

**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, 14 OCTOBER 2014 AT 6:17PM**

**Present:**

The Mayor, Councillor T Seng (Central Ward)

|              |   |
|--------------|---|
| North Ward   | - Councillors K Neilson, L Shurey & K Smith                 |
| South Ward   | - Councillors R Belleli, N D'Souza & P Garcia (Chairperson) |
| East Ward    | - Councillors B Roberts & M Matson (arrived 6.30pm)         |
| West Ward    | - Councillors G Moore & H Stavrinou                         |
| Central Ward | - Councillors A Andrews & G Stevenson                       |

**Officers present:**

|  |                 |
|--|-----------------|
| Acting General Manager                   | Ms S Truuvet    |
| Director City Services                   | Mr J Frangoples |
| Acting Director City Planning            | Mr K Kyriacou   |
| Director Governance & Financial Services | Mr J Smith      |
| Senior Administrative Coordinator        | Ms J Hartshorn  |
| Communications Manager                   | Mr J Hay        |

**Apologies/Granting of Leave of Absences**

Apologies were received from Crs Bowen and Nash.

**RESOLVED: (Andrews/Stavrinou)** that the apologies received from Crs Bowen and Nash be accepted and leave of absences from the meeting be granted.

**Confirmation of the Minutes**

**CONFIRMATION OF THE MINUTES OF THE PLANNING COMMITTEE MEETING  
HELD ON TUESDAY 9 SEPTEMBER 2014**

PL76/14

**RESOLUTION: (Andrews/Stavrinou)** that the Minutes of the Planning Committee Meeting held on Tuesday 9 September 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**

- Cr Neilson declared a non significant non pecuniary interest in Item D91/14 as she has an association with Blenheim House as the President of The Friends of Blenheim House.

**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:

D84/14 24 HAIG STREET, MAROUBRA (DA/342/2014) (DEFERRED)

**Applicant** Nathan Besser

D85/14 15 EDGECLIFFE AVE, SOUTH COOGEE (DA/191/2014)

**Objector** Anni Haque

**Applicant** Ron Pajor

D87/14 23 ARALUEN STREET, KINGSFORD (DA/395/2014)

**Objector** Glen Jamieson

**Applicant** Christopher Nicholson

D88/14 9 SEASIDE PARADE, SOUTH COOGEE (DA/303/2013/A)

**Applicant** Nick Kotzohambos

D90/14 97 CARRINGTON ROAD, COOGEE (DA/234/2014)

**Objector** Mary Storch

**Applicant** Anthony Betros – representing the applicant

D91/14 30 BLENHEIM STREET, RANDWICK (DA167/2014)

**Applicant** Anthony Betros – representing the applicant

The meeting was adjourned at 7.25pm and was resumed at 7.40pm.

**Urgent Business**

Nil.

**Development Application Reports****D84/14 Development Application Report - 24 Haig Street, Maroubra (DA/342/2014) (Deferred)**

PL77/14

**RESOLUTION: (Neilson/Shurey)** that the application be deferred to allow for the submission of amended plans that address the height, bulk and scale of the proposal.

**MOTION: (Mayor, Cr Seng/Andrews)** that Council, as the consent authority, grants development consent under Section 80 of the Environmental Planning and Assessment Act, 1979, as amended, to Development Application No. 342/2014 for the construction of a secondary dwelling above the existing garage, new garage door at No. 24 Haig Street, Maroubra, subject to standard conditions of consent and the following non-standard condition:

1. The wall and the garage is to be extended to the back so as to provide separate entries to the garage and the granny flat.

**AMENDMENT: (Neilson/Shurey) CARRIED AND BECAME THE MOTION.**

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

| <b>FOR</b>           | <b>AGAINST</b>     |
|----------------------|--------------------|
| Councillor D'Souza   | Councillor Andrews |
| Councillor Garcia    | Councillor Belleli |
| Councillor Matson    | Councillor Roberts |
| Councillor Moore     | Councillor Seng    |
| Councillor Neilson   |                    |
| Councillor Shurey    |                    |
| Councillor Smith     |                    |
| Councillor Stavrinou |                    |
| Councillor Stevenson |                    |
| <b>Total (9)</b>     | <b>Total (4)</b>   |

**MOTION: (Neilson/Shurey) CARRIED - SEE RESOLUTION.**

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

| <b>FOR</b>           | <b>AGAINST</b>     |
|----------------------|--------------------|
| Councillor Belleli   | Councillor Andrews |
| Councillor D'Souza   |                    |
| Councillor Garcia    |                    |
| Councillor Matson    |                    |
| Councillor Moore     |                    |
| Councillor Neilson   |                    |
| Councillor Roberts   |                    |
| Councillor Seng      |                    |
| Councillor Shurey    |                    |
| Councillor Smith     |                    |
| Councillor Stavrinou |                    |
| Councillor Stevenson |                    |
| <b>Total (12)</b>    | <b>Total (1)</b>   |

**D85/14 Development Application Report - 15 Edgecliffe Ave, South Coogee (DA/191/2014)**

Note: A rescission motion on this item was submitted by Councillors Bowen, Matson & Neilson in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 28 October 2014.

PL78/14

**RESOLUTION: (Andrews/Roberts)** that Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/191/2014 for substantial alterations and additions to existing dwelling including new first floor, additions at ground floor, double garage at lower ground level, swimming pool to rear and associated works at No. 15 Edgecliffe Ave, South Coogee, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

**Non standard conditions**

**Garage amendments**

2. The proposed garage door shall be recessed a minimum of 300mm into the garage structure to reduce prominence to the street.

**Balcony amendments**

3. The proposed rear balcony and associated outdoor room shall be amended in accordance with the following requirements, as shown in red on the approved

plans, prior to the issue of a construction certificate:

- a. The balcony shall be reduced in length by one (1) metre when measured from the rear;
- b. The planter along the eastern aspect of the balcony and outdoor room shall have a minimum width of one (1) metre;
- c. Suitable planting shall be provided in the planter along the eastern aspect of the balcony and outdoor room, in order to facilitate privacy to 17 Edgecliffe Ave.

#### **Pool equipment**

4. Filtering equipment associated with the new pool shall be contained within an acoustic enclosure. The enclosure shall be designed and constructed by a suitably qualified person and meeting the requirements of Condition 63. The pool plant equipment and enclosure detail shall be shown on the plans and submitted to the satisfaction of the PCA, prior to issuing a Construction Certificate for the development.

**MOTION: (Matson/Shurey)** that the application be deferred for mediation with a view to minimising view losses and improving solar access for the objectors. **LOST.**

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

| <b>FOR</b>         | <b>AGAINST</b>       |
|--------------------|----------------------|
| Councillor Belleli | Councillor Andrews   |
| Councillor D'Souza | Councillor Garcia    |
| Councillor Matson  | Councillor Moore     |
| Councillor Neilson | Councillor Roberts   |
| Councillor Shurey  | Councillor Seng      |
|                    | Councillor Smith     |
|                    | Councillor Stavrinis |
|                    | Councillor Stevenson |
| <b>Total (5)</b>   | <b>Total (8)</b>     |

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

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

| <b>FOR</b>           | <b>AGAINST</b>     |
|----------------------|--------------------|
| Councillor Andrews   | Councillor Matson  |
| Councillor Belleli   | Councillor Neilson |
| Councillor D'Souza   |                    |
| Councillor Garcia    |                    |
| Councillor Moore     |                    |
| Councillor Roberts   |                    |
| Councillor Seng      |                    |
| Councillor Shurey    |                    |
| Councillor Smith     |                    |
| Councillor Stavrinis |                    |
| Councillor Stevenson |                    |
| <b>Total (11)</b>    | <b>Total (2)</b>   |

**D86/14 Development Application Report - 52-52A Jennings Street,  
Matrville (DA/454/2011/A)**

PL79/14

**RESOLUTION: (Andrews/Stavrinos)** 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/454/2011/A by increasing the size of the approved in ground pool and rear deck and undertake alterations to the adjacent associated structure (such as the side screening and rear elevation openings) at 52–52A Jennings Street, Matrville in the following manner

- **Amend Condition No. 1 to read:**

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

| <i>Plan</i>          | <i>Drawn by</i>          | <i>Dated</i> | <i>Received</i> |
|----------------------|--------------------------|--------------|-----------------|
| 1103-01.1            | Michael Bremner Pty Ltd. | 3 June 2011  | 17 June 2011    |
| 1103-02.1 (Issue C)  | Michael Bremner Pty Ltd. | 3 June 2011  | 17 June 2011    |
| 1103-02.02 (Issue C) | Michael Bremner Pty Ltd. | 3 June 2011  | 17 June 2011    |
| 1103-02.01 (Issue C) | Michael Bremner Pty Ltd. | 3 June 2011  | 17 June 2011    |

- ***Section 96 'A' plans numbered S01 – S03 all Revision B, dated 12/08/14 drawn by U + I Building Studio and received by Council on 15 August 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 Conditions Nos:**

41. No approval is granted under Section 96 application, DA/454/2011/, to the rear garden shed and associated deck as indicated on the original approved plans (DA/593/2005).
42. The screening adjacent to the northern side of the swimming pool shall be at least 1.6m high, measured from the finished surface of the swimming pool lip to the top of the screening.

Plans are to be amended to reflect the above requirements, prior to the issue of a construction certificate.

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

**D87/14 Development Application Report - 23 Araluen Street, Kingsford  
(DA/395/2014)**

PL80/14

**RESOLUTION: (Stavrinos/Andrews)** 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/395/2014 for alterations and additions to the existing dwelling house including new first floor addition and new retaining wall on the western side boundary, at No. 23 Araluen Street, Kingsford, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. All proposed window openings along the eastern elevation at first floor level must have a minimum sill height of 1.6m above floor level. Alternatively, the computer room window must be provided with fixed translucent, obscured, frosted or sandblasted glazing below 1.6m above floor level.
  - b. The external wall facing no. 21 Araluen Street on the western side boundary shall be rendered and painted in light neutral colour to maintain the integrity and amenity of the neighbouring dwelling at no. 21 Araluen Street. Detail of the proposed colour shall be submitted to and approved by Council's Manager Development Assessments prior to issuing a construction certificate for the development.
  - c. The chimney on the common wall boundary shall be reinstated to match its original intent and form to be functional for use for the property owners of No. 21 Araluen Street.

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

**D88/14 Development Application Report - 9 Seaside Parade, South Coogee  
(DA/303/2013/A)**

PL81/14

**RESOLUTION: (Neilson/D'Souza)** that Council, as the consent authority, grants development consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify DA/303/2013 by relocation of swimming pool adjacent to southern boundary, alterations to front facade (west), extension of balconies on levels 4 and 5, addition of planter on level 4, extension of floor area to east on level three, addition of plant room on level 2, alterations to landscaping, internal changes and repositioning of skylight for No. 9 Seaside Parade South Coogee, in the following manner:

**Amend Condition No. 1 to read:**

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

| <i>Plan</i> | <i>Drawn by</i> | <i>Dated</i> | <i>Received by Council</i> |
|-------------|-----------------|--------------|----------------------------|
| DA2002B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2003B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2004C     | MPR             | 7/11/13      | 7/11/13                    |
| DA2005B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2006B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2007B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2008C     | MPR             | 7/11/13      | 7/11/13                    |
| DA2009B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2010B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2011B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2012B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2013B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2014B     | MPR             | 3/10/13      | 4/10/13                    |

| <i>BASIX Certificate No.</i> | <i>Dated</i> | <i>Received by Council</i> |
|------------------------------|--------------|----------------------------|
| 483625S                      | 21 May 2013  | 22 May 2013                |

as amended by the following **Section 96 plans and documentation:**

| <b>Plan</b>               | <b>Drawn by</b> | <b>Dated</b> | <b>Received by Council</b> |
|---------------------------|-----------------|--------------|----------------------------|
| S96.2002 Roof Site Plan   | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2003C Level 5 Plan    | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2004C Level 4 Plan    | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2005C Level 3 Plan    | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2006C Level 2 Plan    | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2007C Level 1 Plan    | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2008C Section A       | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2010C West Elevation  | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2011C East Elevation  | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2012C North elevation | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2013C South Elevation | JPRA            | 14/7/2014    | 13/8/2014                  |

| <b>BASIX Certificate No.</b> | <b>Dated</b> | <b>Received by Council</b> |
|------------------------------|--------------|----------------------------|
| 483625S                      | 21 May 2013  | 22 May 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:

**Amend Condition No. 2 as follows:**

- **Delete Condition 2 (ii)**

- **Replace Condition 2 (iii) with the following amended wording:**

The deck at the rear of level 4 adjoining the dining area must be reduced by a depth of 2.5m to a maximum depth of 900mm and a maximum width of 4.7m. The deck adjoining the living area is to be deleted and the proposed bi-fold doors adjacent to the dining area, marked 4W06, shall be replaced with the openings approved for this room under Development Consent DA/303/2013. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.

- **Replace Condition 2 (iv) with the following amended wording:**

The deck at the rear of level 5 adjoining the master bedroom must be reduced by a depth of 600mm to a maximum depth of 400mm and a maximum width of 2.9m. The deck adjoining bedroom 2 is to be deleted and the proposed bi-fold doors adjacent to bedroom 2, marked 5W09, shall be replaced with the openings for this room approved under Development Consent DA/303/2013. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.

- **Replace Condition 2 (v) with the following amended wording:**

The proposed extended deck at the rear of level 3 is to be deleted and replaced with a non-trafficable deck. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.

**MOTION: (Roberts/Andrews)** that Council, as the consent authority, grants development consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify DA/303/2013 by relocation of swimming pool adjacent to southern boundary, alterations to front facade (west), extension of balconies on levels 4 and 5, addition of planter on level 4, extension of floor area to east on level three, addition of plant room on level 2, alterations to landscaping, internal changes and repositioning of skylight for No. 9 Seaside Parade

South Coogee, in the following manner:

**Amend Condition No. 1 to read:**

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

| <i>Plan</i> | <i>Drawn by</i> | <i>Dated</i> | <i>Received by Council</i> |
|-------------|-----------------|--------------|----------------------------|
| DA2002B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2003B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2004C     | MPR             | 7/11/13      | 7/11/13                    |
| DA2005B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2006B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2007B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2008C     | MPR             | 7/11/13      | 7/11/13                    |
| DA2009B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2010B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2011B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2012B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2013B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2014B     | MPR             | 3/10/13      | 4/10/13                    |

| <i>BASIX Certificate No.</i> | <i>Dated</i> | <i>Received by Council</i> |
|------------------------------|--------------|----------------------------|
| 483625S                      | 21 May 2013  | 22 May 2013                |

as amended by the following **Section 96 plans and documentation:**

| <i>Plan</i>               | <i>Drawn by</i> | <i>Dated</i> | <i>Received by Council</i> |
|---------------------------|-----------------|--------------|----------------------------|
| S96.2002 Roof Site Plan   | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2003C Level 5 Plan    | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2004C Level 4 Plan    | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2005C Level 3 Plan    | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2006C Level 2 Plan    | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2007C Level 1 Plan    | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2008C Section A       | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2010C West Elevation  | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2011C East Elevation  | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2012C North elevation | JPra            | 14/7/2014    | 13/8/2014                  |
| S96.2013C South Elevation | JPra            | 14/7/2014    | 13/8/2014                  |

| <i>BASIX Certificate No.</i> | <i>Dated</i> | <i>Received by Council</i> |
|------------------------------|--------------|----------------------------|
| 483625S                      | 21 May 2013  | 22 May 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:

**Amend Condition No. 2 as follows:**

- Delete Conditions 2 (ii), 2 (iii) and 2 (iv)
- Replace Condition 2 (v) with the following amended wording:

The proposed extended deck at the rear of level 3 is to be deleted and replaced with a



non-trafficable deck. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate. **LOST.**

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

| <b>FOR</b>           | <b>AGAINST</b>       |
|----------------------|----------------------|
| Councillor Andrews   | Councillor D'Souza   |
| Councillor Belleli   | Councillor Garcia    |
| Councillor Roberts   | Councillor Matson    |
| Councillor Seng      | Councillor Moore     |
| Councillor Stavrinou | Councillor Neilson   |
|                      | Councillor Shurey    |
|                      | Councillor Smith     |
|                      | Councillor Stevenson |
| <b>Total (5)</b>     | <b>Total (8)</b>     |

**MOTION: (Stevenson/Roberts)** that Council, as the consent authority, grants development consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify DA/303/2013 by relocation of swimming pool adjacent to southern boundary, alterations to front facade (west), extension of balconies on levels 4 and 5, addition of planter on level 4, extension of floor area to east on level three, addition of plant room on level 2, alterations to landscaping, internal changes and repositioning of skylight for No. 9 Seaside Parade South Coogee, in the following manner:

**Amend Condition No. 1 to read:**

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

| <b>Plan</b> | <b>Drawn by</b> | <b>Dated</b> | <b>Received by Council</b> |
|-------------|-----------------|--------------|----------------------------|
| DA2002B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2003B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2004C     | MPR             | 7/11/13      | 7/11/13                    |
| DA2005B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2006B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2007B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2008C     | MPR             | 7/11/13      | 7/11/13                    |
| DA2009B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2010B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2011B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2012B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2013B     | MPR             | 3/10/13      | 4/10/13                    |
| DA2014B     | MPR             | 3/10/13      | 4/10/13                    |

| <b>BASIX Certificate No.</b> | <b>Dated</b> | <b>Received by Council</b> |
|------------------------------|--------------|----------------------------|
| 483625S                      | 21 May 2013  | 22 May 2013                |

as amended by the following **Section 96 plans and documentation:**

| <b>Plan</b>             | <b>Drawn by</b> | <b>Dated</b> | <b>Received by Council</b> |
|-------------------------|-----------------|--------------|----------------------------|
| S96.2002 Roof Site Plan | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2003C Level 5 Plan  | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2004C Level 4 Plan  | JPRA            | 14/7/2014    | 13/8/2014                  |
| S96.2005C Level 3 Plan  | JPRA            | 14/7/2014    | 13/8/2014                  |

|                           |      |           |           |
|---------------------------|------|-----------|-----------|
| S96.2006C Level 2 Plan    | JPRA | 14/7/2014 | 13/8/2014 |
| S96.2007C Level 1 Plan    | JPRA | 14/7/2014 | 13/8/2014 |
| S96.2008C Section A       | JPRA | 14/7/2014 | 13/8/2014 |
| S96.2010C West Elevation  | JPRA | 14/7/2014 | 13/8/2014 |
| S96.2011C East Elevation  | JPRA | 14/7/2014 | 13/8/2014 |
| S96.2012C North elevation | JPRA | 14/7/2014 | 13/8/2014 |
| S96.2013C South Elevation | JPRA | 14/7/2014 | 13/8/2014 |

| <b><i>BASIX Certificate No.</i></b> | <b><i>Dated</i></b> | <b><i>Received by Council</i></b> |
|-------------------------------------|---------------------|-----------------------------------|
| 483625S                             | 21 May 2013         | 22 May 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:***

**Amend Condition No. 2 as follows:**

- **Delete Condition 2 (ii)**

- **Replace Condition 2 (iii) with the following amended wording:**

The deck at the rear of level 4 adjoining the dining area must be a maximum depth of 2m and a maximum width of 4.7m. The deck adjoining the living area is to be deleted and the proposed bi-fold doors adjacent to the dining area, marked 4W06, shall be replaced with the openings approved for this room under Development Consent DA/303/2013. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.

- **Replace Condition 2 (iv) with the following amended wording:**

The deck at the rear of level 5 adjoining the master bedroom must be a maximum depth of 1m and a maximum width of 2.9m. The deck adjoining bedroom 2 is to be deleted and the proposed bi-fold doors adjacent to bedroom 2, marked 5W09, shall be replaced with the openings for this room approved under Development Consent DA/303/2013. Details must be submitted to and approved by Council's Manager Development Assessment prior to issue of a construction certificate.

- **Delete Condition 2 (v). LOST.**

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

| <b>FOR</b>           | <b>AGAINST</b>     |
|----------------------|--------------------|
| Councillor Andrews   | Councillor D'Souza |
| Councillor Belleli   | Councillor Garcia  |
| Councillor Roberts   | Councillor Matson  |
| Councillor Seng      | Councillor Moore   |
| Councillor Stavrinou | Councillor Neilson |
| Councillor Stevenson | Councillor Shurey  |
|                      | Councillor Smith   |
| <b>Total (6)</b>     | <b>Total (7)</b>   |

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

**D89/14 Development Application Report - 205 Oberon Street, Coogee  
(DA/500/2010/C)**

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PL82/14

**RESOLUTION: (Andrews/Stavrinos)** that Council, as the consent authority, grants consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/500/2010/C for permission to modify the approved development by altering the balustrade design for front & rear balconies, changing the window/door openings on western eastern and northern elevations, adding new wall adjacent to rear boundary and on part of the eastern side boundary, at No. 205 Oberon Street, Coogee, subject to the following conditions:

**A. Amend Condition No. 1 to read:**

1. The development must be implemented substantially in accordance with the plans numbered DA01 to DA14 and stamped received by Council on 11 February 2011, the application form and on any supporting information received with the application, except as may be amended by the
  - Section 96 'A' plans numbered S9601 – S9614, Issue S96, dated 23/10/12 and received by Council on 24 October 2012
  - Section 96 'B' plans numbered S9601 – S9614, Issue A, dated 26/09/13 and received by Council on 27 September 2013
  - **Section 96 'C' plans numbered 01 – 06, dated 14/08/2014 and received by Council on 15 August 2014 and BASIX certificate no. A85092\_04, issued on 15 August 2014 and received by Council on 15 August 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:

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

**D90/14 Development Application Report - 97 Carrington Road, Coogee  
(DA/234/2014)**

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PL83/14

**RESOLUTION: (Andrews/Stavrinos)** that Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 234/2014 for the demolition of the existing structures and construction of a part 3/part 4 residential flat building containing 11 units with 2 levels of basement car parking for 18 vehicles, landscaping and associated works at No. 97 Carrington Road, Coogee, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

**Nonstandard conditions**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. A privacy screen having a height of a) 1.5m above floor level must be provided to northern edge of unit 2.01. The privacy screen must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
  - b. A planter box having a minimum height of 600mm and a minimum width of 1.5m is to be provided to the southern edge of the terrace area to unit

- 2.01. Planting in this planter box is to similar to planting shown to the northern and eastern boundaries of this terrace.
- c. A planter box to a minimum height of 600mm and a minimum width of 1m is to be provided to the northern edge of the terrace area to unit G.01. Planting in this planter box is to be similar to planting to planting shown in relation to unit 2.01.
  - d. A privacy screen having a height of 1.5m above floor level is to be provided to the southern edge of the planter box required by condition 2c. The privacy screen must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted in a suitable frame.

### **Amended Condition No. 27**

#### **Dilapidation Reports**

27. 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, that includes an assessment of the buildings on all adjoining properties and any others located within the zone of influence of the excavation.

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.

**MOTION: (Matson/Shurey)** that Council, as the consent authority, refuses development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 234/2014 for the demolition of the existing structures and construction of a part 3/part 4 residential flat building containing 11 units with 2 levels of basement car parking for 18 vehicles, landscaping and associated works at No. 97 Carrington Road, Coogee, for the following reasons:

1. The proposal does not comply with the solar access requirements of the Randwick LEP and will result in unreasonable overshadowing to the adjoining property.
2. The suitability of the site for the proposed development. **LOST.**

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

| <b>FOR</b>        | <b>AGAINST</b>       |
|-------------------|----------------------|
| Councillor Matson | Councillor Andrews   |
| Councillor Shurey | Councillor Belleli   |
|                   | Councillor D'Souza   |
|                   | Councillor Garcia    |
|                   | Councillor Moore     |
|                   | Councillor Neilson   |
|                   | Councillor Roberts   |
|                   | Councillor Seng      |
|                   | Councillor Smith     |
|                   | Councillor Stavrinou |
|                   | Councillor Stevenson |
| <b>Total (2)</b>  | <b>Total (11)</b>    |

**MOTION: (Andrews/Stavrinis) CARRIED - SEE RESOLUTION.**

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

| <b>FOR</b>           | <b>AGAINST</b>    |
|----------------------|-------------------|
| Councillor Andrews   | Councillor Matson |
| Councillor Belleli   | Councillor Shurey |
| Councillor D'Souza   |                   |
| Councillor Garcia    |                   |
| Councillor Moore     |                   |
| Councillor Neilson   |                   |
| Councillor Roberts   |                   |
| Councillor Seng      |                   |
| Councillor Smith     |                   |
| Councillor Stavrinis |                   |
| Councillor Stevenson |                   |
| <b>Total (11)</b>    | <b>Total (2)</b>  |

**MOTION: (Andrews/Stavrinis) CARRIED - SEE RESOLUTION.****D91/14 Development Application Report - 30 Blenheim Street, Randwick (DA167/2014)**

PL84/14

**RESOLUTION: (Andrews/Stavrinis)** 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/167/2014 for demolition of existing structure, construction of four level mixed use development comprising ground and first floor health services with serviced apartments above, basement carparking for 7 vehicles with associated works, at No. 30 Blenheim Street, Randwick, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

**Non standard conditions****Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a) The privacy screens located along the western end of the level 1 terrace shall have a height of 1.6m above floor level. The privacy screens must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
  - b) The following windows must have a minimum sill height of 1.6m above floor level, or alternatively, the windows are to be fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:
    - West facing windows on apartments 3, 4, 9 & 10
  - c) The external louvre screens across the face of the following west facing windows must be fixed and designed so that the total area of openings within the screens must not exceed 25% of the area of the screens:
    - West facing windows on apartments 3, 4, 9 & 10
  - d) A Management Plan governing the use and operation serviced apartments

shall be submitted to Council for approval having regard to (but not limited by) the following aspects of the development:

- Management of the serviced apartments
  - Operational details
  - Amenity
  - Safety and security
  - Waste management
  - Fire safety
  - Deliveries and loading/unloading
  - Complaint management
  - Booking, Reception and access provisions
- e) A Management Plan governing the use of the health facilities and measures that will be used to demand manage the shortfall in parking subject to but not limited to the following:
- Operational details
  - Amenity
  - Waste management
  - Deliveries and loading/unloading
  - Number of attending specialists at any one time and consultation times as per the originally submitted Traffic Assessment Report and associated amended statement dated 18 July 2014 and received by Council on 22 July 2014.
  - Allowances for the Drop-off of patients in the basement
  - Provision of car share vehicles
  - Prepare a green travel plan to minimise private car usage by staff
- f) A detailed landscape plan for the development must be submitted to, and be approved by, Council, prior to the issue of a construction certificate subject to (but not limited to) the following requirements:
- Provide additional landscaping within the 2.2m deep section of deep soil area located across the High Street frontage
  - Details of strip planting on the podium terrace Level 1
  - Landscape details showing membranes, drainage and irrigation systems within open space and podium areas of the development.

Details of compliance are to be submitted to the Manager of Development Assessment for approval prior to a Construction Certificate being issued for the development

- g) The ground level blade walls at either end of the development shall be deleted from the development so that these walls are setback in line with the ground level elevations facing Blenheim Street and High Street.

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

### **Miscellaneous Reports**

Nil.

### **Notice of Rescission Motions**

A rescission motion on item D85/14 (Development Application Report - 15 Edgecliffe Ave, South Coogee) was submitted by Councillors Bowen, Matson and Neilson in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 28 October 2014.

The meeting closed at 9.12pm.

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

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**CHAIRPERSON**