

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, 11 NOVEMBER 2014 AT 6:05PM

Present:

The Mayor, Councillor T Seng (Central Ward)

- | | |
|--------------|--|
| North Ward | - Councillors K Neilson, L Shurey & K Smith |
| South Ward | - Councillors R Belleli & P Garcia (Chairperson) |
| East Ward | - Councillors M Matson & B Roberts |
| West Ward | - Councillors G Moore, S Nash (Deputy Chairperson) & H Stavrinou |
| Central Ward | - Councillors A Andrews & G Stevenson |

Officers present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoplos
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr J Smith
Manager Development Assessment	Mr K Kyriacou
Senior Administrative Coordinator	Ms J Hartshorn
Communications Manager	Mr J Hay

The meeting was adjourned at 6.05pm and was resumed at 6.07pm.

The Chairperson advised the meeting that Cr Bowen would not be in attendance as he and his partner had recently welcomed a new baby boy (John Joseph Bowen) to their family. Cr Garcia, on behalf of all the Councillors, expressed his congratulations and best wishes for Cr Bowen and his family.

Apologies/Granting of Leave of Absences

Apologies were received from Crs Bowen and D'Souza.

RESOLVED: (Stavrinou/Andrews) that the apologies received from Crs Bowen and D'Souza 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 14 OCTOBER 2014

PL85/14

RESOLUTION: (Stavrinis/Andrews) that the Minutes of the Planning Committee Meeting held on Tuesday 14 October 2014 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Matson declared a significant non pecuniary interest in Item D108/14 as a Greens candidate in the last Federal election, for whom he was the campaign manager, lives in close vicinity to the application. Cr Matson indicated that he would not take part in the debate or the vote on the matter.
- b) Cr Shurey declared a significant non pecuniary interest in Item D108/14 as a Greens candidate in the last Federal election, whose campaign she assisted with, lives in close vicinity to the application. Cr Shurey indicated that he would not take part in the debate or the vote on the matter.
- c) Cr Smith declared a pecuniary interest in Item D109/14 as his parents own the property. Cr Smith indicated that he would not take part in the debate or the vote on the matter.
- d) Cr Nash declared a non significant non pecuniary interest in Item D108/14 as the applicant's representative (Tony Moody) is known to him in a professional capacity.
- e) Cr Garcia declared a non significant non pecuniary interest in Item D104/14 as the son of one of the applicants is known to him as a member of the Coogee Surf Club.

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:

D103/14 12 PATON STREET, KINGSFORD (DA/345/2009/F)

Objector Hazel McKenzie

Applicant David Bet

D104/14 22-24 MOORE STREET, COOGEE (DA/941/2011/B)

Objector Lyn Fong

Applicant Simon Doughty

D105/14 168 COTTENHAM AVENUE, KINGSFORD (DA/334/2013/A)

Applicant Martin Alexander (representing the applicant)

D108/14 37 THE CORSO, MAROUBRA (DA/649/2014)

Note: Having previously declared an interest, Crs Matson and Shurey left the chamber during the public address on this matter.

Applicant Tony Moody (representing the applicant)

The meeting was adjourned at 6.44pm and was resumed at 7.00pm

(Note: Cr Smith did not return to the meeting after the 7.00pm resumption).

Urgent Business

Nil.

Development Application Reports**D103/14 Development Application Report - 12 Paton Street, Kingsford
(DA/345/2009/F)**

PL86/14

RESOLUTION: (Andrews/Neilson) that Council's original determination of Development Application No. DA/345/2009/F dated 20 June 2014 to refuse consent for the retrospective approval of the three air conditioning units at the dwelling first floor level at 12 Paton Street Kingsford be confirmed.

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

**D104/14 Development Application Report - 22-24 Moore Street, Coogee
(DA/941/2011/B)**

PL87/14

RESOLUTION: (Neilson/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/941/2011/B for permission to modify the approved development at 22-24 Moore Street, Coogee in the following manner:

A. 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>Rev.</i>	<i>Drawn by</i>	<i>Stamped</i>
B00	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
B01	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
B02	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
B03	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
B04	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
B05	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
B07	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012
	B (8/03/2012)	Alexander Jankov Drafting	9 March 2012

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
22 Moore Street	A128670	4 December 2011

As amended by the **Section 96'A' plans as detailed below.**

<i>Plan</i>	<i>Rev.</i>	<i>Drawn by</i>	<i>Stamped</i>
D00	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012
D01	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012
D02	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012
D03	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012
D04	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012
D05	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012
D07	D (27/8/2012)	Alexander Jankov Drafting	27 th August 2012

As amended by the **Section 96'B' plans as detailed below.**

<i>Plan</i>	<i>Rev.</i>	<i>Drawn by</i>	<i>Stamped</i>
E00	E (05/05/14)	Alexander Jankov Drafting	26 th September 2014
E01	E (05/05/14)	Alexander Jankov Drafting	26 th September 2014

E02	E (05/05/14)	Alexander Jankov Drafting	26 th September 2014
E03	E (05/05/14)	Alexander Jankov Drafting	26 th September 2014
E04	E (05/05/14)	Alexander Jankov Drafting	26 th September 2014
E05	E (05/05/14)	Alexander Jankov Drafting	26 th September 2014

B Condition No. 4 be deleted.

C The following condition be included;

65. A construction traffic management plan must be submitted to Council for approval that demonstrates that limited access to Kildare Lane for construction traffic can be suitably accommodated and that any potential conflicts with pedestrian safety can be effectively managed. The damage deposit required pursuant to this consent must also be increased to \$2,000, and paid prior to issuing of the construction certificate.

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

D105/14 Development Application Report - 168 Cottenham Avenue, Kingsford (DA/334/2013/A)

PL88/14

RESOLUTION: (Andrews/Shurey) that Council's original determination of Development Application No. DA/334/2013/A dated 17 June 2014 to refuse the request to delete condition 2(a) of the development consent for 168 Cottenham Avenue, Kingsford be confirmed.

MOTION: (Roberts/Stavrinis) that Council's original determination of Development Application No. DA/334/2013/A dated 17 June 2014 to refuse the request to delete condition 2(a) of the development consent for 168 Cottenham Avenue, Kingsford be overturned and condition 2(a) be deleted for the following reasons:

1. There is no access to the property in question via the side of the property for a car parking;
2. The only option for car parking for this property is at the front of the dwelling;
3. Only a carport is proposed, not a garage;
4. There are numerous other examples of car parking in front of dwellings in the street;
5. There were no objectors to the application; and
6. There is no adverse amenity to the street as a result of the proposal. **LOST.**

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

FOR	AGAINST
Councillor Belleli	Councillor Andrews
Councillor Roberts	Councillor Garcia
	Councillor Matson
	Councillor Moore
	Councillor Nash
	Councillor Neilson
	Councillor Seng
	Councillor Shurey
	Councillor Stavrinis
	Councillor Stevenson
Total (2)	Total (10)

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

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

FOR	AGAINST
Councillor Andrews	Councillor Roberts
Councillor Belleli	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinou	
Councillor Stevenson	
Total (11)	Total (1)

D106/14 Development Application Report - 114 - 114A Carrington Road, Randwick (DA/570/2014)

PL89/14

RESOLUTION: (Andrews/Neilson) that Council supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clause 4.4 of Randwick Local Environmental Plan 2012, relating to floor space ratio respectively, 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.

Non standard conditions

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:
 - a. A privacy screen having a height of 1.6m above floor level must be provided to the eastern edge of the first floor balcony. The privacy screen must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
 - b. The skillion roof of the garage must be reduced to a maximum of 3.2m as measured from the ground level. Amended plans showing compliance are to be submitted to the principal certifying authority prior to the issue of a construction certificate.

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

D107/14 Development Application Report - 88-90 Botany Street, Randwick (DA/510/2012/A)

PL90/14

RESOLUTION: (Andrews/Neilson) 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 510/2012 by increase in floor area, alteration to front and rear set backs, increase in boarding rooms from 30 to 34, one additional basement carpark space, deletion of disabled lift and provision of access ramp, internal reconfiguration, addition of first floor balconies and alteration to landscaping and external finishes at 88–90 Botany Street, Randwick in the following

manner:

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

Plan	Drawn by	Dated	Received
DA01 – Basement floor plan	DC Design and EP Architects	March 2013	23 April 2013
DA001 – Site analysis plan			
DA02 – Ground floor plan			
DA03 – First floor plan			
DA04 – Second floor plan			
DA05 – Roof plan			
DA06 – Sections 1 & 2			
DA07 – Sections 3, 4 & 5			
DA08 – Elevations east and west			
DA08A – Detailed front façade sections			
DA08P – Streetscape			
DA09 – Elevations north and south	Benjamin Landscape Pty Ltd	20 April 2013	23 April 2013
DA10 – Room types floor plans			
Site Landscape Design - Issue B	Burrell, George & Co	9 August 2012	10 August 2012

BASIX Certificate	No.	Dated
Multi Dwelling	341196M_05	8 April 2013

As amended by the **Section 96'A' plans as detailed below.**

Plan	Drawn By	Dated	Received
DA02	DC Design and EP Architects	March 2014	8 May, 2014
DA03	DC Design and EP Architects	February 2014	8 May, 2014
DA04	DC Design and EP Architects	February 2014	8 May, 2014
DA05	DC Design and EP Architects	February 2014	8 May, 2014
DA06	DC Design and EP Architects	February 2014	8 May, 2014
DA07	DC Design and EP Architects	February 2014	8 May, 2014
DA07A	DC Design and EP Architects	February 2014	8 May, 2014
DA08	DC Design and EP Architects	February 2014	8 May, 2014
DA09	DC Design and EP Architects	February 2014	8 May, 2014

BASIX Certificate	No.	Dated
Multi Dwelling	341196M_06	8 April 2014

except as may be amended by the following conditions and as may be shown in red on the attached plans:

- **Amend Condition No. 13 to read:**
13. Operational Waste Management provisions must be implemented in accordance with the Waste Management Plan submitted with the Section 96 application and stamped by Council 8th May 2014.
- **Amend Condition No. 54 to read:**

Landscape Plan

54. The Landscape Design by Benjamin Landscape Pty Ltd, dwg no. 12.30.1, issue E S96, dated 1.4.14, must be revised to comply with the following items:

- a) So as to avoid poor performance as well as future concerns over maintenance and upkeep, the turf shown for the internal courtyards and drying courts should be deleted and replaced with either low maintenance ground covers/plants; decorative pebbles/gravel; or; a combination of both.

- **Amend Condition No. 71 to read:
Landscaping**

71. Prior to issuing any type of 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 the completed landscaping was inspected, and that it has been installed substantially in accordance with the Landscape Design by Benjamin Landscape Pty Ltd, dwg no. 12.30.1, issue E S96, dated 1.4.14, as well as any relevant conditions of consent, with the owner/s to implement strategies to ensure that it is maintained in a healthy and vigorous state until maturity.

- **Amend Condition No. 81 to read:**

81. The following occupancy rates shall apply to the ongoing use of the premises:

Room Number	Maximum occupancy	Room Number	Maximum occupancy
01	Accessible - One (1) occupant	02	Two (2) occupants
03	Two (2) occupants	04	Two (2) occupants
05	Two (2) occupants	06	Two (2) occupants
07	Two (2) occupants	08	Two (2) occupants
09	Accessible - One (1) occupant	10	Managers room - One (1) occupant
11	One (1) occupant	12	Two (2) occupants
13	Two (2) occupants	14	Two (2) occupants
15	Two (2) occupants	16	Two (2) occupants
17	Two (2) occupants	18	Two (2) occupants
19	Two (2) occupants	20	Two (2) occupants
21	Two (2) occupants	22	Two (2) occupants
23	Two (2) occupants	24	Two (2) occupants
25	Two (2) occupants	26	Two (2) occupants
27	Two (2) occupants	28	Two (2) occupants
29	Two (2) occupants	30	Two (2) occupants
31	Two (2) occupants	32	Two (2) occupants
33	Two (2) occupants	34	Two (2) occupants
35	Two (2) occupants		
Total	Maximum 65 boarders and 1 on site manager = 66 occupants		

- **Add a new Condition No. 94 to read:**

94. Any and all communal areas within the development including communal rooms and landscaped open space areas are not to be used by large groups or the playing of live or amplified music at any time.

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

**D108/14 Development Application Report - 37 The Corso, Maroubra
(DA/649/2014)**

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

PL91/14 RESOLUTION: (Andrews/Stavrinos) –

- 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 Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clauses 4.1(3) of Randwick Local Environmental Plan 2012, relating to minimum allotment sizes,, 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. 649/2014 for Strata subdivision of the approved dual occupancy development, at No. 37 The Corso, Maroubra, subject to the following non-standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non standard conditions**REQUIREMENTS PRIOR TO THE ISSUING OF A STRATA CERTIFICATE**

The following conditions of consent must be complied with prior to Council or Strata certifier issuing a '*Strata Certificate*'.

These conditions have been applied to satisfy the provisions of Council's environmental plans, policies and codes for strata subdivision.

Termination of Existing Strata Scheme

2. The existing strata scheme operating on the site under SP 16353 shall be terminated. In accordance with Part 3 Sec 51A(4) of the Strata Schemes (Freehold Development) Act 1973 termination of the strata scheme requires the consent of the Council. An application form (Form 15ST) must therefore be obtained from Land Property Information NSW and submitted to Council for signing prior to endorsement of the strata subdivision plans.

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

D109/14 Development Application Report - 14 Clifton Road, Clovelly (DA/636/2014)

Note: Having previously declared an interest, Cr Smith was not present in the chamber during the debate and voting on this matter.

- PL92/14 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. 6361/204 for the partial demolition of the existing verandah to allow for a single carport and new front fence, at No. 14 Clifton Road, Clovelly, subject to the standard conditions contained in the development application compliance report.

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

Miscellaneous Reports**M6/14 Miscellaneous Report - State Environmental Planning Policy No 65 Design Quality of Residential Flat Development Review**

(F2013/00173)

PL93/14 **RESOLUTION: (Neilson/Matson)** that:

- a) the Council endorse the submission to the NSW Department of Planning and Environment on the State Environmental Planning Policy No 65- Design Quality of Residential Flat Development Review.
- b) a Councillors' Briefing be held on the matter.

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

**M7/14 Miscellaneous Report - Affordable Housing Research Grant
(F2004/07991)**

PL94/14 **RESOLUTION: (Andrews/Moore)** that:

- a) the Council participates as a joint partner with UTS Sydney and Adelaide University in applying for an Australian Research Council grant to conduct a research project on the issue of local government housing affordability.
- b) should the funding application for the joint research grant be successful (decision to be made in June 2015), the Council will make a contribution of \$5,000 each year over 3 years (totalling \$15,000).

MOTION: (Andrews/Moore) CARRIED - SEE RESOLUTION.

Notice of Rescission Motions

Nil.

The meeting closed at 7.32pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 2 December 2014.

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CHAIRPERSON