

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 1ST JUNE 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 (from 7.04 p.m.) & A. White
East Ward	-	Cr D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews, C. Bastic & T. Seng

OFFICERS PRESENT:

General Manager	Mr. G. Messiter.
Director Asset & Infrastructure Services	Mr. M. Savage.
Director Planning & Community Development	Ms. S. Truvert.
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.

1. APOLOGIES.

Nil.

1a. LEAVE OF ABSENCE.

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

RESOLVED: (His Worship the Mayor, Cr M. Matson/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.

2. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

1. Mr Jack Ziade, 50 St Pauls Street, Randwick, on Item 4.1 – General Manager’s Report No. 13/2004 – Draft Management Plan 2004/07.

The meeting was resumed at 6.20 p.m.

3. MAYORAL MINUTES.

Nil.

4. GENERAL MANAGERS' REPORT.

4.1 GENERAL MANAGER'S REPORT 13/2004 - DRAFT MANAGEMENT PLAN 2004-07. (98/S/0555)

111 **RESOLUTION:** *(Sullivan/Notley-Smith)* that:

- 1) *An application be made to the Minister for Local Government for:*
 - a) *Continuation of the 2001/2002 special variation amounting to \$1,811,000 in 2004/2005 on a permanent basis; and*
 - b) *A further special variation of 6% (in addition to the 3.5% approved increase) to raise \$2,100,000 per year for a five year period for an environmental levy.*
- 1A) *If the Environmental Levy is approved by the Minister, the construction of a Gross Pollution Trap in Cromwell Park, Malabar Beach proceed;*
- 2) *The Draft Schedule of Fees and Charges be amended to allow for Sporting Facilities Buildings Key Deposit of \$110.00;*
- 3) *That the Draft Schedule of Fees and Charges be amended to allow for Sale of Quotation Documentation to Selective Suppliers for \$165.00;*
- 4) *The Draft Schedule of Fees and Charges be amended to remove reference to charging telecommunications companies;*
- 5) *The Draft Schedule of Fees & Charges and the Draft Confidential Fees & Charges, as amended, be adopted for 2004/05.*
- 6) *The amount of \$1,055,000 is reallocated, as detailed, to asset maintenance, and the Draft 2004/05 Budget be amended;*
- 7) *That the amount of \$10,000 is reallocated, as detailed, to Communications, and the Draft 2004/05 Budget be amended;*
- 8) *The increase in general income of \$445,000 is allocated, as detailed, to the maintenance of depreciating assets, and the Draft 2004/05 Budget be amended.*
- 9) *The Draft 2004/05 Budget as amended, be adopted as the Budget for 2004/05, and that funds are voted accordingly;*
- 10) *A report listing project details of the additional funding of \$1,500,000 to asset maintenance be prepared and submitted to the next Council meeting. The report to include any carry over projects from 2003/04;*
- 11) *The interest rate on overdue rates be calculated at 9.0% per annum, and charges daily, in accordance with the determination under s566(3) of the Local Government Act 1993, by the Minister for Local Government;*
- 12) *The Draft Management Plan 2004/07 as amended, be adopted as the Management Plan for 2004/07 under s406 (1) of the Local Government Act 1993.*
- 13) *The Ordinary Residential Rate be made and levied by Council for 2004/05, under s494 and s498 (1)(a) and (2) of the Local Government Act 1993, as a rate of 0.20826 cents in the dollar on the land value of all rateable land within the City of Randwick being Residential land.*
- 14) *The Ordinary Business Rate be made and levied by Council for 2004/05, under s494 and s498 (1)(a) and (2) of the Local Government Act 1993, as a rate of 0.82099 cents in the dollar on the land value of all rateable land within the City of Randwick being Business land;*
- 15) *The minimum ordinary Residential rate be made and levied in 2004/05 under s548 (1) (a), (2), (4) & (5) of the Local Government Act 1993, as \$493.70;*

- 16) *The minimum ordinary Business rate be made and levied in 2004/05 under s548 (1)(a), (2), (4) & (5) of the Local Government Act 1993, as \$795.50;*
- 17) *The contents of the report in relation to On-Street Parking in Randwick City contained in Attachment 8 be received and noted;*
- 18) *When the Minister has responded to Council's request for the 6% special variation, a report be prepared (including any revised rating structure) and submitted to Council if necessary;*
- 19) *In response to Attachment No. 8 to the General Manager's Report No. 13/2004, Council expedite a Residents' Preferred Parking Scheme for the Randwick area and to also expedite a Residents' Preferred Parking Scheme for the Maroubra Beach area; and*
- 20) *Council expedite the implementation of the Residents' Preferred Parking Scheme in terms of its report to Council and recommendations in relation to Coogee Beach.*

MOTION: (Hughes/Notley-Smith) that the recommendations contained in the General Manager's Report No. 13/2004 be adopted.

AMENDMENT: (Belleli/Notley-Smith) that the recommendations contained in the General Manager's Report No. 13/2004 be adopted and, if the Environmental Levy is approved by the Minister, the construction of a Gross Pollution Trap in Cromwell Park, Malabar Beach proceed.

(FURTHER) AMENDMENT: (Bastic/Andrews) that the recommendations contained in the General Manager's Report No. 13/2004, as amended in respect to the construction of a Gross Pollution Trap in Cromwell Park, be adopted, subject to funds being provided from the additional income Council will receive, as a result of the increased rate percentage allowed by the Minister, to allow for the construction of kerb & gutter in Galvin Street, Maroubra, between Mulgray Avenue and Cooper Street. **LOST.**

(His Worship the Mayor, Cr M. Matson vacated the Chair and moved to the floor of the Chamber and the Deputy Mayor, Cr Notley-Smith assumed the Chair.)

(FURTHER) AMENDMENT: (His Worship the Mayor, Cr M. Matson/Hughes) that the recommendations contained in the General Manager's Report No. 13/2004 numbered 1 to 18 be adopted, subject to the insertion of additional text numbered 19 reading as follows:

“19 That, in response to Attachment No. 8 to the General Manager's Report No. 13/2004 Council expedite a Residents' Preferred Parking Scheme for the Randwick area and to also expedite a Residents' Preferred Parking Scheme for the Maroubra Beach area”.

(Cr Andrews requested that his name be recorded as opposed to the amendment.)

(Councillor Daley attended the meeting at this stage, the time being 7.04 p.m.)

(FURTHER) AMENDMENT: (Sullivan/Notley-Smith) SEE RESOLUTION.

(FURTHER) AMENDMENT: (Bastic/Andrews) that the following items proposed to be excluded in recommendation No. 6 and detailed in Attachment No. 5 to the General Manager's Report No. 13/2004 be reinstated:

a) Coastal Walkway Extension	\$105,000
b) Street Furniture Programme	\$ 80,000
c) Yarra Bay Bicentennial Park	\$100,000

- | | |
|-----------------------|-----------|
| d) Footpath Programme | \$300,000 |
| e) Councillors' Bids | \$200,000 |

LOST.

A division was called for by Crs Sullivan & Notley-Smith. Voting was as follows:-

For	Against
Andrews	Belleli
Bastic	Hughes
Daley	Kenny
Procopiadis	His Worship the Mayor, Cr M. Matson
Sullivan	Nash
White	Notley-Smith
	Seng
	Woodsmith

(FURTHER) AMENDMENT: (Belleli/Bastic) that in respect to recommendation No. 6 as detailed in Attachment No.5, the Footpath Programme for Central and South Wards not be deferred. **LOST.**

A division was called for by Crs Sullivan & Andrews. Voting was as follows:-

For	Against
Andrews	Hughes
Bastic	Kenny
Belleli	His Worship the Mayor, Cr M. Matson
Daley	Nash
Procopiadis	Notley-Smith
Sullivan	Seng
White	Woodsmith

(The Mayor indicated he used his casting vote against the further amendment.)

(FURTHER) AMENDMENT: (Daley/Andrews) that a further special variation (in addition to the 3.5% approved increase) to raise \$2,100,000 per year for a five year period as an environmental levy not be applied for. **LOST.**

A division was called for by Crs Sullivan & Andrews. Voting was as follows:-

For	Against
Andrews	Belleli
Bastic	Hughes
Daley	Kenny
Procopiadis	His Worship the Mayor, Cr M. Matson
Sullivan	Nash
White	Notley-Smith
	Seng
	Woodsmith

(FURTHER) AMENDMENT: (Sullivan/Andrews) that in relation to recommendation No. 12 in the General Manager's Report No. 13/2004, the 2004/2007 Management Plan be re-advertised as it contained misleading and wrong information in relation to Council's Budget & Management Plan. **LOST.**

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

5. DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT.

5.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 26/2004 - KIOSK GOLDSTEIN RESERVE, COOGEE BEACH – TENDER. (98/S/5563)

112 **RESOLUTION: (Bastic/Andrews) that:**

- a) *The tender from Coogee Bay Kiosk Pty Ltd ACN 076 637 628, for the Lease to occupy, upgrade and fit out the property be accepted, and the Lease of the property (as a café) for five years plus a five year option be accepted, and that Council enter into two Leases under s19 (1)(a) of the Local Government (Tendering) Regulation 1999;*
- b) *Authority is granted for Council's Common Seal to be affixed to the Agreement for the occupation, upgrading of the building and fit out of the property known as the Coogee Kiosk located in Goldstein Reserve, Coogee between the Dunningham Reserve (R82505, R36363, D500281) Trust, dedicated on 26 August 1903 for public recreation and Council is the trustee, and Coogee Bay Kiosk Pty Ltd ACN 076 637 628; and*
- c) *Authority is granted for Council's Common Seal to be affixed to the Agreement for the rental of the property known as the Coogee Kiosk located in Goldstein Reserve Coogee between the Dunningham Reserve (R82505, R36363, D500281) Trust, dedicated on 26 August 1903 for public recreation and Council is the trustee, and Coogee Bay Kiosk Pty Ltd ACN 076 637 628 for a period of five years with an option to renew for five years.*

MOTION: (Bastic/Andrews) SEE RESOLUTION.

6. MOTIONS PURSUANT TO NOTICE.

Nil.

7. CONFIDENTIAL REPORTS.

Nil.

8. COMMITTEE-OF-THE-WHOLE.

Nil.

9. REPORT OF THE COMMITTEE-OF-THE-WHOLE.

Nil.

10. NOTICE OF RESCISSION MOTIONS.

Nil.

There being no further business, His Worship the Mayor, Cr M. Matson, declared the meeting closed at 8.30 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 22 JUNE, 2004.

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CHAIRPERSON