicant/developer must enter into an agreement with a car share provider and pay the costs associated with the provision of the car share vehicles including the membership fees for residents of the building for a period of 10 years. The applicant/developer must provide details to Council of the agreement with the car share provider and the payments made to ensure the provision of the car share spaces prior to an occupation certificate being issued. Should only one car share space be feasible based on the likely occupancy of the proposed development, the applicant/developer must provide Council with written confirmation from two car share providers that a second car space is not viable, upon which the development will be only required to provide one car share space.
- 2g. A positive covenant must be placed on the title of the subject land requiring the owners corporation to continue to provide in perpetuity, 1 or 2 car share spaces in the development consistent with Condition 2f. Details are to be provided to Council's Manager Development Assessment for approval prior to the issuing of an occupation certificate
- 2h. A positive covenant must be placed on the title of the subject land requiring the owners corporation to continue to provide in perpetuity a car share space in the development. Details are to be provided to Council's Manager Development Assessment for approval prior to the issuing of an occupation certificate

MOTION: (Stevenson/Matson) CARRIED UNANIMOUSLY - SEE RESOLUTION.

D106/13 Development Application Report - 15 Seaside Parade, South Coogee (DA/529/2013)

PL115/13 **RESOLUTION: (Smith/Mayor, Cr Nash)** that the application be deferred in accordance with the applicant's request.

MOTION: (Smith/Mayor, Cr Nash) CARRIED UNANIMOUSLY – SEE RESOLUTION.

D107/13 Development Application Report - 87 Storey Street, Maroubra - DA/570/2013

PL116/13 **RESOLUTION: (Roberts/Stavrinou)** that the application be deferred to allow for the submission of amended plans and mediation with the neighbours.

AMENDMENT: (Neilson/Smith) that Council, as the consent authority, refuses development consent under Section 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 570/2013 to legitimise the use of an existing secondary dwelling at the rear of the site at No. 87 Storey Street, Maroubra, for the following reasons:

- The proposal does not satisfy Clause 22(3)(b) within the State Environmental Planning Policy for Affordable Rental Housing 2009 in that the proposal exceeds

the maximum permissible floor area for secondary dwellings.

- The proposed development does not satisfy the objectives and controls for site coverage as detailed in Clause 2.3 of the Randwick Comprehensive Development Control Plan in that the subject site does not provide adequate areas for private open space, deep soil permeable surfaces in accommodating the existing dwelling house and unauthorised structures.
- The proposed development does not satisfy the objectives and controls for landscaping and permeable surfaces as detailed in Clause 2.4 of the Randwick Comprehensive Development Control Plan in that the subject premises is deficient in providing suitable areas to allow for stormwater infiltration from the subject site.
- The proposed development does not satisfy the objectives and controls for private open space as detailed in Clause 2.5 of the Randwick Comprehensive Development Control Plan in that the subject premises does not provide for contiguous private open space to accommodate the recreational needs of the occupants.
- The proposed development does not satisfy the objectives and controls for side setback requirements as detailed within Clause 3.3 of the Randwick Comprehensive Development Control Plan in that the unauthorised building works will adversely impact the amenity with respect to the visual bulk of the building as viewed from the private open space of the adjoining properties.
- The proposal is not in the public interest and does not satisfy Section 79C(i)(e) of the Environmental Planning and Assessment Act 1979. **LOST ON THE CASTING VOTE OF THE CHAIRPERSON.**

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

FOR	AGAINST
Councillor Bowen	Councillor Belleli
Councillor D'Souza	Councillor Moore (+ casting vote)
Councillor Garcia	Councillor Nash
Councillor Matson	Councillor Roberts
Councillor Neilson	Councillor Seng
Councillor Shurey	Councillor Stavrinou
Councillor Smith	Councillor Stevenson
Total (7)	Total (7)

AMENDMENT: (Stevenson/Seng) that the application be deferred for amended plans. **LOST.**

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

FOR	AGAINST
Councillor Seng	Councillor Belleli
Councillor Stevenson	Councillor Bowen
	Councillor D'Souza
	Councillor Garcia
	Councillor Matson
	Councillor Moore
	Councillor Nash
	Councillor Neilson

	Councillor Roberts
	Councillor Shurey
	Councillor Smith
	Councillor Stavrinou
Total (2)	Total (12)

AMENDMENT: (Neilson/Bowen) that the application be deferred for mediation and the submission of amended plans that comply with the relevant Council controls.
WITHDRAWN WITH THE CONSENT OF THE SECONDER.

MOTION: (Roberts/Stavrinou) 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 Bowen
Councillor Matson	Councillor D'Souza
Councillor Moore	Councillor Garcia
Councillor Nash	Councillor Neilson
Councillor Roberts	Councillor Seng
Councillor Shurey	
Councillor Smith	
Councillor Stavrinou	
Councillor Stevenson	
Total (9)	Total (5)

D108/13 Development Application Report - 4 Holkham Avenue, Randwick (DA/392/2013)

PL117/13

RESOLUTION: (Stavrinou/Seng) 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. 392/2013 for the demolition of existing dwelling, construction of a 4 storey residential flat building with 9 units, basement carparking for 14 vehicles, landscape and associated works at No. 4 Holkham Avenue, Randwick, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non standard conditions

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:
 - 2.1 Drawings must be prepared at 1:50 sections showing the major elements that will affect the aesthetics of the proposed building such as sun-shading devices and balustrade details, planter boxes etc. Details must be submitted to Council's Manager Development Assessment for approval prior to the issuing of a construction certificate.
 - 2.2 Ceiling fans must be provided in all habitable rooms and clearly marked on the plans.
 - 2.3 Window and door operation must be designed to optimise natural ventilation and clearly marked on the elevations. Weather protection must be provided to exposed openings and particularly to east elevation facing the street. Details must be submitted to Council's Manager Development Assessment for approval prior to the issuing of a

construction certificate.

- 2.4 Fixed privacy screens shall be installed on half of each bedroom window opening in the south and north elevation of the proposed building to screen overlooking of the adjoining southern and northern properties.
- 2.5 Fixed privacy screens shall be installed all along the north-facing and south-facing glazed wall of Units 8 and 9 respectively on Level 3 to screen overlooking of the adjoining southern property.
- 2.6 Fixed privacy screens shall be installed on the edge of the north-facing living/dining room balcony of Unit 7 for the length of the first two window bays measured from the north-western corner of the building to screen overlooking of the adjoining northern property.
- 2.7 Raised planter beds at 600mm wide and 1m deep shall be provided along the southern edge of the proposed southern footpath adjacent to Unit 1 to provide a corridor of landscaping for softening the proposed development to the adjoining and surrounding properties.
- 2.8 The surplus in bicycle spaces must be allocated for 1 motorcycle. Details must be submitted to Council's Manager Development Assessment for approval prior to the issuing of a construction certificate.

MOTION: (Neilson/Matson) that Council, as the consent authority, refuses development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 392/2013 for the demolition of existing dwelling, construction of a 4 storey residential flat building with 9 units, basement carparking for 14 vehicles, landscape and associated works at No. 4 Holkham Avenue, Randwick, for the following reason:

- impacts on the amenity of surrounding neighbours. **LOST.**

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

FOR	AGAINST
Councillor Neilson	Councillor Belleli
	Councillor Bowen
	Councillor D'Souza
	Councillor Garcia
	Councillor Matson
	Councillor Moore
	Councillor Nash
	Councillor Roberts
	Councillor Seng
	Councillor Shurey
	Councillor Smith
	Councillor Stavrinos
	Councillor Stevenson
Total (1)	Total (13)

MOTION: (Stavrinos/Seng) 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 Neilson

Councillor Bowen
 Councillor D'Souza
 Councillor Garcia
 Councillor Matson
 Councillor Moore
 Councillor Nash
 Councillor Roberts
 Councillor Seng
 Councillor Shurey
 Councillor Smith
 Councillor Stavrinou
 Councillor Stevenson
Total (13)

Total (1)

**D109/13 Development Application Report - 23 Hunter Avenue, Matraville
 (DA/703/2012/B)**

PL118/13

RESOLUTION: (Smith/Garcia) that Council, as the consent authority, grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No DA/703/2012 to modify the approved development by making alterations to the roof form and to increase the wall height for 23 Hunter Avenue, Matraville in the following manner:

• **Amend Condition 1 to read:**

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>Drawn by</i>	<i>Dated</i>	<i>Received</i>
DA01 (Revision D)	Archispectrum	7 March 2013	12 March 2013
DA02 (Revision C)			

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
	453683M	30 October 2012

as amended by the following Section 96'B' plans:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received</i>
DA01 (Revision E)	Archispectrum	14 October 2013	20 Nov 2013
DA02 (Revision D)			

The meeting was adjourned at 7.16pm and was resumed at 7.30pm.

Miscellaneous Reports

**M17/13 Miscellaneous Report - CBD and South East Light Rail -
 Environmental Impact Statement Submission (F2013/00263)**

PL119/13

RESOLUTION: (Bowen/Garcia) that Council:

- a) endorse the draft submission in Attachment 1 for forwarding to the Department of Planning and Infrastructure as a submission on the CSELR EIS, subject to the following additional comments:
 1. that Council notes the report by Infrastructure for NSW (October 2012), which supported light rail to Randwick and also indicated the next

extension of heavy rail to the Eastern Suburbs should be from Bondi Junction to Randwick and Maroubra Junction and that Council request the State Government to commit to this as part of its Strategic Transport Masterplan.

2. that the State Government be asked to commit that the light rail should not being used to justify the Urban Activation Precincts and notes that light rail is justified by the existing densities under the Randwick LEP 2012.
 3. that the number of bus services should be increased to meet the future demands created by the commuters in Randwick City.
 4. that Council supports an underground pedestrian pathway at the proposed Anzac Parade/Moore Park tunnel.
 5. that a dedicated cycle/pedestrian way be provided together with light rail. It is noted that cycle ways may need to be created along other streets rather than Anzac Parade.
- b) agree that the Director City Planning may make minor modifications to rectify any typographical, numerical or interpretation errors, make minor amendments within the scope of the recommendations, and clarify formatting in finalising the submission.

MOTION: (Matson/Stavrinos) that Council:

- a) endorse the draft submission in Attachment 1 for forwarding to the Department of Planning and Infrastructure as a submission on the CSELR EIS, subject to the following additional comments:
 1. that Council supports an underground pedestrian pathway at the proposed Anzac Parade/Moore Park tunnel;
 2. that a dedicated cycle/pedestrian way be provided together with light rail. It is noted that cycle ways may need to be created along other streets rather than Anzac Parade.
- b) agree that the Director City Planning may make minor modifications to rectify any typographical, numerical or interpretation errors, make minor amendments within the scope of the recommendations, and clarify formatting in finalising the submission.

AMENDMENT: (Bowen/Garcia) that Council notes the report by Infrastructure for NSW (October 2012), which supported light rail to Randwick and also indicated the next extension of heavy rail to the Eastern Suburbs should be from Bondi Junction to Randwick and Maroubra Junction and that Council request the State Government to commit to this as part of its Strategic Transport Masterplan. **CARRIED (ON THE CASTING VOTE OF THE CHAIRPERSON) AND BECAME THE MOTION.**

Crs Matson and Stavrinos called for a DIVISION.

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

FOR	AGAINST
Councillor Belleli	Councillor Matson
Councillor Bowen	Councillor Nash
Councillor D'Souza	Councillor Roberts
Councillor Garcia	Councillor Seng

Councillor Moore (+ casting vote)	Councillor Shurey
Councillor Neilson	Councillor Smith
Councillor Stevenson	Councillor Stavrinou
Total (7)	Total (7)

AMENDMENT: (Bowen/Garcia) that the State Government be asked to commit that the light rail should not be used to justify the Urban Activation Precincts and notes that light rail is justified by the existing densities under the Randwick LEP 2012. **CARRIED AND BECAME THE MOTION.**

AMENDMENT: (Bowen/Garcia) that the number of bus services should be increased to meet the future demands created by the commuters in Randwick City. **CARRIED AND BECAME THE MOTION.**

Crs Matson and Stavrinou called for a **DIVISION.**

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

FOR	AGAINST
Councillor Belleli	Councillor Matson
Councillor Bowen	Councillor Nash
Councillor D'Souza	Councillor Roberts
Councillor Garcia	Councillor Seng
Councillor Moore	Councillor Smith
Councillor Neilson	Councillor Stavrinou
Councillor Shurey	
Councillor Stevenson	
Total (8)	Total (6)

AMENDMENT: (Matson/Roberts) that Randwick City Council regards the CBD and South East light rail proposal as being the most effective solution to road congestion available at the present time, given the history and current political realities. **LOST ON THE CASTING VOTE OF THE CHAIRPERSON.**

Councillors Matson and Stavrinou called for a **DIVISION.**

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

FOR	AGAINST
Councillor Matson	Councillor Belleli
Councillor Nash	Councillor Bowen
Councillor Roberts	Councillor D'Souza
Councillor Seng	Councillor Garcia
Councillor Shurey	Councillor Moore (+ casting vote)
Councillor Smith	Councillor Neilson
Councillor Stavrinou	Councillor Stevenson
Total (7)	Total (7)

AMENDMENT: (Bowen/Garcia) CARRIED AND BECAME THE MOTION.
MOTION: (Bowen/Garcia) CARRIED – SEE RESOLUTION.

Councillors Matson and Smith called for a **DIVISION.**

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

FOR	AGAINST
Councillor Belleli	Councillor Matson
Councillor Bowen	Councillor Nash
Councillor D'Souza	Councillor Roberts
Councillor Garcia	Councillor Smith
Councillor Moore	Councillor Stavrinis
Councillor Neilson	
Councillor Seng	
Councillor Shurey	
Councillor Stevenson	
Total (9)	Total (5)

M18/13 Miscellaneous Report - Seeking Council approval to apply to IPART for continuation of the environmental levy, 2014-2019 (F2013/00475)

PL120/13

RESOLUTION: (Matson/Stavrinis) that Council:

- apply to IPART for a 6% special variation to rates for five years to fund environment programs and projects;
- endorse the broad list of programs and projects outlined above for the continuation of the environmental levy program for 2014 to 2019; and
- write to the State Government and continue to lobby for an increase in the maximum pensioner rebate.

AMENDMENT: (Stevenson/Bowen) that Council:

- apply to IPART for a 6% special variation to rates for five years to fund environment programs and projects;
- endorse the broad list of programs and projects outlined above for the continuation of the environmental levy program for 2014 to 2019; and
- commit to increasing the maximum pensioner rebate and to absorbing as much of this levy as possible. **LOST.**

Councillors Stevenson and Smith called for a **DIVISION**.

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

FOR	AGAINST
Councillor Bowen	Councillor Belleli
Councillor Moore	Councillor D'Souza
Councillor Stevenson	Councillor Garcia
	Councillor Matson
	Councillor Nash
	Councillor Neilson
	Councillor Roberts
	Councillor Seng
	Councillor Shurey
	Councillor Smith
	Councillor Stavrinis
Total (3)	Total (11)

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

**M19/13 Miscellaneous Report - Malabar Headland Remediation Update
(F2012/00390)**

PL121/13

RESOLUTION: (Shurey/Stavrinos) that:

- a) the report be received and noted.
- b) Council express concern to the Commonwealth Government that there have been no meetings of Community Consultation Forum since July 2013 and that there is nothing on the Commonwealth website about leachate.
- c) it was noted that the Beachwatch water monitoring only monitors bacteria and not other contaminants.

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

Notice of Rescission Motions

Nil.

The meeting closed at 9.25pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 11 February 2014.

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CHAIRPERSON