

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, 13 MAY 2014 AT 6:03PM

Present:

The Mayor, Councillor S Nash (West Ward)

- | | |
|--------------|---|
| North Ward | - Councillors K Neilson, L Shurey & K Smith |
| South Ward | - Councillors R Belleli & N D'Souza |
| East Ward | - Councillors T Bowen, M Matson & B Roberts |
| West Ward | - Councillors G Moore (Chairperson), & H Stavrinou |
| Central Ward | - Councillors A Andrews (arrived 6.45pm), T Seng (Deputy Chairperson) & G Stevenson |

Officers present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoules
Director City Planning	Ms S Truvert
Director Governance & Financial Services	Mr G Banting
Manager Development Assessment	Mr K Kyriacou
Senior Administrative Coordinator	Ms J Hartshorn
Communications Manager	Mr J Hay
Economic Development Officer	Ms S Williamson

The meeting was adjourned at 6.04pm and was resumed at 6.05pm.

Apologies/Granting of Leave of Absences

An apology was received from Cr Garcia.

RESOLVED: (Stavrinou/Belleli) that the apology received from Cr Garcia 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 8 APRIL 2014

PL34/14

RESOLUTION: (Stavrinou/Belleli) that the Minutes of the Planning Committee Meeting held on Tuesday 8 April 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 Stavrinou declared a pecuniary interest in Item D45/14 as he is the applicant's accountant. Cr Stavrinou indicated that he would not take part in the debate or the vote on the matter.
- b) Cr Stavrinou declared a non significant non pecuniary interest in Item D48/14 as the applicant is known to him and he is a frequent customer of the Café.
- c) Cr Smith declared a pecuniary interest in Item D42/14 as his employer has a business relationship with the applicant. Cr Smith indicated that he would not take part in the debate or the vote on the matter.
- d) Cr Neilson declared a significant non pecuniary interest in Item D42/14 as she made submissions to Council on the matter as a previous member of the executive of the Randwick Precinct Committee and as a number of the objectors are known to her. Cr Neilson indicated that she would not take part in the debate or the vote on the matter.
- e) Cr Bowen declared a significant non pecuniary interest in Item D47/14 as a relative of his owns property in very close proximity to the proposed development. Cr Bowen indicated that he would not take part in the debate or the vote on the matter.
- f) Cr Andrews declared a non significant non pecuniary interest in Item D48/14 as the applicant is known to him.
- g) The Mayor, Cr Nash, declared a non significant non pecuniary interest in Item D48/14 as the applicant is known to him.
- h) Cr Roberts declared a non significant non pecuniary interest in Item D48/14 as the applicant is known to him.
- i) Cr Moore declared a non significant non pecuniary interest in Item D48/14 as the applicant is 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:

D42/14 2 ST MARKS ROAD, RANDWICK (DA/98/2010/D) - DEFERRED

Applicant Anthony Betros – representing the applicant

D44/14 15 BOND STREET, MAROUBRA (DA/566/2013) DEFERRED

Objector Adam Gruszka

Applicant Fiona Morton

D45/14 149 PEROUSE ROAD, RANDWICK (DA/694/2013) - DEFERRED

Objector Paul Jose

Applicant Chris Papadoulas

D46/14 323 MALABAR ROAD, MAROUBRA (DA/490/2012/A)

Applicant Rodney Yannakis

D47/14 230A CARRINGTON ROAD, RANDWICK (DA/632/2013)

Objector Karen McKenzie-Wilson – representing the objectors

Applicant John Spiteri – representing the applicant

D48/14 10-16 BREAM STREET, COOGEE (DA/656/2011/C)

Applicant Tim Hughes

The meeting was adjourned at 7.03pm and was resumed at 7.20pm.

Urgent Business

Nil.

Development Application Reports

D42/14 Development Application Report - 2 St Marks Road, Randwick (DA/98/2010/D) - Deferred

Note: Having previously declared interests, Crs Neilson and Smith left the chamber and took no part in the debate or voting on this matter.

PL35/14

RESOLUTION: (Andrews/Roberts) that Council, as the responsible Consent Authority, grant consent under Section 96(2) of the Environmental Planning and Assessment Act 1979 to modify Development Consent No DA/98/2010 by removing and relocating three (3) existing exhaust fans on the roof and relocating new fans and alterations within the roof void area at No. 2 St Marks Road, Randwick, subject to the following conditions:

A. Amend Condition No. 1 to read:

1. The development must be implemented substantially in accordance with the plans numbered DA01 to DA05, stamped received by Council 18 February 2010, the application form and on any supporting information received with the application, as amended by the following: -
 - Section 96 'A' plans numbered DA01, DA02, DA04, DA05, stamped and received by Council on the 24th of December 2010 and DA03 Rev A stamped and received by Council on the 27th of January 2011
 - Section 96 'B' plans numbered DA2.20, DA3.10, and DA3.20 all dated 7/08/2012, drawn by Philip Leamon and Associates, stamped and received by Council on 27 August 2012, and
 - Section 96 'C' plans numbered DA2.10C, DA2.20C and DA3.20C, all dated 5 November 2012, prepared by Philip Leamon and Associates and received by Council in 30 November 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
 - Section **96 'D' plans numbered 1 of 2 (Revision B), prepared by Speedy Ventilation Pty Ltd. And received by Council on 31 March 2014; and plans numbered DA3.10 (Revision G), DA3.20 (Revision G), DA2.10 (Revision G) and DA2.20 (Revision G), all dated 28 March 2014, prepared by Philip Leamon and Associates and received by Council in 31 March 2014, only in so far as they relate to the modifications highlighted on the Section 96'D' plans and detailed in the Section 96'D' application, except as may be amended by the following conditions and as may be shown in red on the attached plans:**

B. Amend number of conditions:

115. Architectural details are to be submitted of the metal balustrade of the reinstated corner balcony. Heritage advice should be sought to ensure

accurate reconstruction of the open balcony. 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.

116. Architectural details are to be submitted of any required modification of existing metal balustrades to the northern balcony for BCA compliance. Modifications are to be carried out to avoid damage to original balustrades. 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.
117. Details of the proposed paint scheme to the underside of the new ground level awning 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.
118. Any false ceiling should be installed to ensure the plaster cornices are not damaged and so that these ceilings can be removed in future.
119. Stone cladding to columns should be installed so that surfaces are not damaged and so that this cladding can be removed in future.

Plant and Equipment

120. The proposed operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations.
121. The existing windows which will be affected by the lift installation must be retained (including interior joinery details including architraves and sills) and blanked off to obscure the view of the lift shaft from the exterior.
122. Hydraulic details are to be submitted of the proposed lift installation indicating the extent of the required over-run above the proposed lift to confirm that there is no penetration of the existing roof. 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.
123. Any additional false ceilings and cladding to walls and columns must be installed to ensure that original surfaces such as plaster cornices are not damaged and so that these elements can be removed in future.

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

124. The store room must be designed, constructed and operated in accordance with the *Food Act 2003*, *Food Regulation 2010*, Australia & New Zealand Food Standards Codes and Australian Standard AS 4674-2004, Design, construction and fit-out of food premises.

C. Add the following conditions:

125. Prior to commencing any works or before a Construction Certificate is issued in relation to the works the subject of the S96 Modification DA/98/2010/D (which ever comes first), a statement is to be prepared by a suitably qualified and experienced acoustic consultant (and a copy is to be forwarded to Council), verifying that the proposed works, as contained within the section 96'D' application, when undertaken will be sufficient to ensure that the noise from all mechanical plant and equipment associated with the premise will comply with

the intrusive and amenity criteria requirements, as detailed in the NSW EPA Industrial Noise Policy and also the condition No. 15 of DA/98/2010/A as issued in the Land and Environment Court (proceedings No 11047 of 2011) when measured at the most affected residential property.

126. Emission control equipment shall be provided in the mechanical exhaust system serving the cooking appliances, to effectively minimise the emission of odours, vapours and oils.

Details of the proposed emission control equipment must be provided in the documentation for the construction certificate relating to the 96'D' application and be approved by Council's Manager of Health, Building & Regulatory Services, in accordance with section 80A(2) of the *Environmental Planning & Assessment Act 1979*, **prior to issuing of a construction certificate for the 96'D' application.**

127. Following the completion of works the subject of this amended application, an acoustic compliance report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council:

- a) In relation to the mechanical plant, prior to commencement of use or prior to an occupation certificate being issued (whichever comes first); and
- b) 6 months after commencement of use of the mechanical exhaust plant and equipment; and
- c) From time to time as requested by Council

which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the Protection of the Environment Operations Act 1997; NSW Environment Protection Authority Industrial Noise Policy Noise Control Manual (sleep disturbance); and relevant conditions of consent, specifically condition 15 of DA/98/2010/A to the satisfaction of Council's Manager Environmental Health & Building Services.

The assessment must include (but not be limited to):

- i) Monitoring from the nearest affected residential premises
- ii) Monitoring and assessment during the use and operation of the premises
- iii) Compliance monitoring shall be carried out during the times when the nearby residential and public domain areas are likely to be most affected.
- iv) The report must include all relevant fixed and operational noise sources.

128. Prior to an occupation certificate being issued or prior to the use of the mechanical ventilation equipment commencing, certification is to be prepared by a competent person and submitted to Council confirming that the mechanical ventilation exhaust and emission control system installed under the s.96'D' approval has been installed and operates in accordance with AS 1668 parts 1 and 2.

129. The use and operation of the kitchen/cooking mechanical exhausts and ventilation systems must only occur between 7:00am – 10:00pm only.

130. The installation of proposed fans and attenuators within the space between the roof and the ceiling is to be carefully carried out to avoid damage to any original upper level ceilings.

D. Add the following advisory notes:

The following information is provided for your assistance to ensure compliance with the Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000, or other relevant legislation and requirements. This

information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

A1

As referred to in Condition No. 1 above, please find below the referenced condition copied for ease and reference:

Condition 15 of DA/98/2010/A

Land & Environment court Proceedings no. 11047 of 2011

"Noise from all mechanical plant and equipment associated with the premises shall comply with the intrusive and amenity requirements (for suburban area) of the NSW EPA Industrial noise Policy (INP). This requires noise levels to not exceed background + 5 dBA and 55 dBA daytime, 45 dBA evening and 40 dBA night time, when measured inside the boundary or outside a bedroom window of any affected residence. Modifying factors should be applied if the plant has any annoying tonal or other characteristics as per the INP requirements."

A2

The most stringent (lowest) of either the intrusive or amenity criterion should be used.

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

D43/14 Development Application Report - 369 Maroubra Road, Maroubra (DA/371/2013) - Deferred

PL36/14

RESOLUTION: (Andrews/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. 371/2013 for alterations and additions to the existing dwelling at 369 Maroubra Road, Maroubra subject to the standard conditions contained in the development application compliance report attached to this report.

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

D44/14 Development Application Report - 15 Bond Street, Maroubra (DA/566/2013) Deferred

PL37/14

RESOLUTION: (Seng/Roberts) -

- A. That Council supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clauses 4.3 of Randwick Local Environmental Plan 2012, relating to Height of Buildings on the grounds that the proposed development complies with the objectives of the relevant 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. 566/2013 for alterations and additions to the existing dwelling at No. 15 Bond Street, Maroubra subject to the standard conditions contained in the development application compliance report attached to this report.

Non standard conditions

1(a) The overall height of the pergola structure above the rear garage terrace shall

be reduced to a maximum of RL39.90.

- 1(b) The number of vertical posts on the north-western and south-western sides of the pergola shall be reduced to a maximum of 5 posts.
- 1(c) The wall on the north-western side of the garage and terrace above shall be provided with a variation in the external finishes to minimise the visual bulk when viewed from 11 Bond Street. Details of the colour, material and external finishes of the garage wall are to be submitted to and approved by the Manager Development Assessment prior to the issue of Construction Certificate.
- 1(d) The planter box on the first floor balcony be deleted and be replaced with a open balustrade that follows the line of the outer edge of the planter box.

AMENDMENT: (Stevenson/Neilson) –

- A. That Council supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clauses 4.3 of Randwick Local Environmental Plan 2012, relating to Height of Buildings on the grounds that the proposed development complies with the objectives of the relevant 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. 566/2013 for alterations and additions to the existing dwelling at No. 15 Bond Street, Maroubra subject to the standard conditions contained in the development application compliance report attached to this report.

Non standard conditions

- 1(a) The wall on the north-western side of the garage and terrace above shall be provided with a variation in the external finishes to minimise the visual bulk when viewed from 11 Bond Street. Details of the colour, material and external finishes of the garage wall are to be submitted to and approved by the Manager Development Assessment prior to the issue of Construction Certificate.
- 1(b) The pergola structure on the terrace be deleted and replaced with a 1.8m privacy screen along the length of the terrace on the western side. **LOST.**

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

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

AMENDMENT: (Matson/Shurey) -

- A. That Council supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance

with Clauses 4.3 of Randwick Local Environmental Plan 2012, relating to Height of Buildings on the grounds that the proposed development complies with the objectives of the relevant 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. 566/2013 for alterations and additions to the existing dwelling at No. 15 Bond Street, Maroubra subject to the standard conditions contained in the development application compliance report attached to this report.

Non standard conditions

- 1(a) The overall height of the pergola structure above the rear garage terrace shall be reduced to a maximum of RL39.90.
- 1(b) The number of vertical posts on the north-western and south-western sides of the pergola shall be reduced to a maximum of 5 posts.
- 1(c) The wall on the north-western side of the garage and terrace above shall be provided with a variation in the external finishes to minimise the visual bulk when viewed from 11 Bond Street. Details of the colour, material and external finishes of the garage wall are to be submitted to and approved by the Manager Development Assessment prior to the issue of Construction Certificate.
- 1(d) The planter box on the first floor balcony be deleted and be replaced with a open balustrade that follows the line of the inner edge of the planter box. **LOST.**

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

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

MOTION: (Seng/Roberts) CARRIED – SEE RESOLUTION.

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

FOR	AGAINST
Councillor Andrews	Councillor Bowen
Councillor Belleli	Councillor Stevenson
Councillor D'Souza	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	

Councillor Smith
Councillor Stavrinou
Total (12)

Total (2)

**D45/14 Development Application Report - 149 Perouse Road, Randwick
(DA/694/2013) - Deferred**

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

PL38/14

RESOLUTION: (Andrews/Roberts) 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. 694/2013 for alterations and additions to the existing dwelling including a new first floor, alterations to the existing garage at the front with new mezzanine storage, external stairs, front wall and associated landscaping and site works, at No. 149 Perouse Road, Randwick, subject to the following non standard conditions and 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:
 - a. A privacy screen having a height of 1.5m above floor level must be provided to the north-western edge of the balcony to bedroom 4, the north-western edge of the terrace to bedrooms 5 and 6 and the south-eastern edge of the balcony to proposed bedroom 3. The privacy screen must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
 - b. The floor to ceiling height of the first floor addition is to be a maximum of 2.55m and the roof pitch is to be a maximum of 25 degrees to reduce the overall height of the building and the impact on daylight access to the ground floor living areas of the adjoining dwelling house at No. 151 Perouse Road.

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

**D46/14 Development Application Report - 323 Malabar Road, Maroubra
(DA/490/2012/A)**

PL39/14

RESOLUTION: (Roberts/Andrews) 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/490/2012 by the addition of a lift in the central courtyard, a new wall to Unit 1 at ground floor level and additional floor areas to Unit 2 at first and second floor levels at 323 Malabar Road, Maroubra, subject to the following conditions:

A) Modify Conditions 1 and 2 to read 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,

Drawing Number	Rev.	Drawn by.	Received by Council
D1 (Concept Drainage Plans and Details)	C	LMW Design Group P/L	2 August 2012
02	A	Rodney Albert Yannakis	2 August 2012
03	A	Rodney Albert Yannakis	2 August 2012
04	A	Rodney Albert Yannakis	2 August 2012
05	A	Rodney Albert Yannakis	2 August 2012
06	A	Rodney Albert Yannakis	2 August 2012
07	A	Rodney Albert Yannakis	2 August 2012
08	A	Rodney Albert Yannakis	2 August 2012
09	A	Rodney Albert Yannakis	2 August 2012
10 (colours & materials)	A	Rodney Albert Yannakis	2 August 2012

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
323 Malabar Road	324055S	Thursday 26 July 2012

Except as amended by the Section 96 'A' plans listed below and endorsed with Council's approved stamp:

Drawing Number	Rev.	Drawn by.	Received by Council
00	A	Rodney Albert Yannakis	3 February 2014
02	A	Rodney Albert Yannakis	3 February 2014
03	A	Rodney Albert Yannakis	3 February 2014
04	A	Rodney Albert Yannakis	3 February 2014
05	A	Rodney Albert Yannakis	3 February 2014
06	A	Rodney Albert Yannakis	3 February 2014
07	A	Rodney Albert Yannakis	3 February 2014
08	A	Rodney Albert Yannakis	3 February 2014

Only in so far as they relate to the modifications highlighted on the Section 96 'A' plans and detailed in the Section 96 application, except where amended by Council in red and/or by other conditions of this consent:

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements and details are to be included in the *Construction Certificate*:
 - a) The proposed lift and associated works including changes to Unit 2 (i.e. internal alterations, changes to window openings and additional floor area) shall be deleted.

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

D47/14 Development Application Report - 230A Carrington Road, Randwick (DA/632/2013)

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

PL40/14

RESOLUTION: (Andrews/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/632/2013 for construction and strata subdivision of a detached building to the rear of the existing flat building, containing a two (2) bedroom dwelling with one (1) car space and an open subfloor area at No. 230A Carrington Road, 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

Privacy measures

2. Privacy measures shall be provided in accordance with the commitments detailed on the approved plans and the following additions;
 - a. On the east elevation, the northern-most kitchen window shown on the approved plans shall be raised or obscured to a minimum of 1500mm above finished floor level;

Further to the above privacy measures, obscuring may be achieved through raising sill heights or use of opaque/frosted glass, at the preference of the applicant.

3. The undercroft area on the lower ground floor plan shall not be used for storage below RL 19.7 AHD.

MOTION: (Neilson/Shurey) 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. DA/632/2013 for construction and strata subdivision of a detached building to the rear of the existing flat building, containing a two (2) bedroom dwelling with one (1) car space and an open subfloor area at No. 230A Carrington Road, Randwick, for the following reasons:

1. The proposal is not consistent with the objectives of the Randwick LEP 2012.
2. The development does not achieve a high standard of design in the private and public domain.
3. The proposal does not enhance the quality of life of the community.
4. The proposal will not contribute to the desired future character of the area.
5. The proposal does not comply with the goals of the DCP for zone R3
6. The proposal does not protect the amenity of neighbouring residents or the residents of the existing unit building at 230 Carrington Road.
7. The proposal is unsuitable for the steeply sloping site and will adversely impact on the visual amenity of the adjoining and neighbouring properties.
8. The proposed building does not comply with the rear setback controls of the DCP and the result is environment impact to adjoining sites particularly the residents of the building on the northern boundary are unreasonable and unacceptable with respect to visual bulk and scale.
9. The proposal is an over development of the site and is not in the public interest.

LOST.

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

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

FOR	AGAINST
Councillor Matson	Councillor Andrews
Councillor Neilson	Councillor Belleli
Councillor Roberts	Councillor Bowen
Councillor Shurey	Councillor D'Souza
Councillor Smith	Councillor Moore
	Councillor Nash
	Councillor Seng
	Councillor Stavrinou
	Councillor Stevenson

Total (5)**Total (9)****MOTION: (Andrews/Stavrinou) CARRIED - SEE RESOLUTION.**

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

FOR

Councillor Andrews
 Councillor Belleli
 Councillor Bowen
 Councillor D'Souza
 Councillor Moore
 Councillor Nash
 Councillor Seng
 Councillor Stavrinou
 Councillor Stevenson

Total (9)**AGAINST**

Councillor Matson
 Councillor Neilson
 Councillor Roberts
 Councillor Shurey
 Councillor Smith

Total (5)

D48/14 Development Application Report - 10-16 Bream Street, Coogee (DA/656/2011/C)

PL41/14

RESOLUTION: (Andrews/Stavrinou) that Council, as the consent authority, under section 80A (10B) of the Environmental Planning and Assessment Act 1979 amends Condition (9) of development consent DA/656/2011/C as follows:

(9) *The operating hours of the café and outdoor dining area must be restricted to the following:*

- Monday – Sunday: 7:00am – 10:00pm

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

Nil.

Notice of Rescission Motions

Nil.

The meeting closed at 8.05pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 10 June 2014.

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CHAIRPERSON