



**MINUTES OF ORDINARY COUNCIL MEETING OF THE COUNCIL OF
THE CITY OF RANDWICK HELD ON TUESDAY, 26 FEBRUARY 2008
AT 6:09 PM.**

Present:

The Mayor, Councillor B Notley-Smith (Chairperson) (East Ward)

Councillor M Matson (Deputy Chairperson) (East Ward)

- | | |
|--------------|---|
| North Ward | - Councillors J Kenny, P Tracey & M Woodsmith |
| South Ward | - Councillors R Belleli, M Daley (from 7.29 pm) & A White |
| East Ward | - Councillor D Sullivan (from 6.49 pm) |
| West Ward | - Councillor S Nash |
| Central Ward | - Councillors A Andrews, C Bastic (from 6.15 pm) & T Seng |

Officers Present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoples
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr G Banting
Manager Administrative Services	Mr D Kelly
Manager Development Assessment	Mr K Kyriacou
Communications Manager	Ms D Brien
Manager Organisational Policy & Performance	Ms K Walshaw

Prayer & Acknowledgement of Local Indigenous People

The Council Prayer was read by Cr Kenny. The Acknowledgement of Local Indigenous People was read by Cr Woodsmith.

Apologies/Granting of Leave of Absences

An apology was received from Cr Procopiadis.

RESOLVED: (Nash/Seng) that the apology received from Cr Procopiadis be accepted and leave of absence from the meeting be granted.

Leave of Absence

Leave of absence had previously been granted to Cr Hughes. See Minute No. CS1/08.

Confirmation of the Minutes

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 11 DECEMBER 2007

1/08 **RESOLUTION: (Belleli/White):** that the Minutes of the Ordinary Council Meeting held on Tuesday 11 December 2007 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

Declarations of Pecuniary and Non-Pecuniary Interests

Cr Matson declared a non pecuniary interest in item CP2/08 as it involves an issue relating to children travelling to Coogee Public School which his daughter attends.

Address of Council by Members of the Public

Prior to consideration of the Agenda by the Committee, deputations were received in respect of the following matters:

Item CP1/08 75 Todman Avenue, Kensington

Applicant Mr James Flook

Item CP2/08 248 Carrington Road, Randwick

Objector Ms Kim Dobra

Applicant Mr George Mandadakis

Item MM6/08 Extension of Filming Hours for Private Property Filming at 14 Bunya Parade, South Coogee

For Ms Linda Scope

The meeting was adjourned at 6.29 p.m. and was resumed at 6.48 p.m.

RESOLVED: (PROCEDURAL MOTION) (Nash/Seng) that the City Planning reports and Mayoral Minute 6/08 be dealt with as the first items of business.

Mayoral Minutes

MM1/08 Mayoral Minute - Waiving of Fees - Maroubra Surfers Association, Southend Boardriders Inc. & Surfing NSW. (F2004/08302)

2/08 **RESOLUTION: (Mayor, Cr B Notley-Smith)** that:

- a) fees in the amount of \$7,230.70 associated with Surfing NSW, the Maroubra Surfers Association and Southend Boardriders Inc, be waived and funds be charged to the 2007/08 Contingency Fund;
- b) the event organisers undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
- c) the Mayor or his representative be given the opportunity to address the events on behalf of Council.

MOTION: (Mayor, B Notley-Smith) CARRIED - SEE RESOLUTION.

MM2/08 Mayoral Minute - Waiving of Fees - Maroubra Surf Life Saving Club - Yarra Bay Ocean Challenge (F2004/07550)

- 3/08 **RESOLUTION: (Mayor, B Notley-Smith)** that:
- a) Council vote \$486.80 to cover the fees associated with the holding of the Yarra Bay Challenge on Saturday, 15 March 2008 and that the funds be allocated from the 2007/2008 Contingency Fund;
 - b) the organiser of the Carnival undertake to appropriately and prominently acknowledge and promote Council's contribution to the Carnival; and
 - c) the Mayor or his representative be given the opportunity to address the Surf Carnival on behalf of Council.

MOTION: (Mayor, B Notley-Smith/) CARRIED - SEE RESOLUTION.

MM3/08 Mayoral Minute - Waiving of Fees - NSW Bodyboarding - Maroubra Beach. (F2004/08302)

- 4/08 **RESOLUTION: (Mayor, B Notley-Smith)** that:
- a) fees in the amount of \$3,756.60 associated with NSW Bodyboarding be waived and funds be charged to the 2007/08 Contingency Fund;
 - b) the event organisers undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
 - c) the Mayor or his representative be given the opportunity to address the events on behalf of Council.

MOTION: (Mayor, B Notley-Smith) CARRIED - SEE RESOLUTION.

MM4/08 Mayoral Minute - Sister City Working Partnership with Warren Shire Council. (F2005/00294)

- 5/08 **RESOLUTION: (Mayor, B Notley-Smith)** that Randwick City Council agree to enter into a sister city working partnership with Warren Shire Council and that the Mayor be authorised to sign a Charter between the Council and to meet with representatives of Warren Shire Council to explore appropriate interactions.

MOTION: (Mayor, B Notley-Smith) CARRIED - SEE RESOLUTION.

MM5/08 Mayoral Minute - Memorandum of Understanding between Randwick City Council and Orica Australia Pty Ltd (F2006/00118)

- 6/08 **RESOLUTION: (Mayor, B Notley-Smith)** that Council agrees to the signing of a Memorandum of Understanding with Orica Australia Pty Ltd for the purposes of collaborating on joint water saving projects within Randwick.

MOTION: (Matson/Woodsmith) that this matter be deferred to allow Council to seek and consider expert advice on this matter. **LOST.**

MOTION: (Mayor, B Notley-Smith) CARRIED - SEE RESOLUTION.

Crs Matson and Woodsmith requested that their names be recorded as opposed to the resolution.

MM6/08 Mayoral Minute - Extension of filming hours for private property filming at 14 Bunya Parade, South Coogee. (F2004/07099)

7/08 **RESOLUTION: (Mayor, B Notley-Smith) that:**

- a) Council approve the request to extend the filming hours at 14 Bunya Parade, South Coogee on Monday 3 March, 2008, to 10:00 pm., with the following conditions:
- b) the filming application be processed in accordance with the relevant legislative and Council requirements;
- c) any objections to extended hours of filming have been adequately addressed to the satisfaction of the affected parties;
- d) the standard conditions of approval be augmented to include the conditions to further protect the local amenity of residents such as appropriate disposal of cigarette butts, coffee/tea cups and other catering utensils;
- e) filming personnel must at all time respect the visual and acoustic privacy of the local residents;
- f) all trucks, cars, trailers and any other support vehicles or equipment associated with the filming activity must be parked legally and not be obstructing driveway entrances or the visibility of drivers entering or exiting from side streets;
- g) any fines issued for not complying with any conditions of approval are in accordance with the EP&A Act; and
- h) special permission be required from the General Manager for any filming after 6:00pm and as part of this permission the General Manager agree a suitable finishing time for the individual activity.

MOTION: (Mayor, B Notley-Smith) CARRIED - SEE RESOLUTION.

MM7/08 Mayoral Minute - Waiving of Fees - Gracepoint Christian Church - Clean Up Australia Day. (F2004/08286)

8/08 **RESOLUTION: (Mayor, B Notley-Smith) that:**

- a) Council vote \$5,135.00 to cover part of the associated fees including hire of stage, cover and sound system for the '2008 Coogee Beach Clean Up Australia Day Festival' and the funds be charged to the Council Contingency Fund 2007/08;
- b) the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
- c) the Mayor or his representative be given the opportunity to address the event on behalf of Council.

MOTION: (Mayor, B Notley-Smith) CARRIED - SEE RESOLUTION.

Urgent Business

Nil.

Director City Planning Reports

CP1/08 Director City Planning Report - 75 Todman Avenue, Kensington (DA/304/2006/B)

(Note: A rescission motion on this item was submitted to the General Manager in accordance with Council's Code of Meeting Practice.)

9/08 **RESOLUTION: (Nash/White)** that:

A. Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to modify Development Consent No.304/2006 on property 75 Todman Avenue, Kensington in the following manner:

1. Amend Condition 1 to read:

"1. The development must be implemented substantially in accordance with the plans numbered DA.01 to DA.04, Issue B, dated July 2006 and received by Council on 10 July 2006, the application form and on any supporting information received with the application, as amended by the:

- Section 96 "A" application determined on 13 April 2007;
- Section 96B plans numbered D20028/CC01, D20028/CC06, D20028/CC04, Issue B, dated 25 October 2007 and received by Council 7 November 2007;

only in so far as they relate to the modifications highlighted on the Section 96 "B" plans and detailed in the Section 96 "A" & "B" applications, except as may be amended by the following conditions and as may be shown in red on the attached plans:"

2. Add the following conditions:

"48. The proposed carport extension to the approved carport indicated on plans D20028/CC01, D20028/CC06, D20028/CC04, Issue B, dated 25 October 2007 and received by Council 7 November 2007 shall be deleted from the approved plans. Details of compliance are to be submitted to Council and the principal certifying authority prior to the issue of an occupation certificate."

"49. The eastern side boundary fence indicated on plans D20028/CC01, D20028/CC06, D20028/CC04, Issue B, dated 25 October 2007 and received by Council 7 November 2007 shall be limited to a maximum height of 1.8m and shall be located wholly within the subject site.

Details are to be provided in the Construction Certificate to demonstrate that the proposed fence will not encroach onto the adjoining properties, Council's road reserve or any public place, to the satisfaction of the certifying authority."

MOTION: (Nash/White) CARRIED - SEE RESOLUTION.

CP2/08 Director City Planning Report - 248 Carrington Road, Randwick (DA/936/2007)

10/08 **RESOLUTION: (Matson/ Seng)** that Council as the responsible authority grant its development consent under Section 80 and 80A of the Environmental Planning and

Assessment Act 1979 (as amended) to Development Application No DA/936/2007 for substantial alterations and additions to existing terrace including new attic addition at front at 248 Carrington Road, Randwick subject to the following conditions:

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

1. The development must be implemented substantially in accordance with the plans drawn by Archman Design Services, marked 07/038A and numbered Sheets 1 of 4, 2 of 4, 3 of 4 and 4 of 4 all dated 17 January 2008 and received by Council on 17 January 2007, and the Section A-A diagram marked 07/038A and received by Council on 17 January 2008, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans.
2. The front car parking space shall be deleted from the plans. The front fence shall extend across the deleted car space area along the front boundary. Amended plans are to be submitted to and approved by Council's Director of City Planning, in accordance with section 80A (2) of the *Environmental Planning and Assessment Act 1979* prior to a construction certificate being issued for the relevant building works.
3. The proposed works to the front wall of the dwelling shall be deleted and the front guest room to be extended to the existing front wall of the dwelling. Amended plans are to be submitted to and approved by Council's Director of City Planning, in accordance with section 80A (2) of the *Environmental Planning and Assessment Act 1979* prior to a construction certificate being issued for the relevant building works.
4. The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.

Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of City Planning, in accordance with section 80A (2) of the *Environmental Planning and Assessment Act 1979* prior to a construction certificate being issued for the relevant building works.

5. Metal roof sheeting is to be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment.
6. There must be no encroachment of the structure/s onto Council's road reserve, footway or public place, unless written permission has been obtained from the Council beforehand.
7. No cooking facilities or sanitary fittings other than those indicated on the approved plans are to be installed in the premises without the prior written consent of the Council.

The following condition is imposed to satisfy relevant requirements of the Sydney Water Corporation.

8. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

The approved Construction Certificate plans must be submitted to a Sydney

Water Quick Check agent or Customer Centre prior to commencing any building or excavation works, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if any further requirements need to be met.

If suitable, the plans will be appropriately stamped. For Quick Check agent details please refer to Sydney Water's web site at www.sydneywater.com.au and go to the Building, Developing and Plumbing, then Quick Check or Building and Renovating or telephone 13 20 92.

The principal certifying authority must ensure that a Quick Check Agent/Sydney Water has appropriately stamped the plans **before commencing any works**.

The following condition is applied to meet additional demands for public facilities;

9. In accordance with Council's Section 94A Development Contributions Plan effective from 2 July 2007, the following monetary levy must be paid to Council.

Category	Cost	Applicable Levy	S94A Levy
Development cost \$100,001 - \$200,000	\$180,000	0.5%	\$900
Development Cost More than \$200,000	Not applicable.	1.0%	Not applicable.

The levy must be paid in cash, bank cheque or by credit card prior to a **construction certificate** being issued for the proposed development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of Council's determination to the date of payment.

Council's Section 94A Development Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick or at www.randwick.nsw.gov.au.

The following conditions are imposed to promote ecologically sustainable development and energy efficiency.

10. In accordance with Section 80A (11) of the Environmental Planning and Assessment Act 1979 and Clause 97A of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition that all of the required commitments listed in the relevant BASIX Certificate for this development are fulfilled.
11. In accordance with the provisions of the Environmental Planning & Assessment Regulation 2000, a relevant BASIX Certificate and associated documentation must be submitted to the Certifying Authority with the Construction Certificate application for this development.

The required commitments listed and identified in the BASIX Certificate are to be included on the plans, specifications and associated documentation for the proposed development, to the satisfaction of the Certifying Authority.

The design of the building must not be inconsistent with the development consent and any proposed variations to the building to achieve the BASIX commitments may necessitate a new development consent or amendment to the existing consent to be obtained, prior to a construction certificate being

issued.

12. The following provisions are to be implemented in accordance with the relevant BASIX Certificate and details are to be included in the Construction Certificate documentation (as applicable), to the satisfaction of the Certifying Authority:
- Stormwater management (i.e. rainwater tanks)
 - Water efficiency (i.e. triple A rated taps and showers, dual flush toilets and water re-use)
 - Landscaping provisions
 - Thermal comfort (i.e. construction materials, glazing and insulation)
 - Energy efficiency (i.e. cooling & heating provisions and hot water systems)
13. In accordance with Clause 154B of the Environmental Planning & Assessment Regulation 2000, a Certifying Authority must not issue a final Occupation Certificate for this development, unless it is satisfied that each of the required BASIX commitments have been fulfilled.

Relevant documentary evidence of compliance with the BASIX commitments is to be forwarded to the Council upon issuing the final Occupation Certificate.

The following group of conditions have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

14. Surface water/stormwater must be drained and discharged to the street gutter or suitably designed absorption pit, to the satisfaction of the Certifying Authority and details are to be included in the construction certificate application for the development.

Absorption pits must be located not less than 3m from any adjoining premises and the stormwater must not be directed or flow onto any adjoining premises or cause a nuisance.

Details of any works proposed to be carried out in or on a public road/footway are to be submitted to and approved by Council prior to commencement of works.

15. External paths and ground surfaces are to be constructed at appropriate levels and be graded and drained away from the building and adjoining premises, so as not to result in the entry of water into the building, or cause a nuisance or damage to the adjoining premises.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

16. The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of `on-the-spot` penalty infringements or service of a notice and order by Council.

17. All new building work must be carried out in accordance with the provisions of the **Building Code of Australia (BCA)**, in accordance with Clause 98 of the *Environmental Planning and Assessment Regulation 2000*.

18. **Prior to the commencement of any building works**, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.

A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

19. **Prior to the commencement of any building works**, the person having the benefit of the development consent must: -

- i) appoint a *Principal Certifying Authority* for the building work; and
- ii) appoint a *principal contractor* for the building work, or in relation to residential building work, obtain an *owner-builder* permit in accordance with the requirements of the Home Building Act 1989, and notify the *Principal Certifying Authority* and Council accordingly in writing; and
- iii) unless the person having the benefit of the consent is the *principal contractor* (i.e. *owner-builder*), notify the *principal contractor* of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and
- iv) give at least two days notice to the Council, in writing, of the person's intention to commence building works.

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

20. The building works must be inspected by the *Principal Certifying Authority* (or another *certifying authority* if the *Principal Certifying Authority* agrees), in accordance with sections 109 E (3) of the Environmental Planning & Assessment Act 1979 and clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected in accordance with section 81A (2) (b1) (ii) of the Environmental Planning & Assessment Regulation 2000 and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

Documentary evidence of the building inspections carried out and details of compliance with Council's consent is to be maintained by the *Principal Certifying Authority*. Details of *critical stage inspections* carried out and copies of certification relied upon must also be forwarded to Council with the *occupation certificate*.

The *principal contractor* or *owner-builder* (as applicable) must ensure that the required critical stage and other inspections, as specified in the *Principal Certifying Authority's "Notice of Critical Stage Inspections"*, are carried out to the satisfaction of the *Principal Certifying Authority* and at least 48 hours notice (excluding weekends and public holidays) is to be given to the *Principal Certifying Authority*, to carry out the required inspection, before carrying out any further works.

21. A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:
- name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable);
 - name, address and telephone number of the *Principal Certifying Authority*; and
 - a statement stating that "unauthorised entry to the work site is prohibited".

22. An **Occupation Certificate** must be obtained from the Principal Certifying Authority **prior to any occupation of the building work** encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

23. **Prior to the issuing of an interim or final occupation certificate**, a statement is required to be obtained from the Principal Certifying Authority, which confirms that the development is not inconsistent with the development consent and the relevant conditions of development consent have been satisfied.

Details of *critical stage* inspections carried out by the principal certifying authority together with any other certification relied upon and must also be provided to Council with the occupation certificate.

24. In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the provisions of the Home Building Act 1989.

Where the work is to be done by a licensed contractor, excavation or building work must not be carried out unless the Principal Certifying Authority (PCA): -

- has been informed in writing of the licensee's name and contractor number; and
- is satisfied that the licensee has complied with the insurance requirements of Part 6 of the *Home Building Act 1989*, or

Where the work to be done by any other person (i.e. an *owner-builder*), excavation or building work must not be carried out unless the Principal Certifying Authority: -

- has been informed of the person's name and *owner-builder* permit number; or
- has been given a declaration, signed by the owner of the land that states that the market cost of the labour and materials involved in the work does not exceed \$5,000.

Details of the principal building contractor and compliance with the provisions of the *Home Building Act 1989* (i.e. *Details of the principal licensed building*

contractor and a copy of the Certificate of Insurance) are to be submitted to Council **prior to the commencement of works**, with the notice of appointment of the PCA / notice of intention to commence building work.

25. The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, **prior to the issuing of a Construction Certificate**, in accordance with Section 109F of the Environmental Planning & Assessment Act 1979.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

26. Smoke alarms are required to be installed in each Class 1 building or residential dwelling in accordance with the relevant provisions of Part 3.7.2 of the B.C.A. – Housing Provisions.

Smoke alarms must comply with AS3786 – Smoke alarms and be connected to the consumer mains electric power supply and provided with a battery back-up.

The smoke alarms are to be installed in suitable locations on or near the ceiling, in any storey containing bedrooms; located between each part of the dwelling containing the bedrooms and the remainder of the dwelling, or where bedrooms are served by a hallway, the smoke alarms are to be located in that hallway; and smoke alarms are to be installed in any other storey not containing bedrooms, to the satisfaction of the certifying authority.

Smoke alarms are not to be located in 'dead-air-spaces', in the corner junction of walls and ceilings between exposed rafters/joists or at the apex of raked ceilings, as detailed in Part 3.7.2 of the Building Code of Australia – Housing Provisions.

Details of compliance with the provisions of the Building Code of Australia must be included in the plans/specification for the **construction certificate**.

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

27. The demolition of buildings and the removal, storage, handling and disposal of building materials must be carried out in accordance with the following regulations:
- The requirements and Guidelines of WorkCover NSW
 - Occupational Health and Safety Act 2000
 - Australian Standard 2601 (2001) – Demolition of Structures
 - The Protection of the Environment Operations Act 1997
 - Protection of the Environment Operations (Waste) Regulation 1996.
28. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures.

The Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor
- Details of hazardous materials, including asbestos
- Method/s of demolition and removal of asbestos
- Measures and processes to be implemented to ensure the health & safety

- of workers and community
- Measures to be implemented to minimise any airborne asbestos and dust
- Methods and location of disposal of any asbestos or other hazardous materials
- Other relevant details, measures and requirements to be implemented as identified in the Asbestos Survey
- Date the demolition and removal of any asbestos materials will commence

The Demolition Work Plan must be submitted to Council and the Principal Certifying Authority (PCA) if the Council is not the PCA, not less than two (2) working days **before commencing any demolition works** involving asbestos products or materials. A copy of the Demolition Work Plan must also be maintained on site and be made available to Council officers upon request.

***Note** it is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*

29. Any work involving the demolition, storage and disposal of asbestos products and materials must be carried out in accordance with the following requirements:

- a. Relevant Occupational Health & Safety legislation and WorkCover NSW requirements
- b. Randwick City Council's Asbestos Policy (adopted 13 September 2005)
- c. A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 50 m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.
- d. On sites involving the removal of asbestos, a sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor.
- e. Asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996.
- f. A Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council and the principal certifying authority upon completion of the asbestos related works prior to an Occupation Certificate being issued, which confirms that the asbestos material have been removed appropriately and the relevant conditions of consent have been satisfied.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

30. All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and supported to prevent them from being dangerous to life, property or buildings. Retaining walls, shoring or piling must be provided to support land which is

excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Retaining walls, shoring, or piling must be designed and installed in accordance with appropriate professional standards and the relevant requirements of the Building Code of Australia and Australian Standards. Details of proposed retaining walls, shoring or piling are to be submitted to and approved by the Principal Certifying Authority for the development prior to commencing such excavations or works.

31. A dilapidation report prepared by a *professional engineer* or suitably qualified and experienced building surveyor shall be submitted to the certifying authority **prior to the commencement of demolition, excavation or building works** detailing the current condition and status of all buildings, including ancillary structures (*i.e. including dwellings, residential flat buildings, commercial/industrial building, garages, carports, verandah's, fences, retaining walls, swimming pools and driveways etc.*) located upon 246 Carrington Road, Randwick and 250 Carrington Road, Randwick.

The report is to be supported with photographic evidence of the status and condition of the buildings and a copy of the report must also be forwarded to the Council and to the owners of each of the abovestated premises, **prior to the commencement of any works**.

32. The adjoining land and buildings located upon the adjoining land must be adequately supported at all times.

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of any building located on an adjoining allotment of land, the person causing the excavation must:

- preserve and protect the building /s on the adjoining land from damage; and
- effectively support the excavation and building; and
- at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land (including a public road or public place), give notice of the intention and particulars of the works to the owner of the adjoining land.

Notes

- *This consent and condition does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or permanent) or the like is proposed to be carried out upon any adjoining or supported land, the principal contractor or owner-builder must obtain:*
 - a) *the consent of the owners of such adjoining or supported land to trespass or encroach, or*
 - b) *an access order under the Access to Neighbouring Land Act 2000, or*
 - c) *an easement under section 88K of the Conveyancing Act 1919, or*
 - d) *an easement under section 40 of the Land & Environment Court Act 1979, as appropriate.*
- *Section 177 of the Conveyancing Act 1919 creates a statutory duty of*

care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

33. Except with the written approval of Council's Manager of Health, Building & Regulatory Services, all building, demolition and associated site works (including site deliveries) must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive and between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and Public Holidays.

In addition, the use of any rock excavation machinery or any mechanical pile drivers or the like, is restricted to the hours of 8.00am to 5.00pm (maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to nearby residents.

34. Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the *Protection of the Environment Operations Act 1997* must be satisfied at all times.

Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy, prepared by a suitably qualified person is to be implemented during the works, to the satisfaction of the Principal Certifying Authority.

35. Public safety must be maintained at all times and public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

If it is proposed to locate any site fencing, hoardings or amenities upon any part of the footpath, nature strip or public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.

36. A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement** of demolition, excavation or building works. The site management plan must include the following measures, **as applicable** to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- construction noise and vibration management;
- construction traffic management provisions.

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

37. During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.

Details of the proposed sediment control measures are to be detailed in the Construction Site Management Plan which must be submitted to and approved by the principal certifying authority **prior to the commencement of any site works.**

38. Public safety and convenience must be maintained at all times during demolition, excavation and construction works and the following requirements must be complied with:

- a. Building materials, sand, soil, waste materials, construction equipment or other activities must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions, soil and debris at all times.
- b. Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.
- c. Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health Building and Regulatory Services section.
- d. Any part of Council's road, footway or nature strip which is damaged as a result of the work must be repaired or replaced to Council's satisfaction prior to occupation or finalisation of the development.

The following group of conditions have been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

39. Certificate of Adequacy supplied by a *professional engineer* shall be submitted to the certifying authority (*and the Council, if the Council is not the certifying authority*) **prior to a construction certificate being issued** for the development, certifying the structural adequacy of the existing structure to support the additional storey/upper floor addition.

The following conditions are applied to provide adequate provisions for access, transport and infrastructure:

40. Prior to the issuing of a final occupation certificate the applicant must meet the full cost for Council or a Council approved contractor to:

- a. Construct concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site.

41. The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb

& gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.

42. The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.

The following conditions are applied to provide adequate provisions for future civil works in the road reserve:

43. The Council's Development Engineer has inspected the above site and has determined that the design alignment level (concrete/paved/tiled level) at the property boundary for driveways, access ramps and pathways or the like, must match the back of the existing footpath along the full site frontage.
44. The design alignment levels (concrete/paved/tiled level) issued by Council and their relationship to the footpath must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.
45. The above alignment levels and the site inspection by Council's Development Engineer have been issued at a prescribed fee of \$121.00 (inclusive of GST). This amount is to be paid prior to a construction certificate being issued for the development.

The following conditions are applied to provide adequate consideration for service authority assets:

46. The applicant must meet the full cost for telecommunication companies, gas providers, Energy Australia and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.

The applicant shall liaise with Telstra to ensure all requirements are met in relation to the Telstra pit located within the driveway.

The following conditions are applied to provide adequate provisions for landscaping and to maintain reasonable levels of environmental amenity:

47. That part of the nature-strip upon Council's footway which is damaged during the construction of the proposed works shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu turf or similar. Such works shall be completed at the applicant's expense prior to the issue of a final Occupation Certificate.

Tree Management

48. Approval is granted for the applicant to remove the existing small *Kunzea ambigua* (Tick Bush) located on Council's Carrington Road nature strip, just beyond the northern boundary, in order to accommodate the proposed vehicle crossing in the location shown.

49. All tree material, including stump removal/grinding to a minimum depth of 150mm below ground level, shall be removed from the site and disposed of in a responsible manner, with the applicant required to satisfy themselves as to the location of all site services (above and/or below ground) which may be affected, prior to the commencement of any works at the site. (Refer also Service Authority conditions described earlier in this report)
50. The applicant shall submit a total payment of \$107.25 (including GST) to Council,
- a. Being the cost for Council to supply and install 1 x 25 litre street tree, *Glochidion ferdinandii* (Cheese Tree) on Council's Carrington Road nature strip, to the south of the proposed vehicle crossing at the completion of all works (\$97.50 + GST).

The contribution shall be paid into **Tree Amenity Income account no 4001.768401** at the Cashier on the Ground Floor of the Administrative Centre **prior to a construction certificate being issued for the development.**

The applicant will be required to contact Council's Landscape Development Officer on 9399-0613, giving at least two working weeks notice, to arrange for provision of the replacement street tree upon completion of all site works.

51. Permission is granted for the selective pruning of only those lower growing, overhanging fronds from the *Howea fosteriana* (Kentia Palms) located in the rear yard of the adjoining property to the south, 250 Carrington Road, growing close to the common boundary, which need to be specifically pruned in order to avoid damage/conflict during the course of the proposed works.
52. This approval does not imply any right of entry onto a neighbouring property nor does it allow pruning beyond a common boundary; however, where such measures are desirable in the best interests of correct pruning procedures and the ongoing health of the palms, it will be necessary for the applicant to negotiate with the neighbour/tree owner for access to their property to perform such work.
53. All pruning must be undertaken by a qualified Arborist, with suitable qualifications in Arboriculture and to Australian Standard AS 4373-1996 'Pruning of Amenity Trees.'

ADVISORY MATTERS:

- A1 **Building or excavations works must not be commenced until a construction certificate has been obtained from Council's Building Certification Services or an Accredited Certifier and either Council's Building Certification Services or an Accredited Certifier has been appointed as the Principal Certifying Authority (PCA) for this development.**

Failure to obtain a Construction Certificate and appoint a PCA before commencing works is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million under the Environmental Planning & Assessment Act 1979.

- A2 A local approval application must be submitted to and be approved by Council's Building Services section prior to commencing any of the following activities on a footpath, road, nature strip or in any public place: -
- Install or erect any site fencing, hoardings or site structures

- Operate a crane or hoist goods or materials over a footpath or road
- Placement of a waste skip (greater than 3m in length) or any container or other article.

A3 The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

MOTION: (Matson/Seng) CARRIED - SEE RESOLUTION.

CP3/08 Director City Planning Report - Classification of Land under the Local Government Act, 1993 - Units 310 and 421 "Axis Apartments", Lot 33 and Lot 56 in SP 79763 Pacific Square, Corner Anzac Parade and Maroubra Road , Maroubra Junction (F2004/07997)

11/08 **RESOLUTION: (Andrews/Seng)** that Council's affordable housing dwellings comprising of Units 310 and 421 "Axis Apartments", Lot 33 and Lot 56 in SP 79763 Pacific Square, corner Anzac Parade and Maroubra Road, Maroubra Junction, be classified as 'operational' land in accordance with the provisions of the Local Government Act 1993.

MOTION: (Andrews/Seng) CARRIED - SEE RESOLUTION.

General Manager's Reports

GM1/08 General Manager's Report - Affixing of the Council Seal (F2004/06336)

12/08 **RESOLUTION: (White/Andrews)** that the Council's Seal be affixed to the signing of agreements between Council and:

1. Grace Sawang (T/As Cheeky Chook) in relation to a licence for the purpose of outdoor dining at 315 Malabar Road, Maroubra;
2. The Department of Lands in relation to a licence of crown land for the purpose of beautification (mowing and maintenance) at 119R Bilga Crescent, Malabar;
3. The Department of Lands in relation to a licence of crown land for the purpose of beautification (mowing and maintenance) at 85R Bilga Crescent, Malabar;
4. Job Futures Ltd in relation to a licence for office space at Suite 2, Office 2, Level 3, Bowen Library 669-673 Anzac Parade, Maroubra;
5. Randwick District of the Sydney Branch of SLSA of Australia Incorporated, in relation to a licence for the boat ramp located on Cromwell Park, 2R Bay Parade, Malabar;
6. Pragayrat Jangdonpai (T/As Chopsticks Thai) in relation to a licence for the purpose of outdoor dining at 2/25 Prowse Road, Randwick;
7. Bill Knock (T/As Gloria Jeans Maroubra) in relation to a licence for the purpose of outdoor dining at 906 Anzac Parade, Maroubra;
8. Elizabeth Galea (T/As Yo Adrian) in relation to a licence for the purpose of outdoor dining at 250 Arden Street, Coogee;
9. Omega Environmental Pty Limited in relation to a licence for office space at Office 1, Level 3, Bowen Library 669-673 Anzac Parade, Maroubra;
10. Anthony Mavromatis (T/As Tropicana Cafe) in relation to a licence for the purpose of outdoor dining at 207 Coogee Bay Road, Coogee;
11. Amcor Fibre Packaging in relation to a pipeline agreement for the use of an area under part of the public road known as Botany Road, Matraville;
12. Leanne Pikos (T/As Lite Hearted Café) in relation to a licence for the purpose of outdoor dining at 1212 Anzac Parade, Malabar;
13. Europa Construction Solutions Pty Ltd in relation to a licence for the purpose of quasi industrial/commercial purposes at the rear of 127 Boyce Road, Maroubra.
14. Randwick Botany Cycling Club Incorporated in relation to a licence for the purpose of an administration and amenities room at the rear of the DRAC facility

- located at 126-146R Jersey Road, Matraville;
15. Randwick Meals on Wheels in relation to a licence for the purpose of preparation and packaging for food distribution at Stalls 9 & 10, 1 Rainbow Street, Kingsford;
 16. Chelsea Mayes (T/As Crumpet Café) in relation to a licence for the purpose of outdoor dining at 19-21 Havelock Avenue, Coogee;
 17. Aleksandar Maksimovich (T/As The Old City Grill) in relation to a licence for the purpose of outdoor dining at 38-40 St Pauls Street, Randwick;
 18. Ann Jackson (T/As Kenso Café) in relation to a licence for the purpose of outdoor dining at 174 Anzac Parade, Kensington;
 19. Europa Construction Solutions Pty Ltd in relation to a licence for the purpose of commercial office, staff and administration facilities at 127 Boyce Road, Maroubra; and
 20. Adbooth Pty Ltd in relation to licence agreements for the purpose of installation of new public telephone booths with internally illuminated advertising panels in thirty five (35) locations across Randwick Local Government area.

MOTION: (White/Andrews) CARRIED - SEE RESOLUTION.

**GM2/08 General Manager's Report - Authority to Increase Hiring Fees -
Snape Park Tennis Centre (F2004/06336)**

13/08 **RESOLUTION: (White/Kenny)** that the General Manager be delegated authority to approve the requested increase in court hire fees subject to Rosa Game Pty Ltd having complied with all aspects of their lease agreement.

MOTION: (White/Kenny) CARRIED - SEE RESOLUTION.

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

**GM3/08 General Manager's Report - December 2007 Quarterly Review -
Management Plan 2007-11 (F2007/00140)**

14/08 **RESOLUTION: (Nash/ Belleli)** that the information contained in the December 2007 Quarterly Review of the 2007-11 Management Plan be received and noted.

MOTION: (Nash/Belleli) CARRIED - SEE RESOLUTION.

Director City Services Report

**CS1/08 Director City Services Report - Offshore Boat Facility Proposal
(F2007/00164)**

15/08 **RESOLUTION: (Matson/Woodsmith)** that the General Manager update councillors regularly on the outcome of discussions and put appropriate matters in the budget for consideration of this issue.

MOTION: (Andrews/Sullivan) that council officers meet with the proponents to discuss both needs and funding arrangements of the proposal and report back to council for its consideration.

**AMENDMENT: (Matson/Woodsmith) CARRIED AND BECAME THE MOTION.
MOTION CARRIED – SEE RESOLUTION.**

Director Governance & Financial Services Reports

**GF1/08 Director Governance & Financial Services Report - Review of Code
of Meeting Practice (F2004/06590)**

16/08 **RESOLUTION: (Matson/Seng)** that:

- a) the amended Code (as distributed) be adopted, subject to all committees opening concurrently at 6.30 pm;
- b) the amended Code be placed on public exhibition in accordance with Section 361 of the Local Government Act; and
- c) this matter be reported back to Council at the close of the public exhibition period.

MOTION: (Matson/Seng) CARRIED - SEE RESOLUTION.

AMENDMENT: (Tracey/Sullivan) that the various Committee Meetings be replaced with two council meetings. **LOST.**

17/08 **GF2/08 Director Governance & Financial Services Report - Investment Policy (F2004/06527)**

RESOLUTION: (Nash/Kenny) that the proposed Investment Policy – February 2008 be adopted.

MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.

18/08 **GF3/08 Director Governance & Financial Services Report - SSROC Investments (F2004/06527)**

RESOLUTION: (Nash/Kenny) that in response to the SSROC Investment EOI, Council invest \$2.5 million in each of the two investment products that were endorsed by the SSROC General Managers group.

MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.

GF4/08 Director Governance & Financial Services Report - Licence Agreement to Duffy's Corner Occasional Child Care Centre Inc (F2004/07367)

19/08 **RESOLUTION: (Nash/Kenny)** that Council enter into a licence agreement with Duffy's Occasional Child Care Centre Inc for a term of five (5) years in line with the adopted Community Facilities Management Policy.

MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.

GF5/08 Director Governance & Financial Services Report - 2007/08 - Budget Review as at 31 December 2007 (F2006/00690)

20/08 **RESOLUTION: (Nash/Kenny)** that:

- a) the report in relation to the December 2007 budget review be received and noted; and
- b) the proposed December 2007 budget variations shown in Attachment 3 to this report be adopted.

MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.

21/08 **GF6/08 Director Governance & Financial Services Report - Councils Online (COL) Progress Report (F2005/00740)**

RESOLUTION: (Nash/Kenny) that Council accepts and notes this report.

MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.

Petitions

P1/08 Petition submitted by Cr B. Notley-Smith on behalf of residents objecting to DA/4/2008 (Quarantine Facility) at 30 Broome Street, Maroubra (DA/4/2008)

'22/08 **RESOLUTION: (Andrews/ Belleli)** that the petition tabled be received and noted.

MOTION: (Andrews/Belleli) CARRIED - SEE RESOLUTION.

P5/08 Petition submitted by Mayor, Cr B. Notley-Smith on behalf of residents objecting to proposed child care centre at 91 Paine Street, Maroubra (DA/1/2008)

'23/08 **RESOLUTION: (Andrews/ Belleli)** that the petition tabled be received and noted.

MOTION: (Andrews/Belleli) CARRIED - SEE RESOLUTION.

P3/08 Petition submitted by Mayor, Cr B. Notley-Smith on behalf of Kingsford residents objecting to the traffic & parking congestion at the Dan Murphy Site, Anzac Parade, Kingsford (F2004/06137)

'24/08 **RESOLUTION: (Andrews/ Belleli)** that the petition tabled be received and noted.

MOTION: (Andrews/Belleli) CARRIED - SEE RESOLUTION.

P4/08 Petition submitted by Mayor, Cr B. Notley-Smith on behalf of residents objecting to the proposed child care development lodged by Coogee Randwick RSL Club (2 Byron Street, Coogee) (DA/24/2008)

'25/08 **RESOLUTION: (Andrews/ Belleli)** that the petition tabled be received and noted.

MOTION: (Andrews/Belleli) CARRIED - SEE RESOLUTION.

Motion Pursuant to Notice

NM1/08 Motion Pursuant to Notice - Beautifying Anzac Parade from Beauchamp Road to Bunnerong Road, Maroubra (Motion by Councillor White) (F2004/07377)

'26/08 **RESOLUTION: (White/ Belleli)** that Council develop a plan of Management to improve and beautify the centre of Anzac Parade from Beauchamp Road at Maroubra to Bunnerong Road including planting of trees/garden cycle path and improving the car parks.

MOTION: (White/Belleli) CARRIED - SEE RESOLUTION.

Confidential Reports (closed session)

RESOLVED: (Kenny/Nash) that the meeting move into closed session in order to consider confidential items.

CS2/08 Confidential - Tender T16/07 - Installation and Supply of Play Equipment for the City of Randwick (F2007/00552)

This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

27/08

RESOLUTION: (Woodsmith/ Matson) that:

A. the following Companies are included on the panel for the Supply and Installation of Play Equipment, Tender No T16/07 for the City of Randwick for Playground equipment:

- MOODIE OUTDOOR PRODUCTS PTY LTD
- MAXIMUM SHADE AND PLAY PTY LTD
- KOMPAN PLAYSCAPE PTY LTD
- MEGATOY PLAY SYSTEMS PTY LTD
- FORPARK AUSTRALIA
- PLAYSPACE PLAYGROUND PTY LTD
- PLAYROPE PTY LTD
- MODUPLAY PTY LTD
- PARKEQUIP PTY LTD.

B. authority is granted for the General Manager in conjunction with the Mayor, to sign and affix Council's Common Seal to enter into a contract on behalf of Council with the recommended Tenderer for the Supply and Installation of Play Equipment T16/07.

MOTION: (Woodsmith/Matson) CARRIED - SEE RESOLUTION.**CS3/08 Confidential - Tender T12/07 - Supply of Plant Trailers (F2007/00467)**

This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

28/08

RESOLUTION: (Nash/Kenny) that Council reject all tenders and negotiate with Dean Trailers.**MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.****CS4/08 Confidential - Tender T24/07 - Supply and Installation of Light Poles and Floodlights Tender Report (F2007/00657)**

This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

29/08

RESOLUTION: (Belleli/Nash) that Council:

- a) Accepts the tender submitted by Sportz Lighting for the design, supply & installation of Sportsfield floodlighting at Heffron Park Fields 9 & 10 together with Heffron Park Hockey Fields no 2 within the current financial year;
- b) Allocate funds in the 2008-09 budget for the installation of floodlighting at Nagle Park & Snape Park;

- c) Accepts the tender offered by Sportz Lighting for the design, supply & installation of Sportsfield floodlighting at Nagle Park & Snape Park;
- d) Authorise the General Manager to sign and affix Councils Common Seal on the contract documents on behalf of Council; and
- e) Notify the unsuccessful tenderers of the tender result.

MOTION: (Belleli/Nash) CARRIED - SEE RESOLUTION.

CS5/08 Confidential - Tender T17/07 - Construction and Renovation of Dunningham Reserve Amenity Block Tender Report (F2007/00624)

This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

30/08

RESOLUTION: (Nash/Kenny) that Council:

- a) Reject all tenders and advise tenderers of its reasons for doing so; and
- b) Review the design of the building to determine where costs can be reduced to bring the cost of the project back to an acceptable level.

MOTION: (Nash/Kenny) CARRIED - SEE RESOLUTION.

Open Session

RESOLVED: (Seng/Belleli) that the meeting move back into open session.

NOTICE OF RESCISSION MOTION

(Note: A rescission motion on 75 Todman Avenue, Kensington was submitted to the General Manager in accordance with Council's Code of Meeting Practice and will be considered at the next available Council meeting.)

There being no further business, His Worship the Mayor, Cr B Notley-Smith, declared the meeting closed at 7.59 pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 25 March 2008.

.....
CHAIRPERSON