

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 13TH JULY 2004 AT 6:00 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, P. Tracey & M. Woodsmith

South Ward - Crs R. Belleli & A. White

East Ward - Cr D. Sullivan

West Ward - Crs B. Hughes, S. Nash & J.Procopiadis

Central Ward - Crs A. Andrews (from 6.06 p.m.) & T. Seng

OFFICERS PRESENT:

Acting General Manager	Ms. S. Truuvert.
Director Asset & Infrastructure Services	Mr. M. Savage.
Acting Director Planning & Community Development	Mr. R. Wereszcynski
Director Governance, Management & Information Services	Mr. M. Hummerston.
Assistant Public Officer	Mr. D. Kelly.
Communications Manager	Ms. D. Brien.
Manager Policy, Planning & Performance	Ms. K. Walshaw.
Manager Development Assessment	Mr. K. Kyriacou.

1. APOLOGIES.

Apologies were received from Crs Bastic and Daley

RESOLVED: (Sullivan/White) that the apologies from Crs Bastic and Daley be received and accepted.

RESOLVED: (Matson/Notley-Smith) that leave of absence be granted to Crs Bastic and Daley from the Extraordinary Council Meeting held on Tuesday, 13th July, 2004.

RESOLVED: (Procopiadis/Hughes) that the meeting be adjourned at 6.06 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. Mrs Carol Sullivan, 3/7 Severn Street, Maroubra on Item 5.1, Director Asset & Infrastructure Services' Report 39/2004 - Tender No T014/04 - Construction of McKeon Street, Upgrade Works at Maroubra Beach.

The meeting was resumed at 6.10 p.m.

3. MAYORAL MINUTES.

COMMITTEE-OF-THE-WHOLE.

The Mayor invited members of the Public Gallery to address the Council on the proposal by the Council to proceed into a closed Committee-of-the-Whole. No persons indicated they wished to avail themselves of this opportunity.

RESOLVED: (Sullivan/White) that the Extraordinary Meeting of the Council be adjourned at 6.11 p.m. and that the Council meet and sit as a Committee-of-the-Whole.

The Mayor declared the Extraordinary Meeting of the Council resumed at 6.42 p.m.

REPORT OF COMMITTEE-OF-THE-WHOLE.

REPORT OF THE ACTING GENERAL MANAGER TO THE EXTRAORDINARY MEETING OF THE COUNCIL, RELATING TO THE COUNCIL MEETING AS A COMMITTEE-OF-THE-WHOLE ON TUESDAY, 13TH JULY, 2004.

The Acting General Manager reported that the following matter had been considered and the following recommendation to the Council had been formulated by the Committee-of-the-Whole.

EXCLUSION OF PRESS AND PUBLIC.

At the commencement of the meeting, the Committee-of-the-Whole **RESOLVED**, pursuant to Section 10 A(2) (a) 10 A(2) (d) (ii) of the Local Government Act, 1993, that the press and public be excluded from the whole of this meeting of the Committee as the matter under consideration concerned respectively, (a) personnel matters concerning a particular individual and (b) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council, on which publicity or disclosure of the proceedings of the Committee would, in the opinion of the Committee, be prejudicial and on balance would be contrary to the public interest.

RECOMMENDATION.

3.1 MAYOR'S MINUTE 43/2004 - NEW GENERAL MANAGER'S CONTRACT. (H01753)

(Note: Mr John Cox from Eakin, McCaffery and Cox Solicitors and Mr Jim Mitchell from the Local Government and Shires Association were present and assisted Council in respect of the General Manager's contract.)

That Council adopt the draft new General Manager's Contract, subject to the following amendments;

- (a) Clause 3.4 – Delete the phrase “or appointment to another position”;
- (b) Clause 6.2 – Change the word “may” to “shall” and add the following wording to the end of the clause “and shall be subject to satisfactory performance”; and
- (c) Clause 8.4.1 (b) – Add the word “consecutive” after the word “two”.

3.2 ADOPTION OF THE REPORT OF THE COMMITTEE-OF-THE-WHOLE.

143 **RESOLUTION:** *(Andrews/Procopiadis)* that the recommendation made by the Committee-of-the-Whole at its meeting held on Tuesday, 13th July, 2004 be adopted.

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

4. GENERAL MANAGERS' REPORTS.

4.1 ACTING GENERAL MANAGER'S REPORT 17/2004 - RATES FOR 2004/05 FINANCIAL YEAR. (98/S/0555 xr 98/S/5310)

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

- a) *An Ordinary Residential Rate be made and levied for 2004/2005 under s494 and s498 (1)(a) and (2) of the Local Government Act 1993 of 0.2107 cents in the dollar on the land value of all rateable land within the City of Randwick being Residential land;*
- b) *An Ordinary Business Rate be made and levied for 2004/2005 under s494 and s498 (1)(a) and (2) of the Local Government Act 1993 of 0.82584 cents in the dollar on the land value of all rateable land within the City of Randwick being Business land;*
- c) *A minimum ordinary Residential rate be made and levied in 2004/05 under s548(1)(a) (2) (4) &(5) of the Local Government Act of \$493.70; and*
- d) *A minimum ordinary Business rate be made and levied in 2004/05 under s548(1)(a) (2) (4) & (5) of the Local Government Act of \$795.50.*

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

(Cr Andrews, Sullivan and White requested that their names be recorded as opposed to the resolution.)

The meeting was adjourned at 6.59 p.m. and was resumed at 7.00 p.m.

5. DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORTS.

5.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 39/2004 - TENDER NO T014/04 - CONSTRUCTION OF MCKEON STREET, UPGRADE WORKS AT MAROUBRA BEACH. (98/S/5500)

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

- a) *The Tender from GMW URBAN Pty Ltd ACN 084 753 113, for the **Tender No T014/04 Construction Of McKeon Street Upgrade Works At Maroubra Beach, NSW** – be accepted under s19 (1) (a) of the Local Government (Tendering) Regulation 1999;*
- b) *That a sum of \$840 000.00 excluding GST is provided for the completion of this project;*

- c) *That authority is granted for Council's Common Seal to be affixed to the Agreement for the Tender No T014/04 Construction of McKeon Street Upgrade Works at Maroubra Beach, NSW; and*
- d) *The unsuccessful Tenderers be notified of the Tender result.*

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

6. CONFIDENTIAL REPORTS.

This was considered in conjunction with Item 3.1.

7. COMMITTEE-OF-THE-WHOLE.

The Committee met for consideration of Item 3.1.

8. REPORT OF THE COMMITTEE-OF-THE-WHOLE.

See recommendation contained in Item 3.1.

9. NOTICE OF RESCISSION MOTIONS.

Nil.

There being no further business, His Worship the Mayor, Cr M. Matson, declared the meeting closed at 7.06 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 27TH JULY, 2004.

.....
CHAIRPERSON