

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF  
THE COUNCIL OF THE CITY OF RANDWICK  
HELD ON TUESDAY, 14<sup>TH</sup> JUNE, 2005 AT 6:07 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 - Cr R. Belleli,

West Ward - Crs B. Hughes & S. Nash

Central Ward - Crs A. Andrews & T. Seng

**OFFICERS PRESENT:**

General Manager	Ms. R. Brownlee.
Director, City Services	Mr. J. Frangoplos.
Director, City Planning	Ms. S. Truvert.
Director, Governance & Financial Services	Mr. G. Banting.
Acting Public Officer	Mr. D. Kelly.
Communications Manager	Ms. D. Brien.
Manager Development Assessment	Mr. K. Kyriacou.
Manager Environmental Planning	Ms. K. Armstrong.
Student Planner	Ms. S. Hudson.

**1. APOLOGIES.**

Nil.

**2. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS**

Nil.

**3. ADDRESSES TO THE COUNCIL BY THE PUBLIC.**

1. Ms Elaine Bonnet, 213 Doncaster Avenue, Kingsford on Item 4.5, Mayoral Minute 76/2005 – Council Position on Sale of Crown Land Adjacent to Kensington Park.
2. Mr Lex Davidson, 86A Bundock Street, Randwick on Item 4.6, Mayoral Minute 77/2005 – Council Response to Recent Bundock Street Works.

(Note: The Mayor noted that an apology from Cr Andrews which had been requested at the previous Council Meeting had subsequently been provided.)

**4. MAYORAL MINUTES.**

**4.1 MAYORAL MINUTE 72/2005 – COUNCIL RESPONSE TO PROPOSED PLANNING CONTROL LEGISLATION AMENDMENTS. (F2004/06494)**

Note: this Mayoral Minute was withdrawn by the Mayor.

**4.2 MAYORAL MINUTE 73/2005 – COUNCIL RESPONSE TO PROPOSED LOCAL GOVERNMENT ELECTION LEGISLATION AMENDMENTS. (F2004/06305)**

**(NOTE: A NOTICE OF RESCISSION MOTION WAS HANDED TO THE GENERAL MANAGER PRIOR TO THE CONCLUSION OF THE MEETING AND WILL BE CONSIDERED AT THE MEETING OF THE COUNCIL ON 28<sup>TH</sup> JUNE, 2005.)**

263 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson) that Council writes as a matter of priority to the NSW Minister for Local Government, the leaders of all the major parties and the cross benches in the Upper House, in reference to the Minister's announced voluntary councillor reduction legislation:*

- 1) *Urging that the legislation specifically contain provisions blocking the adoption of an optimal preferential voting system for electing Councillors as per the present provisions for elections conducted under two-Councillor-per ward-systems;*
- 2) *Urging that the legislation maximises community representation by enforcing the use of multi member Council wards or areas based on proportional voting systems to elect Councillors in normal elections;*
- 3) *Declaring its strong opposition to the proposal to allow mid term decisions to reduce Councillor numbers without seeking a mandate from the electorate via a constitutional referendum;*
- 4) *Suggesting that more representative and accountable ways of reducing the cost to the community of by-elections would be to replace the outgoing Councillor with either:*
  - a) *in the case of a non-independent, a candidate nominated by the registered officer of that Councillor's political party; or*
  - b) *the next candidate who would be elected if the elected candidate's ballot papers were redistributed in full.*

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

Cr Andrews requested that his name be recorded as opposed to the resolution.

The Meeting was adjourned at 6.26 p.m. & was resumed at 6.28 p.m.

**4.3 MAYORAL MINUTE 74/2005 - COUNCIL RESPONSE TO ANSWERS RECEIVED TO PARLIAMENTARY QUESTIONS ON MALABAR HEADLAND BY THE HONOURABLE PETER GARRET, MP FOR KINGSFORD-SMITH. (F2004/06759)**

**RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that in response to parliamentary questions asked by the member for Kingsford Smith on the Malabar Headland Issue, Council:

- a) *Writes to the NSW State Government noting that the Commonwealth Government has stated that NSW has been "...unable to identify a suitable site within Sydney that can accommodate all of the shooting groups that currently use the Malabar site" and requesting that Council be briefed on the difficulties that the Government is encountering;*
- b) *Writes to the NSW Government and Commonwealth Government asking for clarification on what issues they regard as being yet to be negotiated and requesting Council's involvement in any such negotiations; and*
- c) *Write to the Commonwealth Government seeking clarification as to the adopted health based site investigation criteria used to assess the risk posed by onsite contaminants and of leaching of contaminants and that a report come back to a future Council meeting on the response.*

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

#### **4.4 MAYORAL MINUTE 75/2005 - FURTHER WATER CONSERVATION INITIATIVES IN RANDWICK CITY. (F2004/06495)**

**RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that Council will:

- 1) *bring a report forward to a Council meeting on options for:*
  - a) *Retrofitting all Council buildings with rainwater tanks, grey water re-use systems and water conservation devices such as dual flush toilets and waterless urinals where feasible; and*
  - b) *Installing stormwater harvesting and underground irrigation infrastructure in all reserves, parks, ovals and other open spaces where feasible.*
- 2) *As part of our Sustainability Agreement, approach UNSW for research and study assistance for the harvesting of stormwater from Council's Gross Pollutant Traps and other possible strategies to conserve local water demand;*
- 3) *Approach both Government and private sector interests seeking to establish a partnership agreement for the harvesting of effluent water for purification and re-use;*
- 4) *Write to the State Government stating Council's support for effluent and stormwater recovery options over that of desalination;*
- 5) *Approach the State Government seeking support for enhanced powers to require the retrofitting of private open space areas (such as golf courses) with stormwater harvesting and underground irrigation infrastructure; and*
- 6) *Survey other NSW Councils such as Newcastle for progress made to date in meeting the State Governments' deadline for the introduction of water conservation plans.*

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

**4.5 MAYORAL MINUTE 76/2005 – COUNCIL POSITION ON SALE OF CROWN LAND ADJACENT TO KENSINGTON PARK. (F2004/06326)**

**(NOTE: A NOTICE OF RESCISSION MOTION WAS HANDED TO THE GENERAL MANAGER PRIOR TO THE CONCLUSION OF THE MEETING AND WILL BE CONSIDERED AT THE MEETING OF THE COUNCIL ON 28<sup>TH</sup> JUNE, 2005.)**

266 **RESOLUTION:** *(Notley-Smith/Belleli) that:*

- a) *Council request advice from the State Minister as to whether Council was in a position to proceed with the sale of this parcel of land; and*
- b) *Council seeks legal advice as to the potential financial liabilities that Council could incur if the decision is rescinded.*

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

- a) Council note the advice conveyed in the Mayoral Minute and resolve to rescind its decision to sell as contained in both part b of its resolution to the Director Asset & Infrastructure Services' report 78/2003 and in its resolution to the Acting General Manager's Report 18/2004; and
- b) advise the prospective purchaser, the Kensington West Ward Precinct Committee and the Minister accordingly.

**AMENDMENT: (Notley-Smith/Belleli) CARRIED & BECAME THE MOTION. MOTION CARRIED – SEE RESOLUTION.**

**4.6 MAYORAL MINUTE 77/2005 - COUNCIL RESPONSE TO RECENT BUNDOCK STREET WORKS. (F2004/07842)**

**(NOTE: A NOTICE OF RESCISSION MOTION WAS HANDED TO THE GENERAL MANAGER PRIOR TO THE CONCLUSION OF THE MEETING AND WILL BE CONSIDERED AT THE MEETING OF THE COUNCIL ON 28<sup>TH</sup> JUNE, 2005.)**

267 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson) that Council:*

- a) *immediately contact GHD Holdings and urge that better dust mitigation procedures be employed in the works;*
- b) *authorises the General Manager to seek special dispensation for GHD Holdings to use hydrant water for dust mitigation if required;*
- c) *write to the Commonwealth Government and local Federal and state MP's demanding the removal of all contaminants off the site prior to the construction of any further dwellings or associated buildings and that such removal of contaminants be in accordance with all relevant certified safe practices; and;*

- d) *will adopt a policy of referring all future Section 96 applications dealing with any part of the surplus Defence Force land at Bundock Street to a meeting of Councillors for resolution.*

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

**4.7 MAYORAL MINUTE 78/2005 – MAYORS FOR PEACE CAMPAIGN.  
(F2005/00103)**

268 **RESOLUTION:** *(Notley-Smith/Woodsmith) that the Mayor be authorised to write and express Council's full support for the Conference and apologising for the absence of a representative.*

**MOTION: (Notley-Smith/Woodsmith) CARRIED – SEE RESOLUTION.**

The Meeting was adjourned at 6.55 p.m. & was resumed at 6.56 p.m.

**4.8 MAYORAL MINUTE 79/2005 – SUPPORT FOR NATIONAL UNION OF STUDENTS CAMPAIGN ON STUDENT UNIONISM. (F2004/06574)**

**(NOTE: A NOTICE OF RESCISSION MOTION WAS HANDED TO THE GENERAL MANAGER PRIOR TO THE CONCLUSION OF THE MEETING AND WILL BE CONSIDERED AT THE MEETING OF THE COUNCIL ON 28<sup>TH</sup> JUNE, 2005.)**

**MOTION: (His Worship the Mayor, Cr M. Matson) that Council will:**

- 1) make a submission to the Inquiry into the Provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005 by the closing date of June 17<sup>th</sup> which shall state that Council opposes the Bill's provisions because:
  - a) they are a threat to the employment of Council residents currently working in service industries at the University of New South Wales;
  - b) they will oblige students, many of whom are local residents, to pay more for student services on the campus and may see the loss of some current services;
  - c) they will reduce recreational and cultural opportunities for the residents as services to the community are reduced;
  - d) they will compromise the vibrancy of cultural, political and social debate in the municipality; and
- 2) advise the National Tertiary Education Union (NTEU) of this resolution and of Council's support for NTEU's campaign against the Bill. **LOST.**

**PROCEDURAL MOTION: (Hughes/Woodsmith) that the meeting be adjourned until after the Health, Building & Planning Committee Meeting. LOST.**

A division on the motion was called for by Crs Hughes & Woodsmith. Voting was as follows:-

**For**

Hughes  
His Worship the Mayor, Cr M. Matson  
Woodsmith

**Against**

Belleli  
Kenny  
Nash  
Notley-Smith  
Seng

**5. MOTIONS PURSUANT TO NOTICE.**

Nil.

**6. CONFIDENTIAL REPORTS.**

Nil.

**7. COMMITTEE-OF-THE-WHOLE.**

Nil.

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

Nil.

**9. NOTICE OF RESCISSION MOTIONS.**

1. A Notice of Rescission Motion on Item 4.2, Mayoral Minute 73/2005 - Council Response To Proposed Local Government Election Legislation Amendments was handed to the General Manager prior to the conclusion of the meeting and will be considered at the Ordinary Council meeting to be held on Tuesday, 28<sup>th</sup> June, 2005.
2. A Notice of Rescission Motion on Item 4.5, Mayoral Minute 76/2005 - Council Position On Sale Of Crown Land Adjacent To Kensington Park was handed to the General Manager prior to the conclusion of the meeting and will be considered at the Ordinary Council meeting to be held on Tuesday, 28<sup>th</sup> June, 2005.
3. A Notice of Rescission Motion on Item 4.6, Mayoral Minute 77/2005 - Council Response To Recent Bundock Street Works was handed to the General Manager prior to the conclusion of the meeting and will be considered at the Ordinary Council meeting to be held on Tuesday, 28<sup>th</sup> June, 2005.
4. A Notice of Rescission Motion on Item 4.8, Mayoral Minute 79/2005 - Support For National Union Of Students Campaign On Student Unionism was handed to the General Manager prior to the conclusion of the meeting and will be considered at the Ordinary Council meeting to be held on Tuesday, 28<sup>th</sup> June, 2005.

There being no further business, His Worship the Mayor, Cr M. Matson, declared the meeting closed at 7.08 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 28<sup>TH</sup> JUNE, 2005.

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CHAIRPERSON