

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY 27TH APRIL, 2004 AT 6:15 P.M.**

PRESENT:

His Worship the Mayor, Cr. M. Matson (East Ward) (Chairperson)

Councillor B. Notley-Smith (East Ward) (Deputy Mayor)

North Ward	-	Crs J. Kenny & M. Woodsmith
South Ward	-	Crs R. Belleli, M. Daley & A. White
East Ward	-	Cr D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews & T. Seng

OFFICERS PRESENT:

General Manager	Mr. G. Messiter.
Director Asset & Infrastructure Services	Mr. M. Savage.
Director Planning & Community Development	Ms. S. Truuvvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Public Officer	Mr. P. Smith.
Communications Manager	Ms. D. Brien.
Manager Policy, Planning & Performance	Ms. K. Walshaw.
Acting Manager, Environmental Planning	Ms. K. Armstrong.

1. COUNCIL PRAYER.

The Council Prayer was read by Councillor Dominic Sullivan.

1a. LEAVE OF ABSENCE.

Leave of Absence has been granted to Cr Tracey until 23 June, 2004.

2. APOLOGY/IES.

An apology was received from Cr Bastic.

RESOLVED: (Andrews/Daley) that the apology be received and accepted and leave of absence be granted to Cr Bastic from the Ordinary Council Meeting held on Tuesday, 27th April, 2004.

3. MINUTES.

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 24TH FEBRUARY, 2004.

- 48 **RESOLUTION:** (*Andrews/Notley-Smith*) that the Minutes of the Ordinary Council Meeting held on Tuesday, 24th February, 2004 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 20TH APRIL, 2004.

- 49 **RESOLUTION:** (*Andrews/Notley-Smith*) that the Minutes of the Extraordinary Council Meeting held on Tuesday, 20th April, 2004 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

RESOLVED: (*Andrews/Notley-Smith*) that the meeting be adjourned at 6.16 p.m. to permit members of the public entitled and wishing to address the assembled Councillors.

4. ADDRESS TO THE COUNCIL BY THE PUBLIC.

1. Ms Felicia Harris, 35 Moverley Road, Maroubra, on Item 5.3, Mayoral Minute No. 21/2004 – New Precinct Co-ordination Committee.

The meeting was resumed at 6.20 p.m.

5. MAYORAL MINUTES.

5.1 MAYORAL MINUTE 19/2004 - RETIREMENT OF GENERAL MANAGER. (98/S/0823 xr PERSONNEL)

- 50 **RESOLUTION:** (*His Worship the Mayor, Cr M. Matson*) that Council authorise the Mayor to:

- a) Engage a suitable professional recruitment consultant, being the Local Government & Shires Association's facility, to advertise and conduct an executive search to establish a short list of suitable candidates for consideration;
- b) Establish a selection committee comprising one member of the Liberal Party, one from the Labor Party, one from the Greens Party and independent/s to be appointed by the Mayor and Deputy Mayor to interview the short listed candidates and make a recommendation to Council for appointment; and those Party members be Councillors Matson, Seng and a Labor Councillor to be nominated; and
- c) Arrange the hosting of a civic function to recognise the contribution made by Mr Messiter.

MOTION: (*His Worship the Mayor, Cr M. Matson*) SEE RESOLUTION.

AMENDMENT: (*Daley/Sullivan*) that Council authorise the Mayor to:

- a) Report back to the Council on the engagement of suitable professional recruitment consultants to advertise and conduct the executive search; and

- b) That the selection Committee not have a delegation to appoint and only have authority to make recommendations to Council, that it consist of 2 members of the Liberal Party, 2 members of the Labor Party and 1 member of the Greens and it be established by submission of names to the Mayor by those Parties within 48 hours of this Meeting. **LOST.**

FURTHER AMENDMENT: (Sullivan/White) that in respect to part (a) of the recommendation contained in Mayor's Minute 19/2004, the General Manager be authorised to appoint a suitable professional recruitment consultant. **LOST.**

FURTHER AMENDMENT: (White/Nil) that the Selection Committee be established and comprise Councillors Sullivan, Notley-Smith & Matson. **LAPSED FOR WANT OF A SECONDER.**

FURTHER AMENDMENT: (Sullivan/Daley) that prior to the establishment of any Selection Committee, all Councillors be consulted in advance of the recommendation of appointment of members to that committee. **LOST.**

5.2 MAYORAL MINUTE 20/2004 - COUNCIL LEGAL SERVICES. (98/S/5343)

51 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that the General Manager:

- a) *Arrange for the invitation of tenders for the provision of legal services to Council in accordance with Council's Purchasing Policy and the requirements of the Local Government Act and Tendering Regulation; and*
- b) *Prepare a report for Council's consideration on the establishment of a panel of suitably qualified law firms to provide the required services.*

MOTION: (His Worship the Mayor, Cr M. Matson) SEE RESOLUTION.

5.3 MAYORAL MINUTE 21/2004 - NEW PRECINCT CO-ORDINATION COMMITTEE. (98/S/1240)

52 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that Council support this initiative and a report be submitted to the next Council meeting on the arrangements for and costs associated with the Precinct Coordination Committee.

MOTION: (His Worship the Mayor, Cr M. Matson) SEE RESOLUTION.

6. GENERAL MANAGERS' REPORTS.

6.1 GENERAL MANAGER'S REPORT 6/2004 - DRAFT 2004/05 TO 2006/07 MANAGEMENT PLAN. (98/S/0555)

53 **RESOLUTION: (Andrews/Notley-Smith)** that:

- a) *The Draft Management Plan be placed on public exhibition for not less than 28 days, from 28 April 2004 to 26 May 2004, inviting submissions from the public; and*
- b) *At the conclusion of the period of public exhibition a meeting of Council be held to*

consider any submissions made concerning the Draft Plan and, after taking into consideration such matters as it considers relevant, Council adopt the Management Plan.

MOTION: (Andrews/Notley-Smith) SEE RESOLUTION.

6.2 GENERAL MANAGER'S REPORT 7/2004 - 2003/04 BUDGET-REVIEW AS AT 31 MARCH 2004. (98/S/2627)

54 **RESOLUTION: (Notley-Smith/Hughes) that:**

- a) *The report in relation to the March 2004 budget review be received and noted; and*
- b) *The budget variations referred in paragraph (b) in the report be adopted.*

MOTION: (Notley-Smith/Hughes) SEE RESOLUTION.

6.3 GENERAL MANAGER'S REPORT 8/2004 - PERMISSION TO ENTER INTO AN AGREEMENT FOR USE OF LAND AND AFFIXING OF THE COUNCIL SEAL. (R/0240/00)

55 **RESOLUTION: (Andrews/Procopiadis) that authority is granted for Council to enter into a licence agreement with Southern Cross Constructions for the land adjoining the cul-de-sac and its property on the corner of Lorne Avenue & Addison Street, Kensington for a period of six (6) months and conditions to be included in the licence agreement are:**

- a) *The applicant shall carry out the work in accordance with the approved plan, unless otherwise directed by Police/authorised City Rangers.*
- b) *The applicant shall advise emergency services (namely Police, Fire Brigade and NSW. Ambulance Service) of the proposed temporary occupation of the land.*
- c) *The applicant shall indemnify Council against all claims for damage or injury that may result from the activity or occupation of part of the public way during activity. The Contractor must provide documentary evidence of public risk insurance cover of at least \$10,000,000 indemnifying Council.*
- d) *The applicant shall be responsible for the reimbursement for the cost of repair of any damage caused to the public way, or as a result of the activities.*
- e) *The applicant shall be liable for the payment of a licence fee (to be determined by an independent valuer) payable monthly for the occupation of the public space. The licence period must be advised prior to preparation of the agreement.*
- f) *Within 60 days of the completion of the building works, the applicant shall restore the footways and adjacent roadways to the satisfaction of Council.*
- g) *The cost of the rental valuation and all legal costs associated with the preparation of the licence agreement are to be borne by the licensee.*
- h) *Compliance with Section 138 of the Roads Act 1993.*
- i) *A suitable bond, nominated by the General Manager, be levied on the applicant.*

MOTION: (Andrews/Procopiadis) SEE RESOLUTION.

6.4 GENERAL MANAGER'S REPORT 9/2004 - PERMISSION TO ENTER INTO AN AGREEMENT AND AFFIXING OF THE COUNCIL SEAL. (98/S/2390 xr 98/S/5157 xr P/004522 xr 98/S/2994 xr P/000915 xr 98/S/3062 xr P/002020 xr P/011253 xr P/001364 (6) xr 98/S/0018 xr P/001537 (2))

56 **RESOLUTION:** (*Andrews/Notley-Smith*) that authority be granted for the Council's Common Seal to be affixed to the agreement between Council and:

- a) *The Trustees of the Roman Catholic Church for the Archdiocese of Sydney in relation to a lease of Part of Reserve No. 81741 known as Heffron Park Reserve, more particularly described as improvements and playing fields located on the corner of Fitzgerald Avenue & Robey Street, Maroubra.*
- b) *New South Wales Handball Association Inc. in relation to a licence of Part of Crown Reserve No. 81741 known as Heffron Park Reserve, more particularly known as an area totalling 1,546.93m² for the provision of handball sporting and recreational facilities.*
- c) *Jane Crosland (trading as Bream Street Deli) in relation to a licence for the purpose of outdoor dining at 10 Bream Street, Coogee.*
- d) *Maroubra Diggers in relation to a licence of Part of Lots 1211, 7026-7027 DP 752015, more particularly known as the Club Room at Des Renford Aquatic Centre.*
- e) *Tawar Ishaya (trading as Beach View Café) in relation to a licence for the purpose of outdoor dining at 53 McKeon Street, Maroubra.*
- f) *Randwick Credit Union Limited in relation to a lease of the South Eastern Suite, Ground Floor, Town Hall Building.*
- g) *Paul Polakow in relation to a residential lease of unit 4/20 Silver Street, Randwick.*
- h) *Mr Sophon Kotamphi (trading as Chao Praya Thai) in relation to a licence for the purpose of outdoor dining at 33 Perouse Road, Randwick.*
- i) *Mr Timothy David Crowe (trading as Beach Palace Hotel) in relation to a licence for outdoor dining at 169 Dolphin Street, Coogee.*
- j) *NSW Department of Community Services in relation to Schedule A in respect of funding of Community Development Generalist Officer, Coordinator Community Development, Community Development Officer Youth & Multicultural Officer for a period of twelve (12) months to a total of \$67,739.*
- k) *New Design Centres Pty Ltd in relation to a commercial lease for Shop 2, 669-673 Anzac Parade, Maroubra Junction.*

MOTION: (*Andrews/Notley-Smith*) SEE RESOLUTION.

7. DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORTS.

7.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 14/2004 - NATIONAL BLACKSPOT PROGRAMME 2004/2005. (98/S/1257)

57 **RESOLUTION:** (*Andrews/Hughes*) that Council accept the National Black Spot Programme funding for 2004-2005 for the partial intersection closure at the intersection of Boronia Street at Anzac Parade, Kensington in the amount of \$160,000.

MOTION: (*Andrews/Hughes*) SEE RESOLUTION.

7.2 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 15/2004 - RESIDENTS' PERMIT PARKING. (98/S/2714)

58 **RESOLUTION:** (*His Worship the Mayor, Cr M. Matson/Hughes*) that:

- a) *The current review of resident permit schemes in the City be expanded to include existing schemes in King Street, Todman Avenue and Maroubra Junction;*

- b) *The project timeframe and implementation procedures be noted;*
- c) *The matters raised in the report be referred to the relevant departments of Council for comment; and*
- d) *A report be submitted to Council, in conjunction with the further report on the budget in June, 2004 following the submissions by the public, detailing options for expanding the residents' preferred parking schemes throughout the City and the options for a general increase in parking meters, revenue arising from those meters and any subsequent decisions which might arise for the employment of further staff, such as Rangers.*

MOTION: (His Worship the Mayor, M. Matson/Hughes) SEE RESOLUTION.

DISSENT MOTION: (Sullivan/Daley) on the Ruling of the Mayor. LOST.

8. DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORT.

8.1 DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES' REPORT 6/2004 - INTERNAL REPORTING SYSTEM-PROTECTED DISCLOSURES ACT. (98/S/0661)

- 59 *RESOLUTION: (Andrews/Procopiadis) that the Director Governance, Management and Information Services' Report 6/2004, reviewing the Internal Reporting System – Protected Disclosures Act, in accordance with Clause 12 of Council's Policy No. 1.04.04, be received and noted.*

MOTION: (Andrews/Procopiadis) SEE RESOLUTION.

9. PETITIONS.

9.1 SUBMITTED BY HIS WORSHIP THE MAYOR, CR M. MATSON ON BEHALF OF THE RESIDENTS AGAINST ALTERATIONS & ADDITIONS BEING MADE TO THE BACKPACKERS HOSTEL – 171 ARDEN STREET, COOGEE. (THE BEACHHOUSE). (D/0018/2004 xr 98/S/1173(5))

- 60 *RESOLUTION: (His Worship the Mayor, Cr M. Matson/Hughes) that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.*

MOTION: (His Worship the Mayor, Cr M .Matson/Hughes) SEE RESOLUTION.

9.2 SUBMITTED BY HIS WORSHIP THE MAYOR, CR M. MATSON ON BEHALF OF THE RESIDENTS SEEKING TRAFFIC CALMING DEVICES IN GILDERTHORPE, PARK & ROSCREA AVENUES, RANDWICK. (R/0326/02 xr R/0654/02 xr R/0601/01 xr 98/S/1173(5))

- 61 *RESOLUTION: (His Worship the Mayor, Cr M. Matson/Hughes) that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.*

MOTION: (His Worship the Mayor, Cr M .Matson/Hughes) SEE RESOLUTION.

9.3 SUBMITTED BY HIS WORSHIP THE MAYOR, CR M. MATSON ON BEHALF OF THE RESIDENTS AGAINST YOUNG HOOLIGANS DISRUPTING THE PEACE ON FRANKLIN STREET, MATRAVILLE. (R/0308/00 xr 98/S/1173(5))

62 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson/Hughes) that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.*

MOTION: *(His Worship the Mayor, Cr M. Matson/Hughes) SEE RESOLUTION.*

9.4 SUBMITTED BY CR HUGHES ON BEHALF OF THE RESIDENTS OF EASTERN AVENUE NORTH OF DAY AVENUE, KENSINGTON IN FAVOUR OF CLOSING OFF ACCESS TO THE NORTHERN END OF EASTERN AVENUE PERMITTING ENTRANCE VIA KORRINDA AVENUE, KENSINGTON. (R/0260/02 xr R/0448/02 xr 98/S/1173(5))

63 **RESOLUTION:** *(Hughes/His Worship the Mayor, Cr M. Matson) that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.*

MOTION: *(Hughes/His Worship the Mayor, Cr M. Matson)*

9.5 SUBMITTED BY CR HUGHES ON BEHALF OF THE RESIDENTS AGAINST THE DEMOLITION OF "BRADFORD" 3 VILLIERS STREET, KENSINGTON. (D/0070/2004 xr 98/S/1173(5))

64 **RESOLUTION:** *(Hughes/His Worship the Mayor, Cr M. Matson) that the petition be referred to the appropriate Committee and/or the Councillors' Bulletin with a report from the relevant officer.*

MOTION: *(Hughes/His Worship the Mayor, Cr M. Matson)*

10. MOTIONS PURSUANT TO NOTICE.

Nil.

11. URGENT BUSINESS.

Nil.

12. CONFIDENTIAL REPORTS.

Nil.

13. COMMITTEE-OF-THE-WHOLE.

Nil.

14. REPORT OF COMMITTEE-OF-THE-WHOLE.

Nil.

15. NOTICE OF RESCISSION MOTIONS.

Nil.

16. PRESENTATION & INFORMATION SESSION FOR COUNCILLORS.

(Note: Following the close of this Meeting the Presentation & Information Session for Councillors was held.)

There being no further business, His Worship the Mayor, Cr M. Matson, declared the meeting closed at 8.27 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 25TH MAY, 2004.

.....
CHAIRPERSON