

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY 28TH MARCH, 2006 AT 6:07 P.M.**

PRESENT:

His Worship the Mayor, Cr. T. Seng (Central Ward) (Chairperson)

Councillor M. Matson (East Ward) (Deputy Mayor)

North Ward	-	Crs P. Tracey & M. Woodsmith
South Ward	-	Crs R. Belleli & A. White
East Ward	-	Cr B. Notley-Smith & D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews (arrived 6:12pm) & C. Bastic

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoples.
Director, City Planning	Ms. S. Truvert.
Director, Governance & Financial Services	Mr. G. Banting.
Acting Manager Administrative Services	Ms J Hartshorn.
Communications Manager	Ms. D. Brien.
Manager Development Assessment	Mr K Kyriacou.
Manager Strategic Planning	Ms K Armstrong
Manager Performance Improvement	Ms K Walshaw

1. COUNCIL PRAYER

The Council Prayer was read by Cr Notley-Smith.

1A. MINUTE'S SILENCE – PASSING OF FORMER ALDERMAN JACK DILLON

A minute's silence was observed as a mark of respect for the passing of former Alderman Jack Dillon. See Mayoral Minute 24/2006 on page 5 of these Minutes.

2. APOLOGY/LEAVE OF ABSENCE

An apology was received from Cr Daley.

The General Manager indicated that he had received an application from Cr Kenny to extend his leave of absence from Council meetings to the end of May 2006.

56 **RESOLUTION:** *(Notley-Smith/Matson) that:*

- a) *the apology from Cr Daley for non-attendance at the Ordinary Council Meeting held on Tuesday, 28th March, 2006 be received & accepted.*
- b) *Cr Kenny's application for leave of absence from Council meetings from 1 April 2006 to 31 May 2006 be granted under Section 234 of the Local Government Act.*

Note: Leave of absence had previously been granted to Cr Kenny for the period 22 November 2005 to 31 March 2006. See Minute No. 507 of 22 November 2005.

3. MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 28TH FEBRUARY, 2006.

57 **RESOLUTION:** *(Belleli/Notley-Smith) that the Minutes of the Ordinary Council Meeting held on Tuesday, 28th February, 2006 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.*

4. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS.

- a) Cr Belleli declared a non-pecuniary interest in Item 7.1 (General Manager's Report 4/2006 – Heffron Park Draft Plan of Management) as a patron of the Randwick/Botany Cycling Club. Cr Belleli indicated that the interest was remote and that he would participate in the vote on the matter.
- b) Cr Seng declared a non-pecuniary interest in Item 7.1 (General Manager's Report 4/2006 – Heffron Park Draft Plan of Management) as a patron of various sporting organisations. Cr Seng indicated that the interest was remote and that he would participate in the vote on the matter.
- c) Cr Sullivan declared a non-pecuniary interest in Item 7.1 (General Manager's Report 4/2006 – Heffron Park Draft Plan of Management) as the Chair of various sporting organisations and due to an association with various other sporting organisations. Cr Sullivan indicated that the interest was remote and that he would participate in the vote on the matter.
- d) Later in the meeting, Cr Nash declared a non-pecuniary interest in Item 11.16 (Motion by Councillor Matson – Wylies Baths Trust – Legal Actions) and Item 11.17 (Motion by Councillor Matson – Clarification of function revenue raised by Wylies Baths Trust Inc.) due to a relationship with the member of the public who addressed the Council on the matter (Mr Joe Seddon). See page 3 of these Minutes.

5. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

7.1 GENERAL MANAGER'S REPORT 4/2006 - HEFFRON PARK DRAFT PLAN OF MANAGEMENT.

Against Mr Michael Bracken 70 Donovan Avenue, Maroubra

For Mr Roy Belcher PO Box 135, Botany

8.2 DIRECTOR, CITY SERVICES' REPORT 17/2006 - BILGA CRESCENT, MALABAR - NEW FOOTPATH CONSTRUCTION.

Against Mr Frank Brown 91 Bilga Crescent, Malabar

9.1 DIRECTOR, CITY PLANNING REPORT 17/2006 - 21 NOLAN AVE CLOVELLY

The Applicant Mr Trent Westerwerller 16 Thompson Street, Tamarama

11.7 MOTION BY COUNCILLOR NASH – WRITTLE PARK UPGRADE.

For Ms Tmne Blair 8 Bradley Street, Randwick

11.15 MOTION BY COUNCILLOR MATSON – INTERNAL RTA CORRESPONDENCE CONCERNING F6 MOTORWAY CORRIDOR.

For Ms Susan Egan 172A Doncaster Avenue, Kensington

11.16 MOTION BY COUNCILLOR MATSON – WYLIES BATHS TRUST – LEGAL ACTIONS.

Against Mr Joe Seddon 9 Coogee Street, Randwick

11.17 MOTION BY COUNCILLOR MATSON – CLARIFICATION OF FUNCTION REVENUE RAISED BY WYLIES BATHS TRUST INC.

Against Mr Joe Seddon 9 Coogee Street, Randwick

The meeting was adjourned at 7:10 p.m. and was resumed at 7:30 p.m.

ORDER OF BUSINESS – PROCEDURAL MOTION

RESOLVED: (Matson/Notley-Smith) that Item 7.1 (General Manager's Report 4/2006 – Heffron Park Draft Plan of Management) be brought forward and considered immediately for the convenience of the members of the public gallery. See page 6 of these Minutes for the resolution in relation to this matter.

At this point in the meeting Cr Nash declared a non-pecuniary interest in Item 11.16 (Motion by Councillor Matson – Wylies Baths Trust – Legal Actions) and Item 11.17 (Motion by Councillor Matson – Clarification of function revenue raised by Wylies Baths Trust Inc.) due to a relationship with the member of the public who addressed the Council on the matter (Mr Joe Seddon).

6. MAYORAL MINUTES.

6.1 MAYOR'S MINUTE 18/2006 – TENDER - MAROUBRA BEACH PAVILION CAFE LEASE-DISCLOSURE OF CONFIDENTIAL REPORTS TO THE PUBLIC. (F2005/00198)

58 **RESOLUTION: (His Worship the Mayor, Cr T Seng)** that the confidential reports to Council concerning the Maroubra Beach Pavilion Café Lease be made publicly available, subject to the prior deletion of particulars of any tender (other than the successful tender) if that tenderer does not consent to details of the tender being made public.

AMENDMENT: (Bastic/Sullivan) that Council seek the advice of the Director-General of the Department of Local Government as to whether it is appropriate to release the confidential reports in relation to the Maroubra Beach Pavilion Café Tender (as proposed in Mayoral Minute 18/2006). **LOST.**

AMENDMENT: (Tracey /Sullivan) that the Mayoral Minute be deferred until all Councillors have been provided with a copy of the legal advice referred to in the Mayoral Minute. **LOST.**

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

ADJOURNMENT (DUE TO LACK OF QUORUM)

The following Councillors left the meeting at 8.27 p.m. resulting in the lack of a quorum to continue the meeting: Crs Andrews, Bastic, Procopiadis, Sullivan, Tracey and White.

Those Councillors remaining in the Council Chamber when the meeting was adjourned, were: Crs Belleli, Hughes, Matson, Nash, Notley-Smith, Seng and Woodsmith.

The Mayor adjourned the meeting for 30 minutes at 8.27 p.m.

The meeting was resumed at 8.55 p.m. with the following Councillors present:

His Worship the Mayor, Cr. T. Seng (Central Ward) (Chairperson)

Councillor M. Matson (East Ward) (Deputy Mayor)

North Ward	-	Crs P. Tracey & M. Woodsmith
South Ward	-	Crs R. Belleli & A. White
East Ward	-	Cr B. Notley-Smith & D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews.

Cr Bastic did not return to the meeting.

6.2 MAYOR'S MINUTE 19/2006 – FEASIBILITY INTO THE INSTALLATION OF CCTV CAMERAS AT COOGEE. (F2004/07346)

59 **RESOLUTION: (His Worship the Mayor, Cr T Seng)** that a report be prepared and forwarded to Council in relation to the feasibility and suitability of installing CCTV cameras at Coogee.

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.3 MAYOR'S MINUTE 20/2006 – ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT BILL 2006. (F2004/07889)

60 **RESOLUTION: (His Worship the Mayor, Cr T Seng)** that Council receive and note this report.

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.4 MAYOR’S MINUTE 21/2006 – LGMA NATIONAL CONGRESS (PERTH) & MAY 2006 ORDINARY COUNCIL MEETING. (F2005/00646)

61 **RESOLUTION: (His Worship the Mayor, Cr T Seng) that:**

- a) *the Ordinary Council Meeting scheduled to be held on 23 May 2006 be deferred to 30 May 2006; and*
- b) *interested Councillors be authorised to attend the LGMA 2006 National Congress & Business Expo in Perth and that expenses be paid/reimbursed in accordance with the Councillors’ Expenses & Facilities Policy.*

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.5 MAYOR’S MINUTE 22/2006 – CYCLONE LARRY – INNISFAIL, QUEENSLAND. (F2004/06574)

62 **RESOLUTION: (His Worship the Mayor, Cr T Seng) that:**

- a) *a letter be sent to the Mayor of Innisfail expressing empathy and concern for Innisfail and the surrounding area in the aftermath of recent Cyclone Larry; and*
- b) *Council donate \$5,000 towards the relief effort and that this be funded from the Councillors’ Contingency Fund for 2005/06.*

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.6 MAYOR’S MINUTE 23/2006 – WAIVING OF FEES - MALABAR CLEAR WATER CLASSIC SWIM. (F2005/00145)

63 **RESOLUTION: (His Worship the Mayor, Cr T Seng) that Council note \$886.60 has been approved to cover the fees associated with the Malabar Clear Water Classic Swim and funds charged to the Contingency Fund 2005/06.**

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

6.7 MAYOR’S MINUTE 24/2006 – MINUTE’S SILENCE – PASSING OF FORMER ALDERMAN JACK DILLON. (F2005/00266)

64 **RESOLUTION: (His Worship the Mayor, Cr T Seng) that:**

- a) *the meeting observes a minute’s silence as a mark of respect for the passing of former Randwick Council Alderman, Jack Dillon; and*
- b) *a report be brought back to Council identifying suitable parkland, reserve or public infrastructure to be named after former Alderman Jack Dillon as on-going acknowledgement of his service to the community.*

MOTION: (His Worship the Mayor, Cr T Seng) CARRIED – SEE RESOLUTION.

7. GENERAL MANAGERS' REPORT.

7.1 GENERAL MANAGER'S REPORT 4/2006 - HEFFRON PARK DRAFT PLAN OF MANAGEMENT. (F2004/08398)

Crs Belleli, Seng and Sullivan declared non-pecuniary interests in this matter earlier in the meeting.

65 **RESOLUTION: (Matson/Notley-Smith) that:**

- a) *Council endorse the draft Heffron Park Plan of Management and the Landscape Concept Plans (Option 2B) for public exhibition, subject to the approval of the Minister for Lands;*
- b) *Council agree that the Director, City Planning may make minor modifications to rectify any numerical, typographical, interpretation and formatting errors if required in the preparation for public exhibition of the draft Plan of Management and Landscape Concept Plan; and*
- c) *the Mayor write to the Working Committee and Community Representative Sub-Committee to thank them for their contribution in the development of the Plan of Management.*
- d) *consideration be given in the draft plan for the provision of multi purpose/purpose built child care community facilities at Heffron Park.*
- e) *consideration be given to naming a facility/ground after Jane Saville in Heffron Park in recognition of her sporting achievements and her contribution to the City of Randwick and that a report be brought back to Council following discussions with Jane Saville.*
- f) *the Draft Landscape Concept Plan be amended, prior to public exhibition, in order to clearly identify the location of the proposed pool facilities.*

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

8. DIRECTOR, CITY SERVICES' REPORTS.

8.1 DIRECTOR, CITY SERVICES' REPORT 16/2006 - APPOINTMENT OF CHAIR TO THE LOCAL EMERGENCY MANAGEMENT COMMITTEE. (F2004/08335)

66 **RESOLUTION: (Woodsmith/Andrews) that Council nominates the Manager Infrastructure Services for the position of Local Emergency Management Officer and Chairperson of the Local Emergency Management Committee.**

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

8.2 DIRECTOR, CITY SERVICES' REPORT 17/2006 - BILGA CRESCENT, MALABAR - NEW FOOTPATH CONSTRUCTION. (F2006/00028)

67 **RESOLUTION: (Woodsmith/Andrews) that the construction of a footpath in Bilga**

Crescent, Malabar go ahead as per original program for construction, based on the fact that only 17 residents (i.e.12%) signed the petition objecting to the construction, out of a total of 137 households in Bilga Crescent.

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

8.3 DIRECTOR, CITY SERVICES' REPORT 18/2006 - NUDE BATHING AT CONGWONG BEACH AND LITTLE CONGWONG BEACH, LA PEROUSE. (F2005/00172 XR F2005/00881)

This item was considered in conjunction with Item 11.3 (Motion by Councillor Belleli – Nude Bathing at Little Congwong Beach).

68 **RESOLUTION: (Belleli/Woodsmith) that:**

- a) *the Director, City Services' Report 18/2006 be received and noted; and*
- b) *a joint meeting be held between representatives of Council, National Parks & Wildlife and the NSW Police Service with a view to establishing joint patrols to manage this issue and a that a report be brought back to Council on the outcomes of the joint meeting.*

MOTION: (Belleli/Woodsmith) CARRIED – SEE RESOLUTION.

ORDER OF BUSINESS

RESOLVED: (Tracey/Nash) that Item 11.15 (Motion by Councillor Matson – Internal RTA Correspondence concerning F6 Motorway Corridor) be brought forward for immediate consideration for the convenience of the public gallery. See page 13 of these Minutes for the resolution in relation to this matter.

9. DIRECTOR, CITY PLANNING REPORTS.

9.1 DIRECTOR, CITY PLANNING REPORT 17/2006 - 21 NOLAN AVE CLOVELLY. (DA/1137/2002/C)

69 **RESOLUTION: (Woodsmith/Matson)** that Council as the consent authority, **REFUSE** its consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No DA1137/02/C for permission to carryout alterations and additions to the existing multi unit building at 21 Nolan Avenue Clovelly for the following reasons:

1. *The proposed balconies will adversely impact on the acoustic and visual privacy of adjoining and neighbouring properties.*
2. *The proposed balconies will detract from the aesthetic character of the existing building and the streetscape.*

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

9.2 DIRECTOR, CITY PLANNING REPORT 18/2006 - STANDARD CONDITION OF CONSENT FOR CONSTRUCTION HOURS. (F2004/08232 XR F2005/00171)

70 **RESOLUTION:** *(Tracey/Woodsmith) that:*

- a) *the Director, City Planning Report 18/2006 be received and noted.*
- b) *Council, in the public interest, amends the hours allowed for construction work to control and mitigate the impacts of development on the amenity of the surrounding areas and neighbourhood. In particular, Council will make a standard condition of development consent that a prohibition will apply for all construction works on;*
 - i. *Saturdays and Sundays adjacent to public holidays; and*
 - ii. *Public Holidays.*
- c) *this condition of development consent will not apply to:*
 - i. *Minor renovations or refurbishments to single dwelling construction;*
 - ii. *Owner Occupier renovations or refurbishment to single dwelling construction;*
 - iii. *Owner Builder construction of single dwelling construction; and/or*
 - iv. *Housing Estates consisting of predominantly unoccupied single dwellings.*

MOTION: (Tracey/Woodsmith) CARRIED – SEE RESOLUTION.

9.3 DIRECTOR, CITY PLANNING REPORT 19/2006 - LICENSED TRADING HOURS - COOGEE BAY HOTEL & COOGEE BEACH PALACE HOTEL. (F2004/07767)

71 **RESOLUTION:** *(Notley-Smith/Nash) that:*

- a) *the scope of the Social Impact Assessment be broadened;*
- b) *the General Manager consult with local residents and the Precinct Committees prior to appointing an experienced consultant.*
- c) *Council commissions the Social Impact Assessment and charges the costs back to the two hotels.*

MOTION: (Matson/Hughes) that:

- a) *the matter be deferred;*
- b) *Council does not proceed with the Social Impact Assessment Study (which was to have been conducted by consultants) and calls for a report listing options for a broader social impact study to be performed by the Council using Council funds; and*
- c) *the General Manager bring a report back to a future Council Meeting on a range of options to resolve this matter, including the options of proceeding with the Social Impact Assessment Study and also moving away from the proposed Social Impact Assessment Study and towards a Council conducted social impact assessment.*

AMENDMENT: (Notley-Smith/Nash) that:

- a) the scope of the Social Impact Assessment be broadened;
- b) the General Manager consult with local residents and the Precinct Committees prior to appointing an experienced consultant.
- c) Council commissions the Social Impact Assessment and charges the costs back to the two hotels.

AMENDMENT: (Notley-Smith/Nash) CARRIED & BECAME THE MOTION.

AMENDMENT: (Matson/Woodsmith) that the provision for charging the two hotels for the Social Impact Assessment Study be replaced by an alternate funding strategy and preferably the Study be funded by Council. LOST

Crs Matson and Hughes rose and demanded a DIVISION. The division was taken and the voting was as follows:

FOR	AGAINST
Councillor Hughes	Councillor Andrews
Councillor Matson	Councillor Belleli
Councillor Woodsmith	Councillor Nash
-	Councillor Notley-Smith
-	Councillor Procopiadis
-	His Worship the Mayor, Councillor Seng
-	Councillor Sullivan
-	Councillor Tracey
-	Councillor White

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

9.4 DIRECTOR, CITY PLANNING REPORT 20/2006 - DRAFT RANDWICK CITY AFFORDABLE HOUSING PROGRAM. (F2004/07952)

72 **RESOLUTION: (Sullivan/Nash) that Council:**

- a) *endorse Option 2 as the management framework for its Affordable Housing Rental Program, which involves Council retaining ownership of the dwellings and employing a Housing Association (HA) to carry out the day to day and cyclical rental /property management functions; and*
- b) *note the current status of the GST issue. A further report will be prepared once Council's position is clarified by the Australian Taxation Office.*

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

9.5 DIRECTOR, CITY PLANNING REPORT 21/2006 - FRENCH FESTIVAL. (F2005/00531 XR F2005/00171)

73 **RESOLUTION:** (*Woodsmith/Andrews*) that Council write to Mr Digby:

- a) *advising that Council has not yet allocated any resources to this event in the 2006-2007 budget;*
- b) *requesting details of planned events, venues and nature of requirements from Council as well as details of other partners and their contributions in writing prior to committing any resources to this event; and*
- c) *advising that Council does not support staging of the events during NAIDOC Week at La Perouse, however, it raises no objection to Bastille Day Celebrations on 14 July 2006 at La Perouse*

MOTION: (*Woodsmith/Andrews*) CARRIED – SEE RESOLUTION.

10. PETITIONS.

10.1 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, CR T SENG, FROM RESIDENTS OF BILGA CRESCENT, MALABAR – OPPOSED TO CONSTRUCTION OF A NEW FOOTPATH IN THE STREET. (F2006/00028)

74 **RESOLUTION:** (*Seng/Notley-Smith*) that the tabled petition be received and noted.

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

10.2 PETITION SUBMITTED BY CR WHITE, FROM RESIDENTS OF CHIFLEY – OPPOSED TO THE PROPOSED CHILD CARE CENTRE IN MACQUARIE STREET. (DA/140/2006)

75 **RESOLUTION:** (*Tracey/Andrews*) that the tabled petition be received and noted.

MOTION: (*Tracey/Andrews*) CARRIED – SEE RESOLUTION.

11. MOTIONS PURSUANT TO NOTICE.

11.1 Notice of Rescission Motion by Councillors Daley, Bastic and White – Ordinary Council Meeting, Tuesday, 28th February, 2006 – Item 9.1 - Director, Governance & Financial Services' Report 5/2006 - Code of Conduct and Related Policies. (F2004/06901 xr F2005/00176)

The Rescission Motion LAPSED for the want of a mover.

11.2 Motion by Councillor Belleli – Safety Issues in Baird Lane. (F2004/07227 xr F2005/00171)

76 **RESOLUTION:** (*Belleli/Seng*) that the General Manager be delegated authority to find appropriate funds to undertake works to rectify the safety issues associated with Baird Lane as a matter of urgency given that this matter has been referred to the Traffic Committee and considered a safety issue.

MOTION: (*Belleli/Seng*) CARRIED – SEE RESOLUTION.

**11.3 Motion by Councillor Belleli – Nude Bathing at Little Congwong Beach.
(F2005/00881 xr F2005/00171)**

This Motion was considered in conjunction with Item 8.3 (Director, City Services' Report 18/2006 – Nude Bathing at Congwong Beach and Little Congwong Beach, La Perouse. See page 7 of these Minutes.

11.4 Motion by Councillor Procopiadis – Membership of the Floodplain Management Authorities of NSW. (F2004/07194 xr F2005/00171)

77 **RESOLUTION: (Procopiadis/Notley-Smith)** that Randwick City Council becomes a member of the Floodplain Management Authorities of New South Wales.

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

**11.5 Motion by Councillor Procopiadis – Floodplain Study – Doncaster Avenue.
(F2004/07208 xr F2005/00171)**

78 **RESOLUTION: (Procopiadis/White)** that all negotiations with the developers of the racecourse land ceases until such time as the Floodplain Study of Doncaster Avenue (between Alison Road & Anzac Parade) has been concluded and presented to Council.

MOTION: (Procopiadis/White) CARRIED – SEE RESOLUTION.

**11.6 Motion by Councillor Tracey – Dunningham Reserve Toilet Block.
(F2004/08256 xr F2005/00171)**

79 **RESOLUTION: (Tracey/Sullivan)** that a report be prepared for the next meeting as to what would be involved in providing hand washing facilities in the toilet block in Dunningham Reserve, Coogee.

MOTION: (Tracey/Sullivan) CARRIED – SEE RESOLUTION.

**11.7 Motion by Councillor Nash – Writtle Park Upgrade. (F2004/00963 xr
F2005/00171)**

80 **RESOLUTION: (Nash/Andrews)** that, notwithstanding previous Council resolutions concerning the prioritisation of park upgrades in Randwick City, Council consider funding the upgrade of Writtle Park, Randwick, in its 2006/2007 Budget.

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

**11.8 Motion by Councillor Nash – The Avenue, Randwick. (F2004/07866 xr
F2005/00171)**

81 **RESOLUTION: (Nash/Andrews)** that:

- a) the Randwick Traffic Committee consider and report on the feasibility of making The Avenue, Randwick, a one way street, to permit traffic to flow from Frances Street to Alison Road only; and

- b) *community consultation with the residents of The Avenue take place prior to any decision being made.*

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

11.9 Motion by Councillor Matson – Participation in SSROC Trial of Organic Waste Processing. (F2005/00435 xr F2005/00171)

- 82 **RESOLUTION: (Matson/Notley-Smith)** *that a report be prepared for the next Works Committee Meeting on Council's potential participation in SSROC's Organic Waste Collection and Processing Trial.*

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

11.10 Motion by Councillor Matson – Failure of Private Certification Process to Produce Implementation of Conditions of Consent for 9 The Causeway, Maroubra. (D/298/2005 xr F2005/00171)

This Motion was withdrawn with the consent of the Council.

11.11 Motion by Councillor Belleli – Barwon Park, Matraville. (F2004/00962 xr F2005/00171)

- 83 **RESOLUTION: (Belleli/Notley-Smith)** *that Council investigates and brings back a report to the Works Committee, with costings and a time frame, on providing lights to the playground and parkland at Barwon Park, Matraville, to increase safety for the community.*

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

11.12 Motion by Councillor Belleli – Speeding in streets surrounding Barwon Park, Matraville. (F2004/07866 xr F2005/00171)

- 84 **RESOLUTION: (Belleli/Notley-Smith)** *that the Traffic Committee conduct a street meeting with residents of the streets around Barwon Park and a report be brought back to the Works Committee with possible solutions to prevent the speeding of vehicles in this locality.*

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

11.13 Motion by Councillor Belleli – Proposed Dirt Track for Remote Control Racing Cars – La Perouse. (F2004/08044 xr F2005/00171)

- 85 **RESOLUTION: (Belleli/Notley-Smith)** *that Council investigates and reports back to the Works Committee on the construction of a dirt track in La Perouse for remote control racing cars with a possible site being alongside the proposed skate park which Council is currently investigating.*

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

11.14 Motion by Councillor Matson – Removal of Conflict of Interests between Conduct Committee and General Manager’s Performance Review Committee. (F2004/06901 xr F2005/00176 xr F2005/00171)

86 **RESOLUTION:** *(Matson/Woodsmith) that Councillors, other than the Mayor, referred to the Council’s Conduct Committee will be automatically removed from the General Manager’s Performance Review Committee and replaced by a member of the same political party or grouping.*

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

11.15 Motion by Councillor Matson – Internal RTA Correspondence concerning F6 Motorway Corridor. (F2004/06758 xr F2005/00171)

87 **RESOLUTION:** *(Matson/Woodsmith) that:*

- a) *Council initiates discussions with the City of Sydney Council to:
 - i. *investigate the removal of roadway zonings on residential properties along Gardeners Road and the removal of the Bourke Street road corridor zoning connecting the northern end of the F6 Motorway corridor with Bourke Street and Gardeners Road; and*
 - ii. *develop, promote and implement a comprehensive public transport plan for the region seeking greater mass transit capacity and higher service frequencies within the two Council areas.**
- b) *the Deputy Mayor be delegated authority to enter into discussions with the City of Sydney Council, subject to being accompanied in any discussions by relevant staff and any interested Councillors.*

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

Cr Sullivan left the meeting at 10.20 p.m.

11.16 Motion by Councillor Matson – Wylies Baths Trust – Legal Actions. (F2004/06336 xr F2005/00171)

Cr Nash, having declared a non-pecuniary interest in this item earlier in the meeting, left the Council Chamber during the debate and the vote on the matter.

88 **RESOLUTION:** *(Matson/Woodsmith) that Wylies Baths Trust Inc. be requested to provide Council with a breakdown of any legal costs incurred by the trust going back from the present to the beginning of the previous financial year specifying:*

- a) *the number of legal actions confronted by the Trust;*
- b) *the other party in each legal action and its nature and outcome; and*
- c) *all legal costs incurred by the Trust in each action.*

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

11.17 Motion by Councillor Matson – Clarification of function revenue raised by Wylies Baths Trust Inc. (F2004/06336 xr F2005/00171)

Cr Nash, having declared a non-pecuniary interest in this item earlier in the meeting, left the Council Chamber during the debate and the vote on the matter.

89 **RESOLUTION:** *(Matson/Woodsmith)* that Wylie's Baths Trust Inc. be requested to provide Council with a breakdown of every private function held at Wylies Baths going back from the present to the beginning of the previous financial year specifying:

- a) *the fee charged by the Trust for the staging of each function;*
- b) *the revenue raised by each function against the expense incurred by the Trust in staging it; and*
- c) *who held each function.*

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

12. URGENT BUSINESS.

Nil.

13. CONFIDENTIAL REPORTS.

13.1 CONFIDENTIAL DIRECTOR, CITY SERVICES' REPORT 19/2006 - COOGEE BEACH TOILET BLOCK REFURBISHMENT - TENDER NO T049/05. (F2005/00788)

90 **RESOLUTION:** *(Notley-Smith/Nash)* that:

- a) *the tender from the JAGG Group Pty Ltd for the Coogee Beach Toilet Block Refurbishment Works (T049/05) be accepted and that Council enter into a Contract under Clause 178 of the Local Government (Tendering) Regulation 2005;*
- b) *authority be granted for the General Manager in conjunction with the Mayor, to sign and affix Councils Common Seal to the contract with the recommended tenderer for Coogee Beach Toilet Block Refurbishment Works T049/05; and*
- c) *the unsuccessful tenderers notified of the Tender result.*

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

13.2 CONFIDENTIAL DIRECTOR, CITY SERVICES' REPORT 20/2006 - RANDWICK COASTAL WALKWAY UPGRADE. (T11/06)

91 **RESOLUTION:** *(Notley-Smith/Nash)* that:

- a) *the Tender from KK Consultants Pty Ltd ACN 096 363 254 for the works described as Section 1 – Alexandria Parade in the Randwick Coastal Walkway Upgrade Tender*

No: T11/06 for the lump sum price of \$791, 730.00 (excl GST) be accepted under Clause 178 of the Local Government (Tendering) Regulation 2005;

- b) authority is granted to the General Manager in conjunction with the Mayor to sign and affix Council's Common Seal to the Agreement for the Randwick Coastal Walkway Upgrade Tender No: T11/06 with KK Consultants Pty Ltd; and
- c) the unsuccessful Tenderers are notified of the Tender result.

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

13.3 CONFIDENTIAL DIRECTOR, CITY SERVICES' REPORT 21/2006 - URBAN IMPROVEMENT WORKS - ANZAC PARADE, KENSINGTON TENDER NO T050/05. (F2005/00880)

92 **RESOLUTION: (Notley-Smith/Nash) that:**

- a) the tender from GMW Urban for the Townscape improvements at Anzac Parade, Kensington. (T050/05) be accepted and Council enter into a Contract under Clause 178 of the Local Government (Tendering) Regulation 2005 with the successful tenderer;
- b) authority is granted for the General Manager in conjunction with the Mayor, to sign and affix Councils Common Seal to enter into a contract on behalf of Council with the recommended tenderer for the Townscape improvements at Anzac Parade, Kensington T050/05; and
- c) the unsuccessful tenderers are notified of the Tender result.

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

14. COMMITTEE-OF-THE-WHOLE.

Nil.

15. REPORT OF COMMITTEE-OF-THE-WHOLE.

Nil.

16. NOTICE OF RESCISSION MOTIONS.

Nil.

There being no further business, His Worship the Mayor, Cr T. Seng, declared the meeting closed at 10:22 p.m.

THE MINUTES OF THIS MEETING WERE CONFIRMED AT THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 18TH APRIL, 2006.

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CHAIRPERSON