

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 AUGUST 2014 AT 6:04PM

Present:

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| North Ward | - Councillors K Neilson, L Shurey & K Smith (from 6.31pm) |
| South Ward | - Councillors R Belleli, D'Souza & P Garcia |
| East Ward | - Councillors T Bowen, M Matson & B Roberts |
| West Ward | - Councillor G Moore (Chairperson) |
| Central Ward | - Councillors A Andrews (from 6.24pm), 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
Director Governance & Financial Services	Mr J Smith
Manager Development Assessment	Mr K Kyriacou
Manager Corporate & Financial Planning	Mr M Woods
Manager Administrative Services	Mr D Kelly
Communications Manager	Mr J Hay
Manager Sustainability	Mr P Maganov

Apologies/Granting of Leave of Absences

Apologies were received from Crs Nash and Stavrinou.

RESOLVED: (Seng/Moore) that the apologies received from Crs Nash and Stavrinou 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 JULY 2014

PL55/14

RESOLUTION: (Neilson/Roberts) that the Minutes of the Planning Committee Meeting held on Tuesday 8 July 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) All councillors declared a non significant non pecuniary interest in Item D73/14 as a fellow councillor owns the property.
- b) Cr Neilson declared a non significant non pecuniary interest in Item D71/14 as she knows one of the neighbours and has a distant relative who lives in the street.
- c) Cr Shurey declared a non significant non pecuniary interest in Item D71/14 as she knows one of the neighbours.
- d) Cr Bowen declared a significant pecuniary interest in Item D73/14 as he is the owner of the property. Cr Bowen will be taking no part in the debate or voting on this matter.

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:

D67/14 10A KYNASTON AVENUE, RANDWICK (DA/597/2013) - DEFERRED

Against Tracey Mackey

For Anthony Betros on behalf of Applicant

D69/14 13 -15 SILVER STREET, RANDWICK (DA/311/2008/E)

For David Moses on behalf of Applicant

D71/14 16 COOGEE STREET, COOGEE (DA/853/2013)

Against Andrew Jones on behalf of objectors

For Roland Martinez on behalf of Applicant

D72/14 137 CARRINGTON ROAD, COOGEE (DA/88/2014)

Against Anita Commander – Objector

Urgent Business

Nil.

Development Application Reports

D67/14 Development Application Report - 10A Kynaston Avenue, Randwick (DA/597/2013) - Deferred (DA/597/2013)

PL56/14

RESOLUTION: (Neilson/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 above clauses, and will not adversely affect the amenity of the locality, and that the Department of Planning & Environment 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/597/2013 for demolition of an existing dwelling and erection of a residential flat building at No. 10A Kynaston Avenue Randwick, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

GENERAL CONDITIONS

The development must be carried out in accordance with the following conditions of consent.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of environmental amenity.

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>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
DA100E –Ground floor	ASA Architects	12/4/14	28/7/14
DA101E – Level 1	ASA Architects	16/7/14	28/7/14
DA102D – Level 2	Architecture & Interiors	12/4/14	15/4/14
DA103E – Level 3	ASA Architects	16/7/14	28/7/14
DA104D – Roof plan	ASA Architects	16/7/14	28/7/14
DA300D – Elevation	ASA Architects	16/7/14	28/7/14
DA301E - Sections	ASA Architects	12/4/14	28/7/14

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received by Council</i>
499630M	4/9/13	12/9/13

Amendment of Plans & Documentation

2. **The approved plans must be amended in accordance with the following requirements**
- a. The following windows must have a minimum sill height of 1.6m above floor level, or alternatively the windows are to be provided with translucent, obscured, frosted or sandblasted glazing below this specified height or exterior privacy screens can be added with openings not to exceed 25% of the area of the screen:
 - Kitchen and bathroom windows in the western elevation facing No. 10 Kynaston Avenue.
 - b. The living room windows on the southern elevation must be provided with translucent, obscured, frosted or sandblasted glazing.
 - c. Screening on balconies is to have openings not exceeding 25% of the area of the screen on the western side of the balconies facing No. 10

Kynaston Avenue.

- d. Details of fencing are to be submitted for Council approval prior to the issue of a construction certificate.
- e. The pedestrian bridge must be reduced in width to a maximum of 1.5 metres.

REQUIREMENTS BEFORE A CONSTRUCTION CERTIFICATE CAN BE ISSUED

The following conditions of consent must be complied with before a '*Construction Certificate*' is issued by either Randwick City Council or an Accredited Certifier. All necessary information to demonstrate compliance with the following conditions of consent must be included in the documentation for the construction certificate.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent conditions and to achieve reasonable levels of environmental amenity.

Consent Requirements

3. The requirements and amendments detailed in the 'General Conditions' must be complied with and be included in the construction certificate plans and associated documentation.

External Colours, Materials & Finishes

4. a) The colours, materials and finishes of the external surfaces are to be compatible with the existing building and adjacent development to maintain the integrity and amenity of the building and the streetscape.

External materials, finishes and colours of the building are required to match, as closely as possible, the existing building and any metal roof sheeting is to be pre-painted (e.g. Colourbond) to limit the level of reflection and glare.

- b) Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Manager Development Assessments prior to issuing a construction certificate for the development.

Section 94A Development Contributions

5. In accordance with Council's Section 94A Development Contributions Plan effective from 12 July 2012, based on the development cost of \$1,846,582 the following applicable monetary levy must be paid to Council: \$18,465.82

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.

Long Service Levy Payments

6. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, must be forwarded to the Long Service Levy Corporation or the Council, in accordance with Section 109F of

the *Environmental Planning & Assessment Act 1979*.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

Security Deposits

7. The following security deposits requirement must be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to Council's assets and infrastructure; and as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the *Environmental Planning and Assessment Act 1979*:

- \$10,000.00 - Damage / Civil Works Security Deposit

Security deposits may be provided by way of a cash, cheque or credit card payment and is refundable upon a satisfactory inspection by Council upon the completion of the civil works which confirms that there has been no damage to Council's infrastructure.

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

To obtain a refund of relevant deposits, a *Security Deposit Refund Form* is to be forwarded to Council's Director of City Services upon issuing of an occupation certificate or completion of the civil works.

Sydney Water

8. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

The approved plans must be submitted to a Sydney Water Quick Check agent, to determine whether the development will affect Sydney Water's waste water and water mains, stormwater drains and/or easements, and if any further requirements need to be met.

If suitable, the plans will be appropriately stamped. For details please refer to the Sydney Water web site at www.sydneywater.com.au for:

- Quick Check agents details - see *Building and Developing* then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see *Building and Development* then *Building and Renovating*, or telephone 13 20 92.

The Principal Certifying Authority must ensure that a Sydney Water Quick Check Agent has appropriately stamped the plans prior to issuing the construction certificate.

Upgrading of 30R Church Street

9. The applicant must meet all costs associated with upgrading a section of Council's public reserve, formally recognised as 30R Church Street, with a refundable deposit in the form of cash, credit card, cheque or bank guarantee for an amount of **\$10,000.00** to be paid at the Cashier on the Ground Floor of the Administrative Centre, **prior to a Construction Certificate being issued for the development**, in order to ensure protection of the reserve and any associated items or fixtures, compliance with the conditions listed in this

consent, and ultimately, full completion of the landscape works in the reserve.

The refundable deposit will be eligible for refund a period of 6 months (maintenance period) after the issue of an Occupation Certificate, subject to completion and submission of Council's 'Security Deposit Refund Application Form', and pending a satisfactory inspection by Council's Landscape Development Officer (9399-0613).

Any contravention of Council's conditions relating to these works, or prior to the issue of an Occupation Certificate, may result in Council claiming all or part of the lodged security in order to perform any rectification works necessary, as per the requirements of 80A (6) of the Environmental Planning and Assessment Act 1979.

Protection of park trees

10. In order to ensure retention of the *Brachychiton acerifolius* (Flame Tree) located in the public reserve, 30R Church Street, past the northeast corner of the site, as well as the mature *Phoenix canariensis* (Canary Island date Palm) at the opposite end of the site, adjacent the southeast corner in good health, the following measures are to be undertaken:
 - a. All documentation submitted for the Construction Certificate application must show the retention of both trees, with the position and diameter of their trunks and canopies/crowns to be clearly and accurately shown on all plans in relation to the proposed works.
 - b. All works associated with upgrading of the reserve can only be performed by hand, with the written approval of Council's Co-ordinator Open Space Assets to be obtained should the use of machinery be sought, with Council's requirements to be complied with at all times.
 - c. In order to prevent the introduction of pathogens such as *Fusarium sp.*, to which Date Palms are particularly vulnerable, any imported soils and mulch used in the public reserve must comply with AS4419 – 2003: Soils for landscaping & garden use; and AS4454 – 2003 Composts, Soil Conditioners & Mulches respectively, with certificates of compliance confirming such to be provided to Council Landscape Development Officer, prior to the issue of an Occupation Certificate.
 - d. Any tools or machinery associated with works in the reserve, within a radius of 5 metres of the trunk of the Date Palm must be disinfected and sterilised, prior to commencement, as well as regularly during the course of the works by soaking for **5 minutes** in the following mixture:
 - i. 50% household bleach or 5% quaternary ammonium (eg, Phytoclean, Avis Chemicals); then;
 - ii. Rinsing affected equipment with clean water and/or 70% alcohol to remove disinfectant.
 - e. Council's Landscape Development Officer (9399-0613) must be contacted, giving at least 2 working days notice, to confirm that this sterilizing has been performed, prior to commencing any works in the reserve.
 - f. Ground levels within a 5 metre radius of the trunk of either tree must not be altered by more than 200mm.
 - g. The applicant is not authorised to perform any works to either of these trees, and must contact Council's Landscape Development Officer on

9399-0613 should anything be sought, with the applicant to cover all associated costs with such work, to Council's satisfaction, prior to the issue of an Occupation Certificate.

- h. There is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble in the reserve, with all Site Management Plans needing to acknowledge these requirements.

The PCA must ensure compliance with these requirements on-site during the course of construction, and prior to issuing any type of Occupation

REQUIREMENTS TO BE INCLUDED IN THE CONSTRUCTION CERTIFICATE

The requirements contained in the following conditions of consent must be complied with and details of compliance must be included in the construction certificate for the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Councils development consent conditions and to achieve reasonable levels of environmental amenity.

Compliance with the Building Code of Australia

11. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA). Details of compliance with the BCA are to be included in the construction certificate application.

Traffic conditions

12. Adequate provisions are to be made to provide pedestrian visibility and safety. All new walls (and/or landscaping) adjacent to vehicular crossings should not exceed a height of 600mm above the internal driveway level for a distance of 1.5m within the site or new walls (including landscaping) should splayed 1.5 metres by 1.5 metres. Details of compliance, to the satisfaction of the certifying authority, are to be included in the construction certificate documentation.
13. 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.

Design Alignment levels

14. The design alignment level (the finished level of concrete, paving or the like) at the property boundary for driveways, access ramps and pathways or the like, shall be:
 - **60mm above the edge of the bitumen at all points opposite, along the full site frontage.**

The design alignment levels at the property boundary as issued by Council and their relationship to the roadway must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.

Any enquiries regarding this matter should be directed to Council's Development Engineer on 9399 0881.

15. The above alignment levels and the site inspection by Council's Development Engineering Section have been issued at a prescribed fee of \$2792 calculated at \$50.00 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.

Footbridge Access from Kynaston Avenue Reserve (30R Church St)

16. The applicant must submit to Council for approval and have approved by the Director of City Planning detailed construction plans for the proposed pedestrian bridge access from Kynaston Avenue reserve. The submitted documentation shall include but not be limited to the following requirements;

- The area underneath the pedestrian bridge shall be enclosed on either side.
- Plans, Elevations, sections clearly showing any adjustments in levels, retaining walls, footings and location of any services.

Stormwater Drainage & Flood Management

Council/External Drainage

17. The applicant must accurately locate, (both alignment and depth), the existing Council stormwater pipeline located within the subject development site. The existing pipeline must remain fully operational until such time as an alternate stormwater drainage system has been constructed to Council's satisfaction.
18. The applicant/developer is to meet the full cost of diverting Council's 0.6m diameter drainage line from within the development site to Tram Lane with suitably designed pits and junctions.
Should it be demonstrated to the satisfaction of Council that diversion of the stormwater line is not feasible consideration will then be given to upgrading the pipeline within the development site so it is sized for the critical 5% AEP (1 in 20 yr) storm event with a new pit constructed immediately west/downstream of the proposed building within the development site.
19. The applicant must submit to Council for approval and have approved "for construction" plans to be prepared by a suitably qualified hydraulic engineer for the upgrade/relocation of the Council controlled pipeline through the development site and within Tram lane/ Kynaston Ave reserve. The plans must also include a detailed specification which must be prepared in consultation with Council's Development Engineer Coordinator. All works associated with reconstruction of the Council pipeline must be carried out to the satisfaction of Council and certification from a certified practicing engineer is to be provided to Council upon completion of the works. All costs associated with reconstruction of the Council pipeline shall be met by the applicant.
 - Relevant Council Assessment and Inspection fees, as specified in Council's adopted Pricing Policy, are required to be paid to Council prior to commencement of the drainage works.
 - The diversion/upgrade of the Council Line will be required to be completed prior to commencement of building works within the site
20. Should the council pipeline not be relocated off the site, the section of the proposed development located immediately over/above the reconstructed pipeline (or box culvert) must be suitably designed such that if Council requires access to the pipeline the structures can be removed without adversely affecting the structural integrity of the remaining structures within the development site. The Construction Certificate plans must demonstrate compliance with this requirement.

- The applicant must liaise with Council's Development Engineer Coordinator to obtain Council's requirements for structures over the reconstructed pipeline.

21. All proposed footings located adjacent to the drainage pipe shall either be:

- a. Founded on rock, or;
- b. Extended below a 30 degree line taken from the level of the pipe invert at the edge of the drainage reserve/easement (angle of repose).

Structural details demonstrating compliance with this condition shall be submitted with the construction certificate application.

The footings must be inspected by the applicant's engineer to ensure that these footings are either founded on rock or extend below the "angle of repose". Documentary evidence of compliance with this condition is to be submitted to the certifying authority prior to proceeding to the subsequent stages of construction.

Internal Drainage

22. Stormwater drainage plans have not been approved as part of this development consent. Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be prepared by a suitably qualified Hydraulic Engineer and submitted to and approved by the certifying authority prior to a construction certificate being issued for the development. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issued, if the Council is not the certifying authority. The drawings and details shall include the following information:

- a) A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.
- b) A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system.
- c) The separate catchment areas within the site, draining to each collection point or surface pit are to be classified into the following categories:
 - i. Roof areas
 - ii. Paved areas
 - iii. Grassed areas
 - iii. Garden areas
- d) Where buildings abut higher buildings and their roofs are "flushed in" to the higher wall, the area contributing must be taken as: the projected roof area of the lower building, plus one half of the area of the vertical wall abutting, for the purpose of determining the discharge from the lower roof.
- e) Proposed finished surface levels and grades of car parks, internal driveways and access aisles which are to be related to Council's design alignment levels.

- f) The details of any special features that will affect the drainage design eg. the nature of the soil in the site and/or the presence of rock etc.
23. The site stormwater drainage system is to be provided in accordance with the following requirements;
- a) The stormwater drainage system must be provided in accordance with the relevant requirements of Building Code of Australia and the conditions of this consent, to the satisfaction of the *Certifying Authority* and details are to be included in the construction certificate.
- b) The stormwater must be discharged (by gravity) either:
- i. Directly into Council's underground drainage system located within the site or in Tram Lane via a new and/or existing pit.
- c) An on-site stormwater detention system must be provided to ensure that the maximum discharge from the site does not exceed that which would occur during a **1 in 5** year storm of one hour duration for existing site conditions. All other stormwater run-off from the site for all storms up to the 1 in 20 year storm is to be retained on the site for gradual release to the street drainage system, to the satisfaction of the certifying authority.

An overland escape route or overflow system (to Council's street drainage system) must be provided for storms having an average recurrence interval of 100 years (1 in 100 year storm), or, alternatively the stormwater detention system is to be provided to accommodate the 1 in 100 year storm.

- d) Determination of the required cumulative storage (in the on-site detention and/or infiltration system) must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Run-off Volume 1, 1987 Edition.

Where possible any detention tanks should have an open base to infiltrate stormwater into the ground. Infiltration should not be used if ground water and/or any rock stratum is within 2.0 metres of the base of the tank.

- e) If connecting to Council's underground drainage system, a reflux valve shall be provided (within the site) over the pipeline discharging from the site to ensure that stormwater from Council drainage system does not surcharge back into the site stormwater system.
- f) Any new kerb inlet pits (constructed within Council's road reserve) are to be constructed generally in accordance with Council's standard detail for the design of kerb inlet pits (drawing number SD6 which is available from Council).
- g) Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. above the 1 in 20 year storm) to the proposed drainage (detention/infiltration) system.
- h) A sediment/silt arrestor pit must be provided within the site near the street boundary prior to discharge of the stormwater to Council's drainage system and prior to discharging the stormwater to any

absorption/infiltration system.

Sediment/silt arrester pits are to be constructed generally in accordance with the following requirements:

- The base of the pit being located a minimum 300mm under the invert level of the outlet pipe.
- The pit being constructed from cast in-situ concrete, precast concrete or double brick.
- A minimum of 4 x 90 mm diameter weep holes (or equivalent) located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating located over the weep holes.
- A galvanised heavy-duty screen being provided over the outlet pipe/s (Mascot GMS multipurpose filter screen or equivalent).
- The grate being a galvanised heavy-duty grate that has a provision for a child proof fastening system.
- A child proof and corrosion resistant fastening system being provided for the access grate (e.g. spring loaded j-bolts or similar).
- Provision of a sign adjacent to the pit stating, "This sediment/silt arrester pit shall be regularly inspected and cleaned".

Sketch details of a standard sediment/silt arrester pit may be obtained from Council's Drainage Engineer.

- i) The floor level of all habitable, retail, commercial and storage areas located adjacent to any detention and/or infiltration systems with above ground storage must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be provided.

(In this regard, it must be noted that this condition must not result in any increase in the heights or levels of the building. Any variations to the heights or levels of the building will require a new or amended development consent from the Council prior to a construction certificate being issued for the development).

- j) The maximum depth of ponding in any above ground detention areas and/or infiltration systems with above ground storage shall be as follows (as applicable):
- i. 150mm in uncovered open car parking areas (with an isolated maximum depth of 200mm permissible at the low point pit within the detention area)
 - ii. 300mm in landscaped areas (where child proof fencing is not provided around the outside of the detention area and sides slopes are steeper than 1 in 10)
 - iii. 600mm in landscaped areas where the side slopes of the detention area have a maximum grade of 1 in 10
 - iv. 1200mm in landscaped areas where a safety fence is provided around the outside of the detention area
 - v. Above ground stormwater detention areas must be suitably signposted where required, warning people of the maximum flood level.

Note: Above ground storage of stormwater is not permitted within basement car parks or store rooms.

- k) A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be

temporarily stored.

- l) A 'V' drain (or equally effective provisions) are to be provided to the perimeter of the property, where necessary, to direct all stormwater to the detention/infiltration area.
- m) Mulch or bark is not to be used in on-site detention areas.
- n) Site discharge pipelines shall cross the verge at an angle no less than 45 degrees to the kerb line.
- o) Any onsite detention/infiltration systems shall be located in areas accessible by residents of all units.

Waste Management

24. A Waste Management Plan detailing the waste and recycling storage and removal strategy for all of the development is required to be submitted to and approved by Council's Director of City Planning.

The Waste Management plan is required to be prepared in accordance with Council's Waste Management Guidelines for Proposed Development and must include the following details (as applicable):

- The use of the premises and the number and size of occupancies.
- The type and quantity of waste to be generated by the development.
- Demolition and construction waste, including materials to be re-used or recycled.
- Details of the proposed recycling and waste disposal contractors.
- Waste storage facilities and equipment.
- Access and traffic arrangements.
- The procedures and arrangements for on-going waste management including collection, storage and removal of waste and recycling of materials.

Further details of Council's requirements and guidelines, including pro-forma Waste Management plan forms can be obtained from Council's Customer Service Centre.

25. The waste storage areas are to be provided with a tap and hose and the floor is to be graded and drained to the sewer to the requirements of Sydney Water.

Landscaping

26. The landscape plan submitted for works within the site as part of the approved Construction Certificate must be substantially in accordance with the Landscape Plan by Stuart Noble Associates, dwg DA-1313-01, dated 31.07.13.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent must be complied with prior to the commencement of any works on the site. The necessary documentation and information must be provided to the Council or the 'Principal Certifying Authority' (PCA), as applicable.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity.

Certification, PCA & other Requirements

27. Prior to the commencement of any building works, the following requirements

must be complied with:

- a) a *Construction Certificate* must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.

A copy of the construction certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

- b) a *Principal Certifying Authority (PCA)* must be appointed to carry out the necessary building inspections and to issue an *occupation certificate*; and
- c) a *principal contractor* must be appointed for the building work, or in relation to residential building work, an *owner-builder* permit may be obtained in accordance with the requirements of the *Home Building Act 1989*, and the PCA and Council are to be notified accordingly; and
- d) the *principal contractor* must be advised of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and
- e) at least two days notice must be given to the Council, in writing, prior to commencing any works.

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

Home Building Act 1989

28. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, the requirements of the *Home Building Act 1989* must be complied with.

Details of the Licensed Building Contractor and a copy of the relevant Certificate of Home Warranty Insurance or a copy of the Owner-Builder Permit (as applicable) must be provided to the Principal Certifying Authority and Council.

Dilapidation Reports

29. A dilapidation report prepared by a professional engineer, building surveyor or other suitably qualified independent person must be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any demolition, excavation or building works, in the following cases:

- excavations for new dwellings, additions to dwellings, swimming pools or the like which are proposed to be located within the *zone of influence* of the footings of any dwelling, associated garage or other substantial structure located upon an adjoining premises,
- new dwellings or additions to dwellings sited up to shared property boundaries (e.g. additions to a semi-detached dwelling or terraced dwellings),
- excavations for new dwellings, additions to dwellings, swimming pools or the like which are within rock and may result in vibration and or potential damage to any dwelling, associated garage or other substantial structure located upon an adjoining premises,
- as otherwise may be required by the Principal Certifying Authority.

The report (including photographs) are required to detail the current condition and status of any dwelling, associated garage or other substantial structure located upon the adjoining premises, which may be affected by the subject works. A copy of the dilapidation report is to be given to the owners of the premises encompassed in the report/s before commencing any works.

Construction Noise & Vibration Management Plan

30. Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant requirements of the *Protection of the Environment Operations Act 1997* and NSW EPA Guidelines must be satisfied at all times.

Noise and vibration from any rock excavation machinery, pile drivers and all plant and equipment must be minimised, by using appropriate plant and equipment, silencers and the implementation of noise management strategies.

A *Construction Noise Management Plan*, prepared in accordance with the NSW EPA Construction Noise Guideline by a suitably qualified person, is to be implemented throughout the works. A copy of the strategy must be provided to the Principal Certifying Authority and Council prior to the commencement of works on site.

Construction Site Management Plan

31. A *Construction Site Management Plan* must be developed and implemented prior to the commencement of any works. The construction site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- provisions for temporary stormwater drainage;
- construction noise and vibration management;
- construction traffic management details.

The site management measures must be implemented prior to the commencement of any site works and be maintained throughout the works, to the satisfaction of Council.

A copy of the Construction Site Management Plan must be provided to the Principal Certifying Authority and Council prior to commencing site works. A copy must also be maintained on site and be made available to Council officers upon request.

Demolition Work Plan

32. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures and relevant environmental/occupational health and safety requirements.

The Demolition Work Plan must include the following information (as

applicable):

- The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor
- Details of hazardous materials (including asbestos)
- Method/s of demolition (including removal of any asbestos)
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne dust and asbestos
- Methods and location of disposal of any hazardous materials (including asbestos)
- Other relevant details, measures and requirements to be implemented
- Details of re-use, recycling and disposal of waste demolition/building materials
- Date the demolition works will commence

The Demolition Work Plan must be submitted to the Principal Certifying Authority (PCA), not less than two (2) working days before commencing any demolition work. A copy of the Demolition Work Plan must be maintained on site and be made available to Council officers upon request.

If the work involves asbestos products or materials, a copy of the Demolition Work Plan must also be provided to Council not less than 2 days before commencing those works.

Notes

- *It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*
- *Refer to the conditions within the "Requirements During Construction & Site Work", for further details and requirements relating to demolition work, removal of any asbestos and public safety.*

Construction Traffic Management

33. An application for a 'Works Zone' and Construction Traffic Management Plan must be submitted to Councils Integrated Transport Department, and approved by the Randwick Traffic Committee, for a 'Works Zone' to be provided in the vicinity of the site for the duration of the demolition & construction works.

The 'Works Zone' must have a minimum length of 12m and extend for a minimum duration of three months. The suitability of the proposed length and duration is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Randwick Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council's Traffic Engineers) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

34. A detailed *Construction Site Traffic Management Plan* must be submitted to and approved by Council, prior to commencement of any site work.

The Construction Site Traffic Management Plan must be prepared by a suitably qualified person and must include the following details, to the satisfaction of Council:

- A description of the demolition, excavation and construction works
- A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- Any proposed road and/or footpath closures
- Proposed site access locations for personnel, deliveries and materials
- Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- Provision for loading and unloading of goods and materials
- Impacts of the work and vehicular movements on the road network, traffic and pedestrians
- Proposed hours of construction related activities and vehicular movements to and from the site
- Current/proposed approvals from other Agencies and Authorities (including NSW Roads & Traffic Authority, Police and State Transit Authority)
- Any activities proposed to be located or impact upon Council's road, footways or any public place
- Measures to maintain public safety and convenience

NOTE: Construction access to the site through Kynaston Avenue Reserve will not be permitted

Civil Works

35. A separate written approval from Council is required to be obtained in relation to all works which are located externally from the site within the road reserve/public place, in accordance with the requirements of the Roads Act 1993. Detailed plans and specifications of the proposed works (including the proposed footbridge) are to be submitted to and approved by the Director of City Services prior to commencing any works within the road reserve/public place.

All works within the road reserve/public place must be carried out to the satisfaction of Council and certification from a certified practicing engineer is to be provided to Council upon completion of the works.

Relevant Council assessment and inspection fees, as specified in Council's adopted Pricing Policy, are required to be paid to Council prior to commencement of the works.

Upgrading of public reserve - 30R Church Street

36. The applicant must meet all costs associated with upgrading a section of Council's public reserve, formally recognised as 30R Church Street, of approximately 5 metres in width, measured along the full length of the western site boundary, and will include, but not be limited to; removal of existing low-growing vegetation, soil preparation, minor re-grading, supply and installation of plants, erosion control, mulching, construction of a pedestrian footpath/s and foot-bridge, safety measures and any other activities required to complete these works to Council's satisfaction.
37. All works carried out on Council property must be in accordance with Council's requirements for Civil Works on Council property.

Landscape Plan for public reserve

38. A completely separate landscape plan which deals only with upgrading of the public reserve, for an area approximately 5 metres in width, measured off the length of the western site boundary, and which is similar to the treatment that is already shown on the Landscape Plan by Stuart Noble Associates, dwg DA-1313-01, dated 31.07.13, must be submitted to, and be approved in writing

by, Council's Landscape Development Officer, prior to the commencement of any external works in the reserve, and must include the following requirements:

- a. The location of existing garden beds, planting, trees, footpaths, park furniture and all other features in relation to the embankment and site, including existing and proposed ground levels;
 - b. Planting plan at an appropriate scale of 1:100 or 1:200;
 - c. Planting schedule that includes botanic name, common name, quantities/densities, pot size at the time of planting and mature size;
 - d. The new works in the reserve may need to extend past the northern and southern ends of the site if needed so as to match in with existing planting and garden beds, so as to create a continuous planted cover, and may involve upgrading existing beds if needed to achieve optimum appearance and consistency;
 - e. Any erosion control measures such as jute matting or similar initiatives that will assist in soil stabilization until the planting on the embankment is established;
 - f. Full construction details of the elevated foot-bridge, which underneath is to be enclosed by walls on both sides, together with any details of feature/blade walls, surface treatments, lighting and the location of the new access path/s to link the existing footpath in the park with the proposed foot-bridge;
 - g. Plant selection adjacent both walls beneath the foot-bridge must be those that will assist with screening and softening these built elements on the reserve, with low growing feature planting also to be provided in the area where the footbridge actually meets with the reserve;
 - h. A simple, mass-planted layout is required, and to ensure consistency of treatment with existing schemes that are already established in the reserve, species selection must be amended from what is currently shown to include Lomandra & Dianella cultivars, Gynea Lillies, Grevillea's and others;
 - i. A minimum 50mm layer of woodchip mulch over all newly created planted areas within the reserve;
 - j. Details of staking, garden edging and any other elements required to fully described the proposed works;
 - k. The plan must include a notation that once Council has given written approval of completion of landscape works within the reserve, a maintenance/liability/defects period of at least 6 months will apply, where the applicant will be required to perform regular, routine maintenance activities including the replacement of any failed stock, as advised by Council;
 - l. There must be no pedestrian or vehicles access through Council's reserve during the course of works, and even when landscaping of the reserve is being undertaken, access must still be made through private property.
39. Following approval of the public reserve plan; and prior to commencement of the these works on Council property, the applicant must liaise further with

Council's Landscape Development Officer on 9399-0613, regarding scheduling of work, inspections, supervision fees and compliance with Council's requirements for public liability insurance.

40. The applicant must advise Council's Landscape Development Officer, in writing, giving at least 10 working days, of their intention to commence works in the reserve, with all works to comply with the approved Landscape Plans and Construction Management Plans.
41. The works shown on the approved public reserve plan must be completed to the satisfaction of Council's Landscape Architect and Landscape Development Officer, with confirmation of approval to be provided in writing from Council's Officers, prior to the issue of any Occupation Certificate.

Landscaping with the site

42. The PCA must ensure that the Landscape Plan by Stuart Noble Associates, dwg DA-1313-01, dated 31.07.13, for landscape works within the subject site, is amended to include the following additional details:
 - a. In order to soften the dominance of the building over the public reserve, a stronger landscape element using either an evergreen feature tree, palm/s or similar, which will attain a minimum height at maturity of 5 metres shall be installed around the southeast corner of the site, and will replace the single, deciduous Frangipani that is currently shown in this area;
 - b. More substantial screening species than what are currently shown must be incorporated into the western side setback so as to maximize privacy and amenity between the subject site and no.10, and must achieve a minimum height at maturity of 4 metres.

Public Utilities

43. A public utility impact assessment must be carried out on all public utility services located on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the building works. The assessment should include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of services.
44. Documentary evidence from the relevant public utility authorities confirming they have agreed to the proposed works and that their requirements have been or are able to be satisfied, must be submitted to the Principal Certifying Authority prior to the commencement of any demolition, excavation or building works.

The owner/builder must make the necessary arrangements and meet the full cost for telecommunication companies, gas providers, Ausgrid, Sydney Water and other service authorities to adjust, repair or relocate their services as required.

REQUIREMENTS DURING CONSTRUCTION & SITE WORK

The following conditions of consent must be complied with during the demolition, excavation and construction of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity during construction.

Inspections During Construction

45. The building works must be inspected by the *Principal Certifying Authority*, in accordance with sections 109 E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

Site Signage

46. A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:
- name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - name, address and telephone number of the *Principal Certifying Authority*,
 - a statement stating that "unauthorised entry to the work site is prohibited".

Restriction on Working Hours

47. Building, demolition and associated site works must be carried out in accordance with the following requirements:

Activity	Permitted working hours
All building, demolition and site work, including site deliveries (except as detailed below)	<ul style="list-style-type: none"> • Monday to Friday - 7.00am to 5.00pm • Saturday - 8.00am to 5.00pm • Sunday & public holidays - No work permitted
Excavating of rock, use of jack-hammers, pile-drivers, vibratory rollers/compactors or the like	<ul style="list-style-type: none"> • Monday to Friday - 8.00am to 5.00pm • Saturday - No work permitted • Sunday & public holidays - No work permitted

An application to vary the abovementioned hours may be submitted to Council's Manager Health, Building & Regulatory Services for consideration and approval to vary the specified hours may be granted in exceptional circumstances and for limited occasions (e.g. for public safety, traffic management or road safety reasons). Any applications are to be made on the standard application form and include payment of the relevant fees and supporting information. Applications must be made at least 10 days prior to the date of the proposed work and the prior written approval of Council must be obtained to vary the standard permitted working hours.

Demolition Work Requirements

48. The demolition of buildings and the removal, storage, handling and disposal of building materials must be carried out in accordance with the relevant requirements of WorkCover NSW, the NSW Department of Environment, Climate Change & Water and Randwick City Council policies, including:

- Work Health & Safety Act 2011 and Regulations
- WorkCover NSW Code of Practice for the Safe Removal of Asbestos
- WorkCover NSW Guidelines and Codes of Practice
- Australian Standard 2601 (2001) – Demolition of Structures
- The Protection of the Environment Operations Act 1997 and Regulations
- Relevant EPA Guidelines
- Randwick City Council Asbestos Policy

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

Removal of Asbestos Materials

49. Work involving the demolition, storage or disposal of asbestos products and materials must be carried out in accordance with the following requirements:

- Relevant Occupational Health & Safety legislation and WorkCover NSW requirements
- Randwick City Council's Asbestos Policy
- A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence. A copy of the relevant licence must be provided to the Principal Certifying Authority.
- On sites involving the removal of asbestos, a sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor.
- Asbestos waste must be stored, transported and disposed of in compliance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2005*. Details of the landfill site (which must be lawfully able to receive asbestos materials) must be provided to the Principal Certifying Authority.
- A Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council and the Principal certifying authority upon completion of the asbestos related works which confirms that the asbestos material have been removed appropriately and the relevant conditions of consent have been satisfied.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development Section or a copy can be obtained from Council's Customer Service Centre.

Sediment & Erosion Control

50. Sediment and erosion control measures must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction. Details are to be included in the *Construction Site Management Plan*.

Public Safety & Site Management

51. Public safety and convenience must be maintained at all times during

demolition, excavation and construction works and the following requirements must be complied with:

- a) Public access to the building site and materials must be restricted by existing boundary fencing or temporary site fencing having a minimum height of 1.5m, to Council's satisfaction.

Temporary site fences are required to be constructed of cyclone wire fencing material and be structurally adequate, safe and constructed in a professional manner. The use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

- b) Building materials, sand, soil, waste materials, construction equipment or other articles must not be placed upon the footpath, roadway or nature strip at any time.
- c) The road, footpath, vehicular crossing and nature strip must be maintained in a good, safe, clean condition and free from any excavations, obstructions, trip hazards, goods, materials, soils or debris at all times. Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be repaired immediately, to the satisfaction of Council.
- d) Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.
- e) Sediment and erosion control measures must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction.
- f) Site fencing, building materials, bulk bins/waste containers and other articles must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health, Building and Regulatory Services department.
- g) Temporary safety fencing is to be provided to any swimming pools under construction, pending the completion of all building work and the pool must not be filled until a fencing inspection has been carried out and approved by the principal certifying authority.

Support of Adjoining Land, Excavations & Retaining Walls

52. 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.

53. 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.

54. 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

55. There must be no encroachment of any structures or building work onto Council's road reserve, footway, nature strip or public place, apart from the foot bridge pedestrian entrance from Kynaston Avenue. .

Road/Asset Opening Permit

56. Any openings within or upon the road, footpath, nature strip or in any public place (i.e. for proposed drainage works or installation of services), must be carried out in accordance with the following requirements, to the satisfaction of Council:

- a) A *Road / Asset Opening Permit* must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the *Roads Act 1993* and all of the conditions and requirements contained in the *Road / Asset Opening Permit* must be complied with.
- b) Council's Road / Asset Opening Officer must be notified at least 48 hours in advance of commencing any excavation works and also immediately upon completing the works (on 9399 0691 or 0409 033 921 during business hours), to enable any necessary inspections or works to be carried out.
- c) Relevant *Road / Asset Opening Permit* fees, construction fees, inspection fees and security deposits, must be paid to Council prior to commencing any works within or upon the road, footpath, nature strip or other public place,
- d) The owner/developer must ensure that all works within or upon the road reserve, footpath, nature strip or other public place are completed to the satisfaction of Council, prior to the issuing of a *final occupation certificate* or occupation of the development (whichever is sooner).

- e) Excavations and trenches must be back-filled and compacted in accordance with AUSPEC standards 306U.
- f) Excavations or trenches located upon a road or footpath are required to be provided with 50mm depth of cold-mix bitumen finish, level with the existing road/ground surface, to enable Council to readily complete the finishing works at a future date.
- g) Excavations or trenches located upon turfed areas are required to be back-filled, compacted, top-soiled and re-turfed with Kikuyu turf.
- h) The work and area must be maintained in a clean, safe and tidy condition at all times and the area must be thoroughly cleaned at the end of each day's activities and upon completion.
- i) The work can only be carried out in accordance with approved hours of building work as specified in the development consent, unless the express written approval of Council has been obtained beforehand.
- j) Sediment control measures must be implemented in accordance with the conditions of development consent and soil, sand or any other material must not be allowed to enter the stormwater drainage system or cause a pollution incident.
- k) The owner/developer must have a Public Liability Insurance Policy in force, with a minimum cover of \$10 million and a copy of the insurance policy must be provided to Council prior to carrying out any works within or upon the road, footpath, nature strip or in any public place.

Traffic Management

57. Adequate provisions must be made to ensure pedestrian safety and traffic flow during the site works and traffic control measures are to be implemented in accordance with the relevant provisions of the Roads and Traffic Manual "Traffic Control at Work Sites" (Version 4), to the satisfaction of Council.

Stormwater Drainage

58. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal certifying authority.

The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Tree Removal within site

59. Approval is granted for removal of the two Cypress Pines (Cedars) located hard up against the northern side of the existing garage, so as to accommodate the proposed works as shown, subject to full implementation of the approved landscape plan.

Removal of vegetation from reserve

60. The applicant will be required to cover all costs associated with removal, stump-grinding and disposal of the shrubs located in the adjoining public reserve, 30R Church Street, being from north to south, a White Cedar, an Oleander and a Wattle, along with all Agapanthus and any weeds, so as to accommodate the new planting in this area, and must satisfy themselves as to the location of all services, prior to the commencement of any external works in the reserve.

Pruning of Neighbours Tree

61. Permission is granted for the minimal and selective pruning of only those lower

growing branches from the eastern aspect of the Cedar located in the side setback of the adjoining property at 10 Kynaston Avenue, only where they overhang the common boundary into the subject site, and need to be pruned in order to avoid damage to the tree; or; interference with the works.

62. This approval does not imply any right of entry onto a neighbouring property nor does it allow pruning beyond a common boundary; however, where such measures are desirable in the best interests of correct pruning procedures, and ultimately, the ongoing health of this tree, the applicant must negotiate with the neighbour/tree owner for access to perform this work.
63. All pruning must be undertaken by an Arborist who holds a minimum of AQF Level III in Arboriculture, and to the requirements of Australian Standard AS 4373-2007 'Pruning of Amenity Trees,' and NSW Work Cover Code of Practice for the Amenity Tree Industry (1998).

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent 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.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health, safety and amenity.

Occupation Certificate Requirements

64. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The relevant requirements of the *Environmental Planning & Assessment Act 1979* and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

BASIX Requirements

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

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

Council's Infrastructure, Vehicular Crossings & Road Openings

66. The owner/developer must meet the full cost for Council or a Council approved contractor to:
- a) Construct a full width concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site.
 - b) Construct kerb and gutter for the full site frontage in Tram lane except opposite the vehicular entrance and exit points.

- c) Carry out a full depth, minimum 1 metre wide, road construction in front of the kerb and gutter along the full site frontage.
 - d) Construct 0.5m (approximate) wide concrete footpath along the full site frontage behind new kerb.
 - e) Construct new footpaths in Kynaston Avenue reserve as required to Council's specification.
67. Prior to issuing a final occupation certificate or occupation of the development (whichever is sooner), the owner/developer must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.
68. All external civil work to be carried out on Council property (including the installation and repair of roads, footpaths, vehicular crossings, kerb and guttering and drainage works), must be carried out in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works" and the following requirements:
- a) All work on Council land must be carried out by Council, unless specific written approval has been obtained from Council to use non-Council contractors.
 - b) Details of the proposed civil works to be carried out on Council land must be submitted to Council in a *Civil Works Application Form*, prior to an occupation certificate being issued for the development, together with payment of the relevant fees.
 - c) If it is proposed to use non-Council contractors to carry out the civil works on Council land, the work must not commence until the written approval has been obtained from Council and the work must be carried out in accordance with the conditions of consent, Council's design details and payment of a Council design and supervision fee.
 - d) The civil works must be completed in accordance with Council's conditions of consent and approved design and construction documentation, prior to occupation of the development, or as otherwise approved by Council in writing.

Pedestrian Footbridge

69. Prior to an occupation certificate being issued for the development, a positive covenant under section 88E of the Conveyancing Act 1919 shall be registered on the title of the subject property, which provides for:-
- i) The registered proprietors of the Lot(s) burdened to clean, maintain, renew and repair the pedestrian footbridge (including supporting elements) to Kynaston Avenue Reserve (30R Church Street);
 - ii) The registered proprietors of the Lot(s) burdened to hold full public liability in relation to any claims sustained as a result of the pedestrian footbridge (including supporting elements);

Service Authorities

Sydney Water Requirements

70. A section 73 Compliance Certificate, under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. An Application for a Section 73 Certificate must be made through an authorised Water Servicing Coordinator. For details, please refer to the Sydney Water web site www.sydneywater.com.au > Building and developing > Developing your Land

> Water Servicing Coordinator or telephone 13 20 92.

Please make early contact with the Water Servicing Co-ordinator, as building of water/sewer extensions may take some time and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority and the Council prior to issuing an *Occupation Certificate*.

Aerial Bundling of power

71. The applicant shall meet the full cost for the overhead power lines (*and/or telecommunication cables - include whatever is appropriate*) located along the Tram Lane site frontage to be aerially bundled. The applicant shall liaise directly with the relevant service utility authorities to organise for the cables to be bundled. All cables must be bundled to the satisfaction of the relevant service utility authority prior to the issuing of an occupation certificate for the development.

Stormwater Drainage

72. A "restriction on the use of land" and "positive covenant" (under section 88E of the Conveyancing Act 1919) shall be placed on the title of the subject property to ensure that the onsite detention/infiltration system is maintained and that no works which could affect the design function of the detention/infiltration system are undertaken without the prior consent (in writing) from Council. Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council.

Notes:

- a. The "restriction on the use of land" and "positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout for the restriction and positive covenant may be obtained from Council's Development Engineer.
- b. The works as executed drainage plan and hydraulic certification must be submitted to Council prior to the "restriction on the use of land" and "positive covenant" being executed by Council.

iv. A works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced hydraulic consultant/engineer must be forwarded to the Principal Certifying Authority and the Council. The works-as-executed plan must include the following details (as applicable):

- The location of any detention basin/s with finished surface levels;
- Finished site contours at 0.2 metre intervals;
- Volume of storage available in any detention areas;
- The location, diameter, gradient and material (i.e. PVC, RC etc) of all stormwater pipes;
- The orifice size/s (if applicable);
- Details of any infiltration/absorption systems; and
- Details of any pumping systems installed (including wet well volumes).

73. The applicant shall submit to the Principal Certifying Authority (PCA) and Council, certification from a suitably qualified and experienced Hydraulic Engineer, which confirms that the design and construction of the stormwater drainage system complies with the Building Code of Australia, Australian Standard AS3500.3:2003 (Plumbing & Drainage- Stormwater Drainage) and conditions of this development consent.

The certification must be provided following inspection/s of the site stormwater drainage system by the Hydraulic Engineers to the satisfaction of the PCA.

74. Shall Council's pipeline not be relocated outside the development site, a minimum 3.5 metre wide drainage easement shall be created over the line of the pipeline. The easement shall be in favour of Council and the wording and location of the easement shall be to Council's satisfaction.
75. The applicant shall submit to Council, and have approved, CCTV videos of the reconstructed and/or existing Council stormwater pipeline through and immediately adjacent to the development site. Such CCTV shall inspect the stormwater pipe for any post construction damage.

Landscape Certification within site

76. Prior to issuing any 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 that it has been installed substantially in accordance with the Landscape Plan by Stuart Noble Associates, dwg DA-1313-01, dated 31.07.13, and any relevant conditions of consent.
77. The owner/s must implement strategies to ensure that the landscaping is maintained in a healthy and vigorous state, until maturity, and for the life of the development.

Landscape Certification of reserve

78. Prior to the PCA issuing any Occupation Certificate, written approval that the landscape works in the reserve have been completed in accordance with any plans and conditions of consent must be obtained from Council's Landscape Development Officer (9399-0613).
79. Once this written approval is obtained, a 6 month maintenance period will then apply, where the applicant will be responsible for the replacement of failed stock and any other routine works that are required.
80. Upon completion of the 6 month maintenance period, and prior to release/refund of the \$10,000 bond, the applicant must obtain written approval from Council's Landscape Development Officer that the maintenance period has concluded, and all works are satisfactory.
81. Any turfed areas within the reserve that are damaged as result of the works must be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu Turf or similar, and must be completed to Council's satisfaction, at the applicants cost, and prior to the issue of an Occupation Certificate.

Waste Management

82. Prior to the occupation of the development, the owner or applicant is required to contact Council's City Services department, to make the necessary arrangements for the provision of waste services for the premises.
83. The waste storage areas shall be clearly signposted.

OPERATIONAL CONDITIONS

The following operational conditions must be complied with at all times, throughout the use and operation of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health and environmental amenity.

External Lighting

84. External lighting to the premises must be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

Street Numbering

85. Street numbering must be provided to the premises in a prominent position, to the satisfaction of Council.

Plant & Equipment

86. The operation of all plant and equipment upon the premises shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997 and Regulations*.

In this regard, the operation of the plant and equipment shall not give rise to an $L_{Aeq, 15 \text{ min}}$ sound pressure level at any affected premises that exceeds the background $L_{A90, 15 \text{ min}}$ noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A) in accordance with relevant NSW Office of Environment & Heritage (EPA) Noise Control Guidelines.

Rainwater Tanks

87. The operation of plant and equipment associated with rainwater tanks are to be restricted to the following hours if the noise emitted can be heard within a habitable room in any other residential premises:

- before 8.00am or after 8.00pm on weekends or public holiday; or
- before 7.00am or after 8.00pm on weekdays.

Stormwater Detention/Infiltration System

88. The detention area/infiltration system must be regularly cleaned and maintained to ensure it functions as required by the design.

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 Council's policies. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

- 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.

- A2 This determination does not include an assessment of the proposed works under the Building Code of Australia (BCA) and other relevant Standards. All new building work (including alterations and additions) must comply with the

BCA and relevant Standards and you are advised to liaise with your architect, engineer and building consultant prior to lodgement of your construction certificate.

- A3 Demolition, building or excavation work must not be commenced until;
- A *Construction Certificate* has been obtained from Council or an Accredited Certifier
 - Council or an Accredited Certifier has been appointed as the *Principal Certifying Authority* for the development
 - Council and the Principal Certifying Authority have been given at least 2 days notice (in writing) prior to commencing any works.
- A4 Council's Building Certification & Fire Safety team can issue your *Construction Certificate* and be your *Principal Certifying Authority* for the development, to undertake inspections and ensure compliance with the development consent, relevant building regulations and standards of construction. For further details contact Council on 9399 0944.
- A5 A Local Approval application must be submitted to and be approved by Council prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:
- Install or erect any site fencing, hoardings or site structures
 - Operate a crane or hoist goods or materials over a footpath or road
 - Placement of a waste skip or any other container or article.

For further information please contact Council on 9399 0944.

- A6 Specific details of the location of the building/s should be provided in the Construction Certificate to demonstrate that the proposed building work will not encroach onto the adjoining properties, Council's road reserve or any public place.
- A7 Prior to commencing any works, the owner/builder should contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au and relevant Service Authorities, for information on potential underground pipes and cables within the vicinity of the development site.
- A8 This consent does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or permanent) or the like is proposed to be carried out upon any adjoining or supported land, the land owner or principal contractor must obtain:
- the consent of the owners of such adjoining or supported land to trespass or encroach, or
 - an access order under the *Access to Neighbouring Land Act 2000*, or
 - an easement under section 88K of the *Conveyancing Act 1919*, or
 - an easement under section 40 of the *Land & Environment Court Act 1979*, as appropriate.

Section 177 of the *Conveyancing Act 1919* creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

- A9 Smoke alarms are required to be installed in all residential dwellings, in

accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979* and the Building Code of Australia. Details should be included in the construction certificate application.

A10 Demolition work and removal of asbestos materials:

- *A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.*
- *It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*

A11 Any external lighting to the premises should be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

A12 Building owners and occupiers should consider implementing appropriate measures to prevent children from falling from high-level window openings and balconies (e.g. by installing window locking devices; installing heavy-duty screens to window openings; limiting the dimensions of any openings to 125mm; ensuring balustrades to balconies are at least 1m high and; locating fixtures, fittings and furniture away from high-level windows and balconies).

- Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
- The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.
- Further information and details on Council's requirements for trees on development sites can be obtained from the recently adopted Tree Technical Manual, which can be downloaded from Council's website at the following link, <http://www.randwick.nsw.gov.au> - Looking after our environment – Trees – Tree Management Technical Manual; which aims to achieve consistency of approach and compliance with appropriate standards and best practice guidelines.

For further information about preventing falls from windows and balconies refer to www.health.nsw.gov.au/childsafety or pick-up a brochure from Council's Customer Service Centre.

MOTION: (Neilson/Shurey) CARRIED – SEE RESOLUTION.

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

FOR

AGAINST

Councillor Belleli
 Councillor Bowen
 Councillor D'Souza
 Councillor Garcia
 Councillor Matson
 Councillor Moore
 Councillor Neilson
 Councillor Roberts
 Councillor Seng
 Councillor Shurey
 Councillor Smith

Councillor Andrews
 Councillor Stevenson

Total (11)

Total (2)

AMENDMENT: (Stevenson/Andrews) that the width of the ground floor balconies be restored to their original size, as indicated in the plans submitted with the original development application. **LOST.**

**D68/14 Development Application Report - 22 Araluen Street, Kingsford
 (DA/713/2009/A) (DA/713/2009/A)**

PL57/14

RESOLUTION: (Bowen/Roberts) 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/713/2009/A by increasing the height and size of the approved first floor addition, internal reconfiguration and changes to windows on southern and western elevations at first floor level. at 22 Araluen Street, KINGSFORD in the following manner:

Amend Condition No. 1 to read:

1. The development must be implemented substantially in accordance with the plans numbered DA-05 (Revision A), dated 31/08/2009 and received by Council on 2 October 2009, amended plans DA-02, DA-03, DA-06 & DA-07 (Revision B), dated 3/01/2010 and received by Council on 15 February 2010, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red by the following:

- **Section 96'A' plans numbered DA02 – DA07 all Revision E, dated 31.05.14 and received by Council on June 20, 2014**

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

**D69/14 Development Application Report - 13 -15 Silver Street, Randwick
 (DA/311/2008/E) (DA/311/2008/E)**

PL58/14

RESOLUTION: (Bowen/Roberts) 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/311/2008 by adding an additional floor at second floor level to include 2 new tenancies, façade alterations and minor internal modifications at 13-15 Silver Street, Randwick in the following manner:

A. Amend Condition No. 1 to read:

The development must be implemented substantially in accordance with the plans numbered DA03 to DA09, all Revision D, and received by Council on 5 May 2008, and as amended by DA06, Rev E, received by Council on 6 August 2008, the application form and on any supporting information received with the application, as amended by the following: -

- Section 96'A' application dated 22.09.09 and received by Council on 22 September 2009, and
- *Section 96'C' plans numbered DA-03 to DA-08, Revision F, dated 22.12.2009 and received by Council on 23 December 2009,*
- Section 96'D' plans numbered DA-04, DA-05 and DA-08, Revision G, dated 03.05.2012 and received by Council on 9 May 2012,
- **Section 96'E' plans numbered DA03 – DA06 and DA08 all Revision H and received by Council on August 12, 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: (Bowen/Roberts) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D70/14 Development Application Report - 45 Carr Street, Coogee
(DA/768/2009/A) (DA/768/2009/A)**

PL59/14

RESOLUTION: (Bowen/Roberts) that Council, as the consent authority, grants consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/768/2009/A for permission to modify the approved development by the addition of a bedroom to unit 2 at ground floor, extension of living area and terrace, internal alterations and addition of new window on the eastern side at 45 Carr Street, Coogee, subject to the following conditions:

Amend Condition No. 1 to read:

1. The development must be implemented substantially in accordance with the plans numbered DA-01, Rev. E, dated 19/05/2010 and stamped received by Council on 20 May 2010; and DA-02 to DA-06, Rev. D, and dated 16/04/2010, and stamped received by Council on 12 May 2010, the application form and on any supporting information received with the application, as amended by the ***Section 96 plan numbered S96-14-04 to S96-14-06, all dated 20/04/14 and received by Council on the 23 May 2014; and S96-14-01 (Revision A), dated 22/07/14 and received by Council on 22 July 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 Condition No. 104 to read:

104. The following window/s must have a minimum sill height of 1.6m above floor level, or alternatively, the window/s are to be fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:

- East facing ground floor window to bedroom no. 3 of unit 2
- East facing ground floor window to living room of unit 2

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

**D71/14 Development Application Report - 16 Coogee Street, Coogee
(DA/853/2013) (DA/853/2013)**

PL60/14

RESOLUTION: (Bowen/Andrews) that this application be deferred to allow mediation between the applicant and the objectors to address a range of issues,

including wall height, landscaping, privacy, rear setback and the shortfall in parking.

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

**D72/14 Development Application Report - 137 Carrington Road, Coogee
(DA/88/2014) (DA/88/2014)**

PL61/14

RESOLUTION: (Bowen/Roberts)

That Council, as the consent authority, refuses consent to Development Application No. 88/2014 for demolition of existing structures, existing structures and construct a part four (4), part two (2) storey multi-unit development in two (2) building forms. The development comprises eight (8) units, parking for 13 vehicles at semi-basement and ground levels, associated landscaping and site works, at No. 137 Carrington Road, Coogee, pursuant to Section 80(1)(b) of the Environmental Planning and Assessment Act 1979, as amended, for the following reasons:

1. The proposed development is prohibited by virtue of the proposed 'attached dual occupancy' at the rear of the site
2. The scheme fails to recognise the desirable elements of the existing streetscape and built form, does not contribute to the desired future character of the area or satisfactorily protect the amenity of adjoining residents. The proposal does not satisfy the relevant objectives for the R3 Medium Density Residential zone stipulated under Randwick Local Environmental Plan 2012;
3. The scheme does not satisfy the design quality principles of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.
4. The scheme proposes a built form that does not adequately respond to the unique characteristics of the site and the surrounding context and fails to meet the objectives and controls of Building Design set out in Clause 2.1 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;
5. The scheme fails to meet the objectives and controls of landscaped area set out in Clause 2.2 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;
6. The scheme proposes a non compliant wall height that eventuates in unreasonable bulk, scale and shadow and fails to meet the objectives for Building Height set out in Clause 3.2 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;
7. The scheme proposes insufficient setbacks to ensure adequate separation and solar access, failing to meet the objectives for Setbacks set out in Clause 3.4 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;
8. The scheme does not provide satisfactory pedestrian access to the rear building component, failing to meet the objectives for Pedestrian Entry set out in Clause 4.5 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;
9. The scheme is unsatisfactory in respect of solar access and the objectives and controls of Section 5.1 of the DCP.
10. The scheme is inclusive of balconies that will compromise the privacy of single

dwelling to the south and fails to meet the objectives and controls for visual privacy set out in Clause 5.3 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;

11. The proposed car parking design does not comply with the access requirements of Australian Standard 2890.1:2004 – *Off Street Car Parking* and fails to meet the objectives and controls for privacy set out in Section B7 *Transport, Traffic, Parking and Access* of Randwick Development Control Plan.
12. The location and design of the driveway are of insufficient setback and excessive length that will create unnecessary impact to the amenity of the immediate southern neighbor and fails to meet the objectives and controls for location of vehicular access set out in Clause 6.1 of the Randwick Development Control Plan 2013 Part C2 – Medium Density Residential;
13. The scheme has not properly examined the relationship between the building, the site conditions, the surrounding context and does not demonstrate a skilful design. The height, form and massing of the development will detrimentally affect the amenity of the neighbouring properties and the streetscape. The proposal is not considered to satisfy Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979.
14. The scheme is not accompanied by sufficient information to carry out a proper assessment of the relevant environmental impacts, being a prescribed minimum of Section 79C of the Environmental Planning and Assessment Act 1979.

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

**D73/14 Development Application Report - 60 Holmes Street, Maroubra
(DA/394/2014) (DA/394/2014)**

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

PL62/14

RESOLUTION: (Andrews/Moore) 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. 394/2014 for the addition of a laundry to the rear of existing dwelling, internal alterations including a new internal staircase to provide access to an existing attic storeroom, at No. 60 Holmes Street, Maroubra, subject to the standard conditions contained in the development application compliance report attached to this report.

MOTION: (Andrews/Moore) CARRIED UNANIMOUSLY – SEE RESOLUTION.

Miscellaneous Reports

Nil.

Notice of Rescission Motions

Nil.

The meeting closed at 7.05pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 9 September 2014.

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CHAIRPERSON