



THESE MINUTES ARE DRAFT UNTIL CONFIRMED AT THE NEXT MEETING OF THIS COUNCIL AND/OR COMMITTEE

**MINUTES OF ORDINARY COUNCIL MEETING OF THE
COUNCIL OF THE CITY OF RANDWICK HELD ON
TUESDAY, 23 FEBRUARY 2016 AT 6:07PM**

Present:

The Mayor, Councillor N D'Souza (Chairperson) (South Ward)

Councillor G Moore (Deputy Mayor) (West Ward)

- | | |
|--------------|---|
| North Ward | - Councillors K Neilson, L Shurey & K Smith |
| South Ward | - Councillors R Belleli & P Garcia (from 10.34pm) |
| East Ward | - Councillors T Bowen, M Matson & B Roberts |
| West Ward | - Councillors S Nash & H Stavrinou |
| Central Ward | - Councillors A Andrews & T Seng |

Officers Present:

| | |
|--|-----------------|
| General Manager | Mr R Brownlee |
| Director City Services | Mr J Frangoules |
| Director City Planning | Ms S Truvert |
| Director Governance & Financial Services | Mr J Smith |
| Manager Administrative Services | Mr D Kelly |
| Manager Development Assessment | Mr K Kyriacou |
| Communications Manager | Mr J Hay |
| Manager Business Performance Projects | Ms C Foley |
| Manager Corporate Improvement | Ms A Warner |

Prayer & Acknowledgement of Local Indigenous People

The Council Prayer was read by Cr Bowen. The Acknowledgement of Local Indigenous People was read by Cr Matson.

Apologies/Granting of Leave of Absences

An apology was received from Cr Stevenson.

RESOLVED: (Bowen/Moore) that the apology received from Cr Stevenson be accepted and leave of absence from the meeting be granted.

Confirmation of the Minutes

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 8 DECEMBER 2015

1/16

RESOLUTION: (Stavrinou/Andrews) that the Minutes of the Ordinary Council Meeting held on Tuesday 8 December 2015 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting, subject to point 4 in resolution 365/15 on page 80 of the minutes being deleted.

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Bowen declared a significant non pecuniary interest in Item MM1/16 as the matter involves a member of his family. Cr Bowen will not be taking part in the debate or voting on this matter.
- b) Cr Bowen declared a significant non pecuniary interest in Item MM6/16 as the matter involves a close friend of his. Cr Bowen will not be taking part in the debate or voting on this matter.
- c) Cr Bowen declared a non-significant non pecuniary interest in Item GM1/16 as he is a member of the South Sydney Football Club.
- d) Cr Andrews declared a non-significant non pecuniary interest in Item GM1/16 as he is a member of the South Sydney Football Club.
- e) Cr Andrews declared a significant non pecuniary interest in Item NR2/16 as he is friends with one of the applicants. Cr Andrews will not be taking part in the debate or voting on this matter.
- f) Cr Neilson declared a non significant non pecuniary interest in Item MM1/16 as she knew Lionel Bowen.
- g) Cr Neilson declared a non significant non pecuniary interest in Item CP2/16 as she knows some of the objectors to this matter.
- h) Cr Neilson declared a non significant non pecuniary interest in Item CP5/16 as she knows some of the objectors and one of the speakers on this matter.
- i) Cr Neilson declared a non significant non pecuniary interest in Item NMP5/16 as she knows some of the objectors and one of the speakers on this matter.
- j) Cr Roberts declared a non-significant non pecuniary interest in Item GM1/16 as he is a member of the South Sydney Football Club.
- k) Cr Belleli declared a non-significant non pecuniary interest in Item GM1/16 as his wife is a member of the South Sydney Football Club.
- l) Cr Belleli declared a non-significant non pecuniary interest in Item MM7/16 as his wife's dance school performed free of charge at the Botany Council Christmas Show.
- m) Cr Nash declared a non-significant non pecuniary interest in Item CP5/16 as he is a Council delegate on the Joint Regional Planning Panel.
- n) Cr Smith declared a non-significant non pecuniary interest in Item CP5/16 as he is a Council delegate on the Joint Regional Planning Panel.
- o) Cr Moore declared a non-significant non pecuniary interest in Item CP5/16 as he is a Council delegate on the Joint Regional Planning Panel.
- p) Cr Matson declared a non significant non pecuniary interest in Item CP5/16 as he served with former Councillor Margery Whitehead who addressed Council on this matter.
- q) Cr Garcia declared a non significant non pecuniary interest in Item MM5/16 as

he knows Ms Hawkins personally.

- r) Cr Garcia declared a non significant non pecuniary interest in Item MM6/16 as he is the Secretary of the Coogee Surf Life Saving Club.

RESOLVED (PROCEDURAL MOTION): (Seng/Matson) that Item NM5/16 (Notice of Motion from Cr Bowen - Call for Design Review for Light Rail) be brought forward for immediate consideration.

Address of Council by Members of the Public

Prior to consideration of the Agenda by the Council, deputations were received in respect of the following matters:

CP1/16 30 NAPIER STREET, MALABAR (DA620/2015)

Applicant Ross Hudson

CP2/16 9 GLENWOOD AVENUE, COOGEE (DA/203/2015)

Objector Caroline Farah

Objector Lynia Carroll

CP3/16 15 BOND STREET, MAROUBRA (DA/566/2013/A)

Applicant Jeffrey Morton

CP5/16 STATUS REPORT ON KINGSFORD & KENSINGTON TOWN CENTRE REVIEW - ISSUES PAPER

Against Margery Whitehead

GM2/16 LOCAL GOVERNMENT REFORM UPDATE AND SUBMISSIONS

Against Jayasooriah

GF2/16 CODE OF MEETING PRACTICE - PROPOSED AMENDMENTS

Against Jayasooriah

NM5/16 NOTICE OF MOTION FROM CR BOWEN - CALL FOR DESIGN REVIEW FOR LIGHT RAIL

Against Andrew Roydhouse

For Anni Haque

NR2/16 NOTICE OF RESCISSION MOTION SUBMITTED BY COUNCILLORS D'SOUZA, SENG AND STEVENSON - 25 JERSEY ROAD, MATRAVILLE (DA/643/2015)

Objector Michelle Charles

Applicant James Michos

The Meeting was adjourned at 7.30pm and was resumed at 7.49pm.

Mayoral Minutes**MM1/16 Mayoral Minute - Renaming Bowen Library & Community Centre (to Lionel Bowen Library & Community Centre) (F2012/00323)**

Note: Having previously declared an interest, Cr Bowen left the chamber during the debate and voting on this matter.

2/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that the Bowen Library & Community Centre be re-named the Lionel Bowen Library & Community Centre.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION.

MM2/16 Mayoral Minute - Recognition of Randwick Council's First Mayor, Simeon Pearce (F2004/07108)

3/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that a report be brought back to Council detailing options to appropriately acknowledge Randwick Council's first Mayor, Simeon Pearce in an appropriate manner.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

MM3/16 Mayoral Minute - Welcome to Country and Reading of Prayer at Council Meetings (F2015/06574)

4/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that the first Randwick City Council meeting each year and the Mayoral Election Council meeting commence with a welcome to country to be given by an Aboriginal Elder on invitation.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION.

MM4/16 Mayoral Minute - Waiving of Fees - Surfing NSW (F2016/00096)

5/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that:

- a) Council vote \$7,341.00 in-kind support to Surfing NSW for the Volcom Junior Event on 2 April 2016 and the Southern Beaches Junior Regional Titles held on 14 and 15 May 2016 at Maroubra Beach, such fees be charged to the 2016-17 Contingency Fund;
- b) Surfing NSW undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during both events; and
- c) the Mayor or his representative be given the opportunity to address the events on behalf of Council.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

MM5/16 Mayoral Minute - World Marathon Challenge - Heather Hawkins (F2014/00516)

6/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that Council:

- a) formally congratulate Coogee resident Heather Hawkins on completing the World Marathon Challenge;

- b) note the \$500.00 donation made by Council to Heather's chosen charity the Can Too Foundation which raises funds for cancer research; and
- c) formally acknowledge Heather's achievement as part of the 2016 Randwick City Sports Awards.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

MM6/16 Mayoral Minute - Coogee Surf Life Saving Club Representative on Wylie's Baths Trust (F2012/00407)

Note: Having previously declared an interest, Cr Bowen left the chamber during the debate and voting on this matter.

- 7/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that it be noted that Tony Waller is the Coogee SLSC's representative on the Wylie's Baths Trust, following the resignation of Nicholas McGuiggan.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

MM7/16 Mayoral Minute - Joint Chinese New Year Celebrations with the City of Botany Bay (F2010/00038)

- 8/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that Council note the contribution of \$20,000.00 towards this event.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

MM8/16 Mayoral Minute - Waiver of fees for Maroubra Swim Clubs Five Carnivals to be Held in 2016 at the Des Renford Leisure Centre (F2010/00214)

- 9/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that:

1. Council vote \$4,100.00 from the 2015-16 Contingency Fund to cover the hire fees for the Des Renford Leisure Centre to assist in raising funds for the Maroubra Swim Club; and
2. the organiser undertake to appropriately and prominently acknowledge and promote Council's contribution to Club members.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

MM9/16 Mayoral Minute - Acknowledgement of the Outstanding Career of Detective Superintendent Gavin Dengate (F2006/00268)

- 10/16 **RESOLUTION: (His Worship the Mayor, Cr D'Souza)** that Council holds a civic reception for senior police and senior community leaders to acknowledge the outstanding career and achievements of Detective Superintendent Gavin Dengate.

MOTION: (His Worship the Mayor, Cr D'Souza) CARRIED - SEE RESOLUTION

Urgent Business

Nil.

Director City Planning Reports

CP1/16 Director City Planning Report - 30 Napier Street, Malabar (DA/620/2015) (DA/620/2015)

11/16

RESOLUTION: (Nash/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. 620/2015 for alterations, ground and first floor additions to the existing dwelling house including new rear in-ground swimming pool and associated bathroom and new front boundary fence, subject to the following conditions.

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

- 1a 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 |
|--|-----------------|----------------|
| Sheets 2, 3 and 5 – issue A | Classic Plans | 22 August 2015 |
| Sheet 4 (with south-west elevation amended 23 Oct. 2015) – issue A | Classic Plans | 22 August 2015 |

| BASIX Certificate No. | Dated |
|------------------------------|------------------|
| A228708 | 2 September 2015 |

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

- 2a 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

3. The colours, materials and finishes of the external surfaces are to be in

accordance with the "Materials/Color [*sic*] Samples Schedule" (undated), and submitted with the application.

Section 94A Development Contributions

- 3a In accordance with Council's Section 94A Development Contributions Plan effective from 21 April 2015, based on the development cost of \$436,929.24 the following applicable monetary levy must be paid to Council: \$4,369.29.

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. Please contact Council on telephone 9399 0999 or 1300 722 542 for the indexed contribution amount prior to payment.

To calculate the indexed levy, the following formula must be used:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

IDC = the indexed development cost

ODC = the original development cost determined by the Council

CP2 = the Consumer Price Index, All Groups, Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment

CP1 = the Consumer Price Index, All Groups, Sydney as published by the ABS in respect of the quarter ending immediately prior to the date of imposition of the condition requiring payment of the levy.

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

4. 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

5. The following damage / civil works security deposit requirement must be complied with as security for making good any damage caused to the roadway, footway, verge or any public place; 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*:

- \$600.00 - Damage / Civil Works Security Deposit

The damage/civil works security deposit 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

6. 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.

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

7. 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.

Design Alignment levels

8. 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 as follows:

Driveway Entrance Southern Edge – RL 13.06 AHD
 Driveway Entrance Northern Edge – RL 12.97 AHD
 Pedestrian Entrance – RL 12.95 AHD

Refer to Survey Plan by Survcheck Surveyors for Benchmark (BM)

The design alignment levels at the property boundary as issued by Council 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.

9. The above alignment levels and the site inspection by Council's Development Engineer have been issued at a prescribed fee of \$155.00 (inclusive of GST). This amount is to be paid prior to a construction certificate being issued for the development.

BASIX Requirements

10. In accordance with section 80A(11) of the *Environmental Planning & Assessment Act 1979* and clause 97A of the *Environmental Planning & Assessment Regulation 2000*, the requirements and commitments contained in the relevant BASIX Certificate must be complied with.

The required commitments listed and identified in the BASIX Certificate must be included on the construction certificate plans, specifications and associated documentation, to the satisfaction of the Certifying Authority.

The design of the building must not be inconsistent with the development consent and any proposed variations to the building to achieve the BASIX commitments may necessitate a new development consent or amendment to the existing consent to be obtained, prior to a construction certificate being issued.

Stormwater Drainage

11. A surface water/stormwater drainage system must be provided in accordance with the following requirements, to the satisfaction of the Certifying Authority and details are to be included in the construction certificate:-
- a) Surface water/stormwater drainage systems must be provided in accordance with the relevant requirements of the Building Code of Australia (Volume 2);
 - b) The surface water/stormwater must be drained and discharged to the street gutter or, subject to site suitability, the stormwater may be drained to a suitably designed absorption pit;
 - c) Any absorption pits or soaker wells should be located not less than 3m from any adjoining premises and the stormwater must not be directed to any adjoining premises or cause a nuisance;
 - d) External paths and ground surfaces are to be constructed at appropriate levels and be graded and drained away from the building and adjoining premises, so as not to result in the entry of water into the building, or cause a nuisance or damage to the adjoining premises;
 - e) Details of any proposed drainage systems or works to be carried out in the road, footpath or nature strip must be submitted to and approved by Council before commencing these works.

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

12. 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

13. 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

14. 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 Site Management Plan

15. 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.

Public Utilities

16. A *Public Utility Impact Assessment* must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.
17. The applicant must meet the full cost for telecommunication companies, gas providers, Ausgrid, and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.

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

18. 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).

Tree Management

19. Approval is granted for the removal of those trees shown on the submitted plan for removal.

Site Signage

20. 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

21. 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

22. 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

23. 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

24. 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

25. 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

26. 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.

27. 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.

28. 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

29. There must be no encroachment of any structures or building work onto Council's road reserve, footway, nature strip or public place.

Road/Asset Opening Permit

30. A *Road / Asset Opening Permit* must be obtained from Council prior to commencing any excavations or 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.

For further information, please contact Council's Road / Asset Opening Officer on 9399 0691 or 9399 0999.

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

31. 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

32. 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.

Swimming Pool Safety

33. Swimming pools are to be designed and installed in accordance with the relevant requirements of the *Building Code of Australia* and be provided with childproof fences and self-locking gates, in accordance with the *Swimming Pools Act 1992* and the *Swimming Pools Regulation 2008*.

The swimming pool is to be surrounded by a child-resistant barrier (e.g. fence), that separates the pool from any *residential building* (as defined in the *Swimming Pools Act 1992*) that is situated on the premises and from any place (whether public or private) adjoining the premises; and that is designed, constructed and installed in accordance with Australian Standard AS 1926.1 – 2012 (Swimming Pool Safety Part 1 - Safety Barriers for Swimming Pools).

Gates to pool area must be self-closing and latching at all times and, the gate is required to open outwards from the pool area and prevent a small child opening the gate or door when the gate or door is closed.

Temporary pool safety fencing is to be provided 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.

A 'warning notice' must be erected in a prominent position in the immediate vicinity of the swimming pool, in accordance with the provisions of the *Swimming Pools Regulation 2008*, detailing pool safety requirements, resuscitation techniques and the importance of the supervision of children at all times.

Note: This development consent does not approve the design and location of swimming pool fencing and other swimming pool safety barriers. Swimming pool fencing and other safety barriers are required to comply with the Swimming Pools Act 1992, Swimming Pools Regulation 2008 and relevant Standards. Details of compliance are required to be incorporated into the plans and specifications for a Construction Certificate, to the satisfaction of the Certifying Authority.

Swimming Pool & Spa Pool Requirements

34. Swimming pools (and spa pools) are to be designed, installed and operated in

accordance with the following general requirements:

- a) Backwash of the pool filter and other discharge of water is to be drained to the sewer in accordance with the requirements of the Sydney Water Corporation; and
- b) All pool overflow water is to be drained away from the building and adjoining premises, so as not to result in a nuisance or damage to premises; and
- c) Water recirculation and filtrations systems are required to comply with AS 1926.3 – 2010: Swimming Pool Safety – Water Recirculation and Filtration Systems; and
- d) Pool plant and equipment is to be enclosed in a sound absorbing enclosure or installed within a building, to minimise noise emissions and possible nuisance to nearby residents.

Notification of Swimming Pools & Spa Pools

35. The owner of the premises must 'register' the swimming pool [or spa pool] on the NSW Swimming Pool Register, in accordance with the *Swimming Pools Amendment Act 2012*.

The Swimming Pool Register is administered by the NSW Government, Department of Premier & Cabinet, Division of Local Government and registration on the Swimming Pool Register may be made on-line via their website www.swimmingpoolregister.nsw.gov.au.

Registration must be made before the issue of an Occupation Certificate for the pool.

Council's Infrastructure, Vehicular Crossings, street verge

36. The applicant must meet the full cost for Council or a Council approved contractor to:
- a. Construct a new concrete vehicular crossing opposite the vehicular entrance to the site.
 - b. Remove any redundant concrete vehicular crossing and layback and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.
37. The applicant 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.
38. 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 Pre-paid 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.
39. That part of the naturestrip upon Council's footway which is damaged during the construction of the proposed works shall 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. Such works shall be completed at the consent holder's expense.

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.

Plant & Equipment

40. 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.

Swimming/Spa Pools

41. The pool plant and equipment shall not be operated during the following hours if the noise emitted can be heard within a habitable room in any other residential premises, or, as otherwise specified in relevant Noise Control Regulations:
- before 8.00am or after 8.00pm on any Sunday or public holiday; or
 - before 7.00am or after 8.00pm on any other day.

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 \$3,000) 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 In accordance with the requirements of the *Environmental Planning & Assessment Act 1979*, building works, including associated demolition and excavation works (as applicable) must not be commenced until:

- A *Construction Certificate* has been obtained from an Accredited Certifier or Council,
- An Accredited Certifier or Council 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 Underground assets (eg pipes, cables etc) 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.

A8 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.

A9 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.

A10 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).

A11 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.

A12 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.*

A13 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.

A14 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).

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.

- A15 Council's assessment of this application does not include an assessment of compliance with the *Swimming Pool Act 1992*. All pool barriers, fences and structures within properties containing a swimming pool must comply with the requirements of the *Swimming Pool Act 1992*, BCA and relevant Australian Standards.

Details of compliance with the *Swimming Pool Act 1992*, Building Code of Australia and relevant Standards must be included in the Construction Certificate to the satisfaction of the Building Certifier.

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

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

| FOR | AGAINST |
|----------------------|--------------------|
| Councillor Andrews | Councillor Matson |
| Councillor Belleli | Councillor Moore |
| Councillor Bowen | Councillor Neilson |
| Councillor D'Souza | Councillor Shurey |
| Councillor Nash | |
| Councillor Roberts | |
| Councillor Seng | |
| Councillor Smith | |
| Councillor Stavrinis | |
| Total (9) | Total (4) |

**CP2/16 Director City Planning Report - 9 Glenwood Avenue, Coogee
(DA/203/2015) (DA/203/2015)**

12/16

RESOLUTION: (Stavrinis/Matson) that Council confirm its original decision to refuse development consent for the following reasons:-

1. the proposal is deficient in the provision of parking on the site and will adversely impact on the parking capacity of the locality;
2. the proposal is out of character with the streetscape and will adversely impact on the amenity of the adjoining and neighbouring properties; and
3. the proposal is an overdevelopment of the site.

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

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

| FOR | AGAINST |
|----------------------|--------------------|
| Councillor Bowen | Councillor Andrews |
| Councillor D'Souza | Councillor Belleli |
| Councillor Matson | Councillor Moore |
| Councillor Nash | Councillor Smith |
| Councillor Neilson | |
| Councillor Roberts | |
| Councillor Seng | |
| Councillor Shurey | |
| Councillor Stavrinis | |
| Total (9) | Total (4) |

**CP3/16 Director City Planning Report - 15 Bond Street, Maroubra
(DA/566/2013/A) (DA/566/2013/A)**

13/16

RESOLUTION: (Andrews/Seng) that Council, as the consent authority, grants development consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/566/2013/A for the development at 15 Bond Street Maroubra in the following manner:

Amend condition 1 to read:

1. The development must be implemented substantially in accordance with the plans;

| Plan | Drawn by | Dated | Received Council |
|------------------|-----------------|--------------|------------------------------|
| DA.01 Revision A | Jdc Design | June 2013 | 2 nd September 20 |
| DA.02 Revision A | Jdc Design | June 2013 | 2 nd September 20 |

| BASIX Certificate No. | Dated | Received Council |
|------------------------------|--------------------------------|------------------------------|
| A165748 | 2 nd September 2013 | 2 nd September 20 |

as amended by the plans;

| Plan | Drawn by | Dated |
|-----------------|-----------------|--------------------------------|
| A.01 Revision G | Architechnik | 8 th September 2015 |
| A.02 Revision G | Architechnik | 8 th September 2015 |

| BASIX Certificate No. | Dated |
|------------------------------|--------------------------------|
| A165748_02 | 7 th September 2015 |

Only in so far as they relate to the modifications highlighted in 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/Seng) CARRIED UNANIMOUSLY - SEE RESOLUTION.

CP4/16 Director City Planning Report - Anzac Day Dawn Service at Coogee Beach (F2016/00042)

14/16

RESOLUTION: (Andrews/Stavrinos) that Council support our local RSL sub-branches in the organisation of the 2016 Anzac Day Dawn Service at Coogee Beach through the provision of:

- a) financial assistance of \$27,500.00 for the hire and installation of various equipment and promotion to the community, to be funded through Council's contingency fund;
- b) in-kind assistance to the value of \$5,000.00 as detailed in this report to be funded through Council's contingency fund;
- c) the event organiser undertakes to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
- d) this funding be added to the annual Events Budget.

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

CP5/16 Director City Planning Report - Status Report on Kingsford & Kensington Town Centre Review - Issues Paper (F2015/00419)

15/16

RESOLUTION: (Matson/Stavrinos) that:

- a) Council adopts the following Strategic Planning Mission for the Kingsford and Kensington Town Centres:

"That Council embraces the bold vision that the Kingsford and Kensington Town Centres will become the integrated administrative and local government centre for Randwick City Council or its successor and that they should be made worthy for that purpose by becoming subject to the world's most cutting edge planning and development standards in terms of:

- administrative capacity;
 - beautiful, visionary and functional architecture based on ecological sustainability and living building concepts;
 - striking street visages open to urban forest and large scale green wall possibilities;
 - balanced commercial opportunity;
 - open space enhancement;
 - a sense of place, identity, history and social cohesion;
 - mobility;
 - an Innovation Centre;
 - infrastructure, educational and entertainment provision; and
 - overall liveability.
- b) Council amend the proposed Strategic Planning work program for the preparation of an Issues Paper and Planning Strategy for the Kingsford and Kensington Town Centres Review by incorporating an international competition to develop the Strategic Planning Mission for the two centres with prize money of \$300,000.00.
- c) Council endorse the Strategic Planning work program for the preparation of the amended Issues Paper and Planning Strategy for the Kingsford and Kensington Town Centres Review.
- d) in addition to the specific competition prize money, Council approve the allocation of an additional \$236,500.00 in funds to complete the project in the current 2015-16 budget.
- e) approve the allocation of \$100,000.00 in the 2016-17 budget to finalise this project.
- f) Council advise the Department of Planning and Environment of its strategic planning process and timetable and seek confirmation that this process adequately addresses strategic issues and expectations for the precinct.

MOTION: (Matson/Stavrinos) CARRIED – SEE RESOLUTION.

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

FOR

Councillor Andrews

AGAINST

Councillor Belleli

| | |
|----------------------|--------------------|
| Councillor D'Souza | Councillor Bowen |
| Councillor Matson | Councillor Moore |
| Councillor Nash | Councillor Neilson |
| Councillor Roberts | |
| Councillor Seng | |
| Councillor Shurey | |
| Councillor Smith | |
| Councillor Stavrinou | |
| Total (9) | Total (4) |

AMENDMENT: (Neilson/Moore) that Council:

- a) endorse the Strategic Planning work program for the preparation of an *Issues Paper* and *Planning Strategy* for the *Kingsford and Kensington Town Centres Review*;
- b) approve the allocation of \$236,500.00 in funds to complete the project in the current 2015-16 budget;
- c) approve the allocation of \$100,000.00 in the 2016-17 budget to finalise this project; and
- d) advise the Department of Planning and Environment of its strategic planning process and timetable and seek confirmation that this process adequately addresses strategic issues and expectations for the precinct. **LOST.**

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

| FOR | AGAINST |
|--------------------|----------------------|
| Councillor Bellei | Councillor Andrews |
| Councillor Bowen | Councillor D'Souza |
| Councillor Moore | Councillor Matson |
| Councillor Neilson | Councillor Nash |
| | Councillor Roberts |
| | Councillor Seng |
| | Councillor Shurey |
| | Councillor Smith |
| | Councillor Stavrinou |
| Total (4) | Total (9) |

General Manager's Reports

GM1/16 General Manager's Report - Continuation of Community Partnership with South Sydney Football Club in 2016 (F2010/00282)

16/16

RESOLUTION: (Andrews/Stavrinou) that:

- a) Council continue the "Community Partnership" with the South Sydney Football Club with the \$40,000.00 (incl GST) contribution to come from the Community Services budget;
- b) the General Manager be delegated authority to enter into a Memorandum of Understanding with the South Sydney Football Club; and
- c) a report on the success of the 2016 Community Partnership to come back

before Council.

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

GM2/16 General Manager's Report - Local Government Reform Update and Submissions (F2016/04004)

Note: A rescission motion on this item was submitted by Councillors Bowen, Moore, Neilson and Stevenson in accordance with Council's Code of Meeting Practice and will be considered at the Extraordinary Council Meeting to be held on 27 February 2016.

17/16

RESOLUTION: (Matson/Smith) that:

1. Randwick City Council is fit and sustainable for the future and our community and council would prefer to remain as a stand-alone entity;
2. a Randwick Transition Working Group be established consisting of the proposed Local Transition Committee members;
3. Council endorse the attached Transition Leadership Framework including the Randwick Transition Group's (RTG) delegations as outlined in the responsibilities of the RTG;
4. Council submit the attached 'Randwick City Council - Council Boundary Review Submission on the Merger Proposal: Randwick, Waverley and Woollahra Councils' to the Delegate, Dr. Robert Lang, subject to any minor amendments;
5. Council submit the attached 'Local Government Act Review - Phase 1 Amendments - Randwick City Council Submission' to the Office of Local Government, subject to any minor amendments; and
6. That Council formally advises the Minister for Local Government of its submission and seeks clarification that Randwick Councillors will be maintained in office during the transition process in order to oversee the following significant objectives on behalf of the local community;
 - a) advancing Council's adopted Light Rail Support Plan and funding package in order to ameliorate the impact of the CBD to South East Light Rail on residents and local businesses;
 - b) finalising purchasing the Government owned share of the old Kingsford Market site at fair cost;
 - c) initiating purchase by Council of the Maroubra Bowling Club site to keep it as a community asset serving community needs;
 - d) retaining direct community input via elected Councillors into setting planning controls for Kingsford and Kensington against current development pressure;
 - e) retaining direct community input via elected Councillors into the ongoing upgrade of Heffron Park; and
 - f) retaining direct community input via elected Councillors into how Malabar Headland will be best protected and how the Coastal walkway will be extended around it.

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

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

| FOR | AGAINST |
|----------------------|--------------------|
| Councillor Andrews | Councillor Belleli |
| Councillor D'Souza | Councillor Bowen |
| Councillor Matson | Councillor Moore |
| Councillor Nash | Councillor Neilson |
| Councillor Roberts | |
| Councillor Seng | |
| Councillor Shurey | |
| Councillor Smith | |
| Councillor Stavrinou | |
| Total (9) | Total (4) |

AMENDMENT: (Moore/Bowen) that Council recommends the Delegate reject the proposal to merge Randwick, Waverley and Woollahra Councils and that it should not progress as it:

- is made without the support of two of the three councils, being Randwick and Woollahra;
- is contrary to the resolved position of both Randwick and Woollahra;
- was not proposed, considered or assessed by IPART s detailed in its Local Government final report, October 2015 "Assessment of Council Fit for the Future Proposals";
- lacks resident support as demonstrated in the community engagement and survey exercises performed by Randwick and Woollahra;
- has not been promoted to the proposed merger councils beyond the current Boundary review Process;
- relies upon benefits that are suggested without substance or justification, failing to be tangible, reportable or measurable today or into the future; and
- is presented without the detailed analysis, assumptions, modelling and workings underpinning the proposed costs, savings and benefits. **LOST.**

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

| FOR | AGAINST |
|--------------------|----------------------|
| Councillor Belleli | Councillor Andrews |
| Councillor Bowen | Councillor D'Souza |
| Councillor Moore | Councillor Matson |
| Councillor Neilson | Councillor Nash |
| | Councillor Roberts |
| | Councillor Seng |
| | Councillor Shurey |
| | Councillor Smith |
| | Councillor Stavrinou |
| Total (4) | Total (9) |

GM3/16 General Manager's Report - Review of the Randwick City Council 2015-16 Operational Plan - December Quarter (F2015/03001)

RESOLUTION: (Andrews/Stavrinou) that the information contained in the December 2015 Review of the 2015-16 Annual Operational Plan be received and noted.

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

Director City Services Reports

Nil.

Director Governance & Financial Services Reports

GF1/16 Director Governance & Financial Services Report - Quarterly Budget Review - December 2015 (F2015/00184)

19/16

RESOLUTION: (Andrews/Stavrinos) that:

- a) the report in relation to the December 2015 Budget Review be received and noted; and
- b) the proposed December 2015 budget variations shown in the attachment to this report be adopted.

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

GF2/16 Director Governance & Financial Services Report - Code of Meeting Practice - proposed amendments (F2004/06570)

20/16

RESOLUTION: (Andrews/Shurey) that the amended Code of Meeting Practice be adopted for immediate implementation.

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

AMENDMENT: (Bowen/Belleli) that the Code of Meeting Practice be forwarded to the Precinct Committees for consultation. **LOST.**

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

| FOR | AGAINST |
|--------------------|----------------------|
| Councillor Belleli | Councillor Andrews |
| Councillor Bowen | Councillor D'Souza |
| | Councillor Matson |
| | Councillor Moore |
| | Councillor Nash |
| | Councillor Neilson |
| | Councillor Roberts |
| | Councillor Seng |
| | Councillor Shurey |
| | Councillor Smith |
| | Councillor Stavrinos |
| Total (2) | Total (11) |

Note: Councillor Garcia arrived at this point in the meeting, the time being 10.34pm.

GF3/16 Director Governance & Financial Services Report - Investment Report - November 2015 (F2015/06527)

21/16

RESOLUTION: (Andrews/Stavrinos) that the investment report for November 2015 be received and noted.

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

GF4/16 Director Governance & Financial Services Report - Investment Report - December 2015 (F2015/06527)

22/16 **RESOLUTION: (Andrews/Stavrinis)** that the investment report for December 2015 be received and noted.

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

GF5/16 Director Governance & Financial Services Report - Investment Report - January 2016 (F2015/06527)

23/16 **RESOLUTION: (Andrews/Stavrinis)** that the investment report for January 2016 be received and noted.

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

GF6/16 Director Governance & Financial Services Report - Youth Advisory Committee - Replacement Delegate (F2004/07647)

24/16 **RESOLUTION: (Stavrinis/Smith)** that Council appoint Councillor Andrews as the replacement Councillor delegate for the Youth Advisory Committee and Councillor Matson as the alternate delegate.

MOTION: (Stavrinis/Smith) CARRIED - SEE RESOLUTION.

Petitions

Nil.

Motion Pursuant to Notice

NM1/16 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Trailer Boat Parking in Dudley Street, Coogee and around Barker Park (F2007/00524)

25/16 **RESOLUTION: (Matson/Shurey)** that Council respond to resident complaints about parking competition from boat trailers by:

- a) canvassing community support for extending the resident preferred parking scheme to include the area around Baker Park specifically including Dudley Street between Byron and Higgs Streets; and
- b) restructuring the Scheme's provisions and permits to discourage boat trailers (but not non-boat trailers) in areas prone to high parking competition.

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

NM2/16 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Council Response to Proposed Biodiversity Conservation Act with Reference to Malabar Headland and Other Green Spaces (F2004/06759)

26/16 **RESOLUTION: (Matson/Neilson)** that Council moves to protect green spaces, such as Malabar Headland, from possible future development by writing to the Premier urging that the NSW Government's proposed Biodiversity Conservation Act:

- 1) Retains the 'improve or maintain' standard for clearing of native vegetation at a site scale; and
- 2) Doesn't include a mechanism for proponents of land clearing to make a monetary contribution to secure offsets for lost biodiversity and urban green

space.

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

NM3/16 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Proposed Review of Current Planning Laws with Respect to Short-Term Accommodation (F2004/07889)

27/16

RESOLUTION: (Stavrinis/Roberts) that Council write to the NSW Planning Minister, the Hon. Rob Stokes, requesting a bi-partisan review of current planning laws and regulatory powers in relation to the use of dwellings (including units) for the purposes of short-term accommodation.

MOTION: (Stavrinis/Roberts) CARRIED - SEE RESOLUTION.

NM4/16 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Unused Car Spaces and Garages (F2004/07236)

28/16

RESOLUTION: (Stavrinis/Seng) that Council:

- (a) calls for a report on the possible use of its social media/website to promote reputable programs encouraging residents with unused car spaces and garages to rent them out for parking in order to address parking issues in the Randwick LGA; and
- (b) contact Parkways to explore the possibilities of working with them to promote their P2P parking application for the benefit of the community and include this information in the report.

MOTION: (Stavrinis/Seng) CARRIED - SEE RESOLUTION.

NM5/16 Motion Pursuant to Notice - Notice of Motion from Cr Bowen - Call for Design Review for Light Rail (F2013/00263)

29/16

RESOLUTION: (Bowen/Shurey) that Randwick Council:

1. calls on the Premier to cease all light rail works in any area of environmental or heritage sensitivity and conduct an urgent design review of the project to ensure best design practice is employed to integrate Light Rail within existing heritage and environmentally sensitive zones within our local area; and
2. urgently requests the immediate provision of all relevant information on the six lane highway that is being built through Centennial and Moore Park.

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

NM6/16 Motion Pursuant to Notice - Notice of Motion from Cr Moore - Balfour Lane Urgent Erosion Prevention Strategies (F2007/00397)

30/16

RESOLUTION: (Moore/Stavrinis) that Council acknowledge the concerns raised by residents in relation to works in Balfour Lane and acknowledge that these works have been activated and are actioned to take place as part of Council's program and will be completed within nine months.

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

NM7/16 Motion Pursuant to Notice - Notice of Motion from Cr Neilson - Supporting a Legal Challenge to the Process of Forced Amalgamations (F2004/06554)

31/16

RESOLUTION: (Matson/Stavrinos) that:

- 1) Council note the unanimous resolution from Woollahra Council to oppose amalgamation with Waverley and Randwick passed at the Council meeting (8 February 2016);
- 2) Council further note that Woollahra Council at the same meeting voted to proceed with a survey of residents on the important issue of amalgamation to support their formal submission to the State Government on their merger proposal; and
- 3) the General Manager will liaise with LGNSW and update Councillors should one or more Councils indicate they are mounting a legal challenge.

MOTION: (Neilson/Bowen) that:

- 1) Randwick Council reiterates that the preferred position is to stand-alone.
- 2) notwithstanding, Randwick City Council has been coerced into supporting amalgamating with adjoining Councils, this is not the preferred position of Randwick Council.
- 3) note the unanimous resolution from Woollahra Council to oppose amalgamation with Waverley and Randwick passed at the Council meeting (8 February 2016).
- 4) Council further note that Woollahra Council at the same meeting voted to proceed with a survey of residents on the important issue of amalgamation to support their formal submission to the State Government on their merger proposal.
- 5) therefore, Randwick Council cannot support the proposed merger with Waverley and Woollahra Councils.
- 6) the GM to seek legal advice on a possible legal challenge to the merger proposal, for example, on procedural grounds. Further noting that the process was a "sham" from beginning to end including the Merger Proposal – Public Inquiry itself.

AMENDMENT: (Matson/Stavrinos) CARRIED AND BECAME THE MOTION.

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

| FOR | AGAINST |
|----------------------|--------------------|
| Councillor Andrews | Councillor Belleli |
| Councillor D'Souza | Councillor Bowen |
| Councillor Matson | Councillor Garcia |
| Councillor Nash | Councillor Moore |
| Councillor Roberts | Councillor Neilson |
| Councillor Seng | |
| Councillor Shurey | |
| Councillor Smith | |
| Councillor Stavrinos | |
| Total (9) | Total (5) |

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

RESOLVED (PROCEDURAL MOTION): (Andrews/Stavrinios) that the meeting be extended to 12.30am.

NM8/16 Motion Pursuant to Notice - Notice of Motion from Cr Roberts - Extending the Light Rail to Maroubra Junction and Beyond (F2014/00400)

32/16

RESOLUTION: (Roberts/Andrews)that:

1. Council note its resolution of 24 June 2014:

NM64/14: Proposed Extension of Light Rail past Maroubra Junction:

- a) *Council reiterate its decision of 27 November 2012 "that Council adopt a position of in principle support for the further extension to Maroubra Junction of the proposed CBD to UNSW light rail" and writes to TfNSW requesting the CSELR be extended to Maroubra Junction and beyond.*
 - b) *Council seek affirmation from the NSW Government that no Urban Activation Precincts will be justified or proposed on the basis that light rail is extended.*
 - c) *Council undertake consultation with residents and businesses in Maroubra to establish their position in relation to an extension of the light rail to Maroubra Junction.*
2. Council note there's currently no funding allocated or commitments made by the NSW Government to extend the Light Rail beyond Kingsford.
 3. Council note the Opposition made no funding allocations or commitments to extend the Light Rail beyond Kingsford at the last election.
 4. Council write to the following Government and Opposition members calling on them to support the extension of the Light Rail to Maroubra Junction and beyond:
 - a. The Member for Maroubra and Shadow Treasurer, Michael Daley;
 - b. The Minister for Transport and Infrastructure, Andrew Constance;
 - c. The Shadow Minister for Transport and Infrastructure, Ryan Park;
 - d. The Treasurer, Gladys Berejiklian;
 - e. The Premier, Mike Baird; and
 - f. The Leader of the Opposition, Luke Foley.
 5. the letter should include, but not be limited to, the following information:
 - a. Potential savings and synergies if the extension is done concurrently with the construction of the CSELR, as opposed to a later date,
 - b. Highlight the absence of any significant physical obstacles to an extension,
 - c. Note the potential for greater revenue such an extension would generate for the network,
 - d. integration with a future parallel off road bike path along the Anzac Parade median strip' and
 - e. the need for a full feasibility study.

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

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

| FOR | AGAINST |
|--------------------|--------------------|
| Councillor Andrews | Councillor Belleli |
| Councillor D'Souza | Councillor Bowen |
| Councillor Garcia | Councillor Moore |
| Councillor Matson | Councillor Neilson |
| Councillor Nash | |
| Councillor Roberts | |

Councillor Seng
Councillor Shurey
Councillor Smith
Councillor Stavrinou

Total (10)

Total (4)

Confidential Reports

The meeting moved into closed session in order to consider confidential items.

Closed Session

CP6/16 Confidential - 9 Glenwood Avenue, Coogee - (Confidential) (DA/203/2015) (DA/203/2015)

This matter is considered to be confidential under Section 10A(2) (e) Of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.

33/16

RESOLUTION: (Nash/Neilson) that Council agree to a consent orders hearing for this matter.

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

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

| FOR | AGAINST |
|----------------------|--------------------|
| Councillor Bowen | Councillor Andrews |
| Councillor D'Souza | Councillor Belleli |
| Councillor Garcia | Councillor Matson |
| Councillor Moore | Councillor Shurey |
| Councillor Nash | |
| Councillor Neilson | |
| Councillor Roberts | |
| Councillor Seng | |
| Councillor Smith | |
| Councillor Stavrinou | |
| Total (10) | Total (4) |

GF7/16 Confidential - Tender for Emotional Resilience and Positive Self-Management - No. T2016-11 (F2015/00394)

This matter is considered to be confidential under Section 10A(2) (c) Of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

34/16

RESOLUTION: (Andrews/Stavrinou) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, Bendelta Pty Ltd be accepted as the successful tenderer to provide Emotional Resilience and Positive Self-Management training and support as and when required for a period of three (3) years, with two (2) optional extensions of twelve (12) months;
- b) the General Manager, or delegated representative, be authorised to enter into a

contract on behalf of Council; and

c) unsuccessful tenderers are notified.

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

Open Session

The meeting moved back into open session.

Notice of Rescission Motions

NR2/16 Notice of Rescission Motion - Notice of Rescission Motion Submitted by Councillors D'Souza, Seng and Stevenson - 25 Jersey Road, Matrville (DA/643/2015) (DA/643/2015)

Note: Having previously declared an interest, Cr Andrews left the chamber during the debate and voting on this matter.

35/16

RESOLUTION: (Seng/D'Souza) that the resolution passed at the Planning Committee meeting held on Tuesday 9 February 2016 in relation to Item D7/16 and reading as follows:

"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. 643/2015 for the demolition of an existing dwelling, construction of a new two storey attached dual occupancy with garages and associated works, at No. 25 Jersey Road, Matrville 2036, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Nonstandard conditions

Amendment of Plans & Documentation

2. The approved plans and documents 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 fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:
 - Study Window to Dwelling 25A on the western elevation at first floor level;
 - Bedroom window to Dwelling 25A on the western elevation at first floor level; and
 - Bedroom window to Dwelling 25A on the northern elevation at first floor level.
 - b. The fence on the Jersey Road street alignment is to be a maximum height of 1200mm and be designed so that the solid portion of the fence does not exceed 600mm, measured from the footpath level. The remainder of the fence shall be at least 30%% open, to maintain reasonable levels of amenity to the adjoining residential development and the streetscape."

BE AND IS HEREBY RESCINDED.

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

36/16

RESOLUTION: (Smith/Stavrinou) that Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 643/2015 for the demolition of an existing dwelling, construction of a new two storey attached dual occupancy with garages and associated works, at No. 25 Jersey Road, Matraville 2036, 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. 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:
 - Study Window to Dwelling 25A on the western elevation at first floor level;
 - Bedroom window to Dwelling 25A on the western elevation at first floor level; and
 - Bedroom window to Dwelling 25A on the northern elevation at first floor level.
 - b. The fence on the Jersey Road street alignment is to be a maximum height of 1200mm and be designed so that the solid portion of the fence does not exceed 600mm, measured from the footpath level. The remainder of the fence shall be at least 30% open, to maintain reasonable levels of amenity to the adjoining residential development and the streetscape.
 - c. Five (5) pencil pines must be planted at a height of 2m between the boundary of 23 & 25 Jersey Rd.
 - d. Timber cladding shall be provided to the rear wall of dwelling 25A which faces the rear yard of 23 Jersey Rd.

MOTION: (Smith/Stavrinou) CARRIED UNANIMOUSLY – SEE RESOLUTION.

A rescission motion on item GM2/16 (General Manager's Report - Local Government Reform Update and Submissions) was submitted by Councillors Bowen, Moore, Neilson and Stevenson in accordance with Council's Code of Meeting Practice and will be considered at the Extraordinary Council Meeting to be held on 27th February 2016.

There being no further business, His Worship the Mayor, Cr D' Souza, declared the meeting closed at 11.59 pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 22 March 2016.

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CHAIRPERSON