

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, 8 APRIL 2014 AT 6:02PM

Present:

The Mayor, Councillor S Nash (West Ward)

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| 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 (from 6.21pm) |
| West Ward | - Councillors G Moore (Chairperson) & H Stavrinou |
| Central Ward | - Councillors A Andrews, T Seng (Deputy Chairperson) & G Stevenson |

Officers Present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoplos
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr G Banting
Manager Development Assessment	Mr K Kyriacou
Manager Administrative Services	Mr D Kelly
Communications Manager	Mr J Hay
Manager Corporate & Financial Planning	Mr M Woods
Manager Strategic Planning	Mr A Bright
Manager Development Assessments	Mr K Kyriacou

Apologies/Granting of Leave of Absences

Nil.

Confirmation of the Minutes

CONFIRMATION OF THE MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON TUESDAY 11 MARCH 2014

PL29/14

RESOLUTION: (Stavrinou/Neilson) that the Minutes of the Planning Committee Meeting held on Tuesday 11 March 2014 (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 Shurey declared a non significant non pecuniary interest in item D39/14 as her husband is employed by the architects involved.

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:

D38/14 62 MARKET STREET, RANDWICK (DA/147/2010/B)

Objector Brett Daintrey on behalf of Objector

Applicant Jeremy Capes-Baldwin

D41/14 14 EASTBOURNE AVENUE, CLOVELLY (DA/469/2011)

For Revel Gordon - Applicant

Urgent Business

Nil.

Development Application Reports

D38/14 Development Application Report - 62 Market Street, Randwick (DA/147/2010/B) (DA/147/2010/B)

PL30/14

RESOLUTION: (Mayor, Cr S Nash/Bowen) that Council, as the consent authority, grants development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/147/2010 for modification of the approved development by modifying Condition No.4 to allow the screen planting adjacent to southern boundary to grow to 4m – 5m in height at No. 62 Market Street, Randwick, subject to the following condition:

Amend Condition No. 4 to read:

4. The proposed screen planting directly adjacent to the southern side boundary at the rear of the dwelling shall be clipped and maintained to an approximate maximum height of:
 - a) **4m** for the initial 5.3m section of the screen planting (as measured from the eastern edge of the screen planting); and
 - b) **5m** for the remaining section of the screen planting.

The trees shall be clipped and maintained in accordance with above specified heights at all times.

MOTION: (Mayor, Cr S Nash/Bowen) CARRIED - SEE RESOLUTION.

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

FOR	AGAINST
Councillor Andrews	Councillor Matson

Councillor Belleli
 Councillor Bowen
 Councillor D'Souza
 Councillor Garcia
 Councillor Moore
 Councillor Nash
 Councillor Seng
 Councillor Smith
 Councillor Stavrinou

Councillor Neilson
 Councillor Shurey
 Councillor Stevenson

Total (10)

Total (4)

**D39/14 Development Application Report - 2/90-96 Beach Street, Coogee
 (DA/96/2014) (DA/96/2014)**

PL31/14 **RESOLUTION: (Andrews/Stavrinou)**

- A. That Council supports the exception to a development standard under Clause 4.6 of the Randwick Local Environmental Plan 2012 in respect to non-compliance with Clause 4.4 of the Randwick Local Environmental Plan 2012, relating to 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 & 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/96/2014 for Alterations and additions to Unit 2 including removal of internal walls and extension to the living area, at No. 2/90-96 Beach Street, Coogee, 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. The existing planter boxes on the southern and south-eastern edges of the private open space for Unit 2 are to be retained. Plans are to be amended to reflect this requirement, prior to the issue of a construction certificate.

MOTION: (Andrews/Stavrinou) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D40/14 Development Application Report - 146A Anzac Parade, Kensington
 (DA/95/2014) (DA/95/2014)**

- PL32/14 **RESOLUTION: (Andrews/Stavrinou)** 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/95/2014 for the change of use and fit out as a Traditional Thai Massage premises, at No. 146A Anzac Parade, Kensington, subject to the standard conditions contained in the development application compliance report attached to this report:

MOTION: (Andrews/Stavrinou) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D41/14 Development Application Report - 14 Eastbourne Avenue, Clovelly
 (DA/469/2011) (DA/469/2011/B)**

- PL33/14 **RESOLUTION: (Andrews/Bowen)** 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/469/2011 for modification of the approved development by extension of ground and first floors to rear, internal changes, alteration to roof line, alteration to front first floor balcony, increase in width of garage door, increase in level of front patio and deletion of pool at No. 14 Eastbourne Avenue, Clovelly, 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

- **Amend Condition No. 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 Number</i>	<i>Dated</i>	<i>Received</i>	<i>Prepared By</i>
DA01a	2/11/11	4 November 2011	Michael Folk Architects and Interiors Pty. Ltd.
DA02a	2/11/11		
DA05a	2/11/11		

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received</i>
A115876	23 June 2011	27 June 2011

as amended by the following Section 96 details:

<i>Plan Number</i>	<i>Dated</i>	<i>Received</i>	<i>Prepared By</i>
DA01b	1/03/12	18 April 2012	Michael Folk Architects and Interiors Pty. Ltd.
DA02b	1/03/12		

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received</i>
A115876_03	1 March 2012	18 April 2012

As amended by the following Section 96 details:

<i>Plan Number</i>	<i>Dated</i>	<i>Received</i>	<i>Prepared By</i>
S9601[C]	10/02/14	12 February 2014	Michael Folk Architects and Interiors Pty. Ltd.
S9602[C]	10/02/14		

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received</i>
A115876_04	11 February 2014	12 February 2014

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:

- **Add the following Conditions to Condition No. 3:
Amendment of Plans & Documentation**

3. The approved plans and documents must be amended in accordance with the following requirements:
 - iv) The rear balcony shall be deleted from the development. The rear first floor glass doors shall be replaced with windows with a minimum sill height of 1.2m above the internal floor level.

- v) The following window must have a minimum sill height of 1.6m above floor level, or alternatively, the window is to be fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:

- West facing first floor window to the master bedroom (W26)

Details demonstrating compliance with the conditions above shall be submitted to Council for approval prior to a (amended) Construction Certificate being issued for the development.

Note: An amended BASIX certificate is required to be submitted to Council and the PCA in accordance with the amendments required above.

- **Amend Condition No. 11 to read:
Section 94A Development Contributions**

11. In accordance with Council's Section 94A Development Contributions Plan effective from 12 July 2012, based on an added development cost of \$85,017.60 to a total of \$563,517.60, the following applicable monetary levy must be paid to Council: \$5,635.17

The levy must be paid in cash, bank cheque or by credit card prior to a construction certificate being issued for the proposed development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of Council's determination to the date of payment.

Council's Section 94A Development Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick or at www.randwick.nsw.gov.au.

- **Delete Conditions 45, 46, 47, & 48**

- **Add the following Condition:
Council's Infrastructure, Vehicular Crossings, street verge**

- 51a) The applicant must meet the full cost for a Council approved contractor to:

- Reconstruct/extend the concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site, to council's requirements. This condition must be satisfied prior to the must be complied with prior to the 'Principal Certifying Authority' issuing an 'Occupation Certificate'. Note: For the purpose of this consent, any reference to 'occupation certificate' shall also be taken to mean 'interim occupation certificate' unless otherwise stated

- **Delete Condition No. 60.**

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

Miscellaneous Reports

Nil.

Notice of Rescission Motions

Nil.

The meeting closed at 6.25pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 13 May 2014.

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CHAIRPERSON