

THESE MINUTES ARE DRAFT UNTIL CONFIRMED AT THE NEXT MEETING OF THIS COUNCIL AND/OR COMMITTEE

MINUTES OF ORDINARY COUNCIL MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON TUESDAY, 17 SEPTEMBER 2013 AT 6:05PM

Present:

The Mayor, Councillor T Bowen (Chairperson) (East Ward)

Councillor N D'Souza (Deputy Mayor) (South Ward)

North Ward	- Councillors K Neilson & K Smith
South Ward	- Councillors R Belleli & P Garcia
East Ward	- Councillor M Matson
West Ward	- Councillors G Moore, S Nash (arrived 7.53pm) & H Stavrinis
Central Ward	- Councillors A Andrews (arrived 6.25pm), T Seng & G Stevenson

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 Development Assessment	Mr K Kyriacou
Communications Manager	Mr J Hay
Manager Corporate & Financial Planning	Mr M Woods
Senior Administrative Coordinator	Ms J Hartshorn

Prayer & Acknowledgement of Local Indigenous People

The Council Prayer was read by Cr Smith. The Acknowledgement of Local Indigenous People was read by Cr Neilson.

Apologies/Granting of Leave of Absences

Apologies were received from Crs Roberts and Shurey.

RESOLVED: (Belleli/Stavrinis) that the apologies received from Crs Roberts and Shurey be accepted and leave of absences from the meeting be granted.

Confirmation of the Minutes

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 27 AUGUST 2013

254/13

RESOLUTION: (Moore/Stavrinos) that the Minutes of the Ordinary Council Meeting held on Tuesday 27 August 2013 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting subject to the following note being added to Item UB5/13 (Cr Harry Stavrinos - Support for the Prostate Cancer Foundation of Australia):

'Council acknowledges the ABS Australian Social Trends, June 2010, identifies prostate cancer as the fifth leading cause of death among men.'

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Neilson declared a non-significant non pecuniary interest in Item CP69/13 as some of the objectors are known to her.
- b) Cr Neilson declared a non-significant non pecuniary interest in Item CS13/13 as some of the objectors, in relation to the associated development application, are known to her.
- c) Cr D'Souza declared a non-significant non pecuniary interest in Item CP71/13 as he has an involvement with one of the associated events (South Maroubra Fun Run). Cr D'Souza indicated that he would not take part in the debate or the vote on the matter.
- d) Cr Garcia declared a significant non pecuniary interest in Item MM70/13 as a member of Executive the Coogee Surf Life Saving Club. Cr Garcia indicated that he would not take part in the debate or the vote on the matter.
- e) Cr Garcia declared a significant non pecuniary interest in Item CS13/13 as a member of Executive the Coogee Surf Life Saving Club. Cr Garcia indicated that he would not take part in the debate or the vote on the matter.
- f) Cr Belleli declared a pecuniary interest in Item CP71/13 as he and his wife's talent school performs free of charge at two of the associated events (Coogee Fun Day and South Maroubra Fun Run). Cr Belleli indicated that he would not take part in the debate or the vote on the matter.
- g) All Councillors present at the meeting declared a non-significant non pecuniary interest in Item NM82/13 as the speakers is known to them as a former Councillor.

Address of Council by Members of the Public

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

GF50/13 2012-13 FINANCIAL STATEMENTS

For Gary Mottau - Hills Rogers Spencer Steer (Council's Auditor)

CP68/13 10 VICTORY STREET, CLOVELLY (DA/72/2013)

Applicant Andrew Elia – Architect representing the applicant

CP69/13 16 DOUGLAS STREET, CLOVELLY (DA/335/2012/A)

Objector Miss Ticky Fullerton

Applicant Neil Hill – Architect representing the applicant

NM82/13 NOTICE OF MOTION FROM CR STAVRINOS - CARPARKS IN WEST WARD

Against Margery Whitehead

For Maria Alexandrou

The Meeting was adjourned at 7.14pm and was resumed at 7.35pm.

Mayoral Minutes

MM68/13 Mayoral Minute - Ride for Life - Request for Financial Assistance (F2005/00163)

255/13 **RESOLUTION: (Mayor, Cr Bowen) that:**

- a) Council sponsor the Ride for Life fundraising event being held at Heffron Park, Maroubra on Sunday, 17 November 2013 by paying for the public risk insurance policy premium in the sum of \$798.77, with funds being allocated from the Council Contingency Fund 2013-14;
- b) as resolved previously, Council continue to waive the application fees, hire fees and waste management fees for the use of the park which would be in the vicinity of \$3,000.00. and
- c) an advertisement for this event be included in the Mayoral Column.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

MM70/13 Mayoral Minute - Coogee Minnows - Request for Financial Support for 50th Anniversary (F2004/06257)

Note: Having previously declared an interest, Cr Garcia left the chamber and took no part in the debate or voting on this matter.

256/13 **RESOLUTION: (Mayor, Cr Bowen) that** Council approve the display of banners along Arden Street to celebrate the 50th anniversary of the Coogee Minnows and agree to waive the banner poles hire fee (\$927.24) and half the banners installation fee (\$264), this amount to be funded from the 2013-14 Contingency Fund.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

Cr Garcia returned to the meeting at this point (9.28pm).

MM71/13 Mayoral Minute - Waiving of fees - Rainbow Club Australia Inc - Murray Rose's Malabar Magic Ocean Swim (F2005/00145)

257/13 **RESOLUTION: (Mayor, Cr Bowen) that:**

- a) Council waive all associated fees for the Rainbow Club Australia Inc's annual ocean swim for five (5) years from 2016-2020;
- b) The organiser of the event undertake to appropriately and prominently acknowledge and promote Council's contribution to the swim; and
- c) The Mayor (or representative) be given the opportunity to address the event on behalf of Council.
- d) Council to install a seat/bench at Little Bay to recognise the contribution to the community of the late Murray Rose.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

Cr Stevenson left the meeting at this point (9.30pm).

**MM72/13 Mayoral Minute - Local Government Chief Officers' Group
(F2008/00390)**

258/13

RESOLUTION: (Mayor, Cr Bowen) that Council note the General Manager's attendance at the annual group meeting of the Local Government Chief Executive Officers' Group to be held in Bussleton, Western Australia in November 2013.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

Cr Stevenson returned to the meeting at this point (9.32pm).

**MM73/13 Mayoral Minute - Waiving of Fees - St Mark's Anglican Church -
Carols by Candlelight (F2013/00096)**

259/13

RESOLUTION: (Mayor, Cr Bowen) that:

- a) Council vote \$1,721.00 to cover the fees associated with the Malabar "Carols By Candlelight" to be held on 7 December, 2013, and that these funds be allocated from the 2013-14 Contingency Fund.
- b) The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.
- c) The Mayor or his representative be given the opportunity to address the event on behalf of Council.
- d) The organizer provide Council with information following the event on the number of attendees.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

**MM74/13 Mayoral Minute - Proposed Establishment of Port Botany Forum
(F2004/07460)**

260/13

RESOLUTION: (Mayor, Cr Bowen) that:

- a) Council facilitate the establishment of a Port Botany Forum to provide an opportunity for enhanced communications between all levels of government and the community with NSW Ports on a range of Port-related issues affecting our residents; and
- b) Membership of the Port Botany Forum be as detailed in this report, with the addition of the three (3) South Ward Councillors.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

**MM75/13 Mayoral Minute - Tasnim Ahsan Sydney Girls High School - Request
for Financial Assistance (F2004/07396)**

261/13

RESOLUTION: (Mayor, Cr Bowen) that Council congratulates Ms Tasnim Ahsan on her selection to represent Maroubra at the YMCA Junior Youth Parliament 2013 and agrees to provide sponsorship of \$350.00 to assist her in attending the one week preparation camp at Camp Yarramundi from 23 to 27 September 2013.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

MM76/13 Mayoral Minute - Local Government NSW Letter to the NSW Government Regarding the Proposed White Paper Planning Bill (F2007/00562)

262/13 **RESOLUTION: (Mayor, Cr Bowen)** that Council notes the Local Government NSW letter to the NSW Premier and NSW Minister for Planning and Infrastructure.

MOTION: (Mayor, Cr Bowen) CARRIED - SEE RESOLUTION.

Urgent Business

UB6/13 Additional voting delegate for 2013 Conference of LGNSW (F2004/06645)

263/13 **RESOLUTION: (D'Souza/Andrews)** that Cr Stavrinou be nominated as an additional voting delegate for the 2013 Conference of Local Government NSW.

MOTION: (D'Souza/Andrews) CARRIED - SEE RESOLUTION.

Director City Planning Reports

CP68/13 Director City Planning Report - 10 Victory Street, Clovelly (DA/72/2013)

264/13 **RESOLUTION: (Belleli/Smith)** that Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/72/2013 for demolition of the existing attached dual occupancy building and single garage on the site; construction of a 2-storey detached dwelling, basement garage with trafficable roof above, swimming pools and cabana; reconstruction of the sandstone retaining wall fronting Victory Street and the staircase connecting the carriageway with the elevated public walkway; and associated landscape works, at No. 10 Victory Street, Clovelly, subject to the following non-standard conditions and the standard conditions contained in the Development Application Compliance Report.

Non Standard Conditions

2. The approved plans and documents must be amended in accordance with the following requirements:

- a) The following walls must be constructed with coarse texture sandstone claddings / blocks:
- Front wall of the garage facing and abutting the carriageway of Victory Street;
 - Northern side wall of the garage facing the entry courtyard / bin store area; and
 - Eastern wall of the garage behind the planter box within the entry courtyard / bin store area.

The claddings / blocks must be made of natural sandstones. No artificial stones are allowed.

- b) The vertical slotted windows on the eastern wall of the garage behind the planter box within the entry courtyard / bin store must have a height of not more than 1500mm, as measured from the finished floor level of the courtyard.
- c) The new dividing fence between the front yards of the proposed development and No. 8 Victory Street to the north is to be re-designed in

the following manner:

- The uppermost 1000mm of the fence must be constructed with obscured / translucent glazing.
 - The first 900mm from the front property boundary may be constructed with masonry.
- d) The rear boundary wall must be stepped so that it does not exceed 2200mm in height, as measured above the existing ground levels.
- e) The balustrades to the northern balcony on the first floor level must be constructed with obscured / translucent glazing.
- f) No air conditioning condenser units are permitted to be installed on the roof, or on the front elevation of the dwelling.
- g) The reflectivity index of glazing used in the development must not be more than 20%.
- h) The planter box within the entry forecourt / bin store area is to be planted with appropriate shrubbery that is suitable to the coastal environment.

Heritage Conservation

3. The proposed pedestrian entry gate to the forecourt / bin storage area must be relocated from the front of the retaining wall to the bottom of the public stairs, in order to provide a greater length of the reconstructed sandstone wall to the street. Amended drawings are to be submitted to and approved by Council's Director 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 development.
4. The proposed "lower terrace" is to be replaced by an unfenced, non-accessible area with mass shrubbery planting, in order to improve consistency with the landscaped area treatment of other recently completed developments in Victory Street.

The eastern retaining wall to the upper terrace (denoted as "front terrace" on the drawings) is to be extended to the south in accordance with the markings in red on the approved drawings, in order to enclose the "lower terrace". The topmost point of the extended retaining wall is to be no less than RL13.90. A maintenance staircase of not more than 1m in width may be constructed to provide maintenance access from the "front terrace" to the "lower terrace".

Amended drawings are to be submitted to and approved by Council's Director 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 development.

5. Details of the design, height, materials and structure of the fencing to the "front terrace" are to be submitted to and approved by Council's Director 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 development. The fencing is to be compatible with the open fencing of existing turfed areas adjacent to the footpath.
6. The existing sandstone blocks are to be reused for the reconstructed sandstone retaining wall. The reconstructed sections of the existing sandstone retaining wall are to match the original wall as closely as possible in terms size, texture, bond pattern and alignment of blocks, mortar joint colour, and detail of

capping.

7. Demolition of the existing sandstone retaining wall is to be carefully carried out to minimise any damage to the original sandstone blocks and to facilitate their reuse.

Note:

The existing sandstone blocks can be placed on pallets and transported to Council's Depot for temporary storage prior to reconstruction works if required. Please contact Council for further information.

8. Hard cement mortar is not to be used for joints between original sandstone blocks as this would result in the erosion of the blocks themselves.
9. The sandstone cladding to the new garage and other new retaining walls are to have a similar rough finish to the existing sandstone retaining wall.
10. Unpainted sandstone surfaces are to remain unpainted, and no applied finishes are to be used.

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

**CP69/13 Director City Planning Report - 16 Douglas Street, Clovelly
(DA/335/2012/A)**

265/13

RESOLUTION: (Neilson/Smith) that Council, as the consent authority, refuse development consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No DA/335/2012 by modifying the approved development by adding new access to the proposed roof terrace including the associated roof structure at 16 Douglas Street, Clovelly, for the following reasons:

1. The proposal does not satisfy the relevant objectives for Low Density Residential R2 Zone as set-out in the Randwick Local Environmental Plan 2012 in that it fails:
 - To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.
 - To protect the amenity of residents.
2. The proposal will have visual bulk impact on the outlook from the adjoining Heritage Item at No 2 Nolan Street and, therefore, does not satisfy the following relevant objectives for heritage conservation under Clause 5.10 of the Randwick Local Environmental Plan 2012:
 - to conserve the environmental heritage of Randwick,
 - to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
3. The proposal does not satisfy the objectives and controls for building height, rooftop terraces, solar access and overshadowing, visual privacy, and view sharing set-out in the Randwick Development Control Plan 2013.
4. The proposed increase in external wall height is excessive and does not comply with maximum external wall height under Clause 3.2 of the Randwick DCP 2013 and results in adverse amenity impacts on adjoining properties and the streetscape in terms of solar access, privacy, view loss and excessive visual bulk and scale.

5. The visual bulk and scale of the proposal are not considered to be compatible with the existing development pattern in Douglas Street, Fern Street and Nolan Avenue and the local area and will dominate the adjoining and nearby residential buildings. The proposal will not contribute to a satisfactory architectural outcome and will adversely affect the character of the local area and streetscape. Therefore, the proposal is not considered to satisfy the provisions of Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.
6. The documentation submitted with the application is deficient of information and details relating to the colours, materials and finishes of the external surfaces to the building.
7. The documentation submitted with the application is deficient of information and details relating to shadow impacts.

MOTION: (Neilson/Smith) CARRIED UNANIMOUSLY - SEE RESOLUTION.

CP70/13 Director City Planning Report - Reporting variation to development standard under State Environment Planning Policy No. 1 (SEPP 1) August 2013 (F2008/00122)

266/13

RESOLUTION: (Andrews/D'Souza) that the report be received and noted.

MOTION: (Andrews/D'Souza) CARRIED - SEE RESOLUTION.

CP71/13 Director City Planning Report - Cultural and Community Grants Program - September 2013 Round - Recommended Allocations (F2009/00182)

Note: Having previously declared an interest, Crs Belleli and D'Souza left the chamber and took no part in the debate or voting on this matter.

267/13

RESOLUTION: (Andrews/Matson) that:

- a) Council approve Cultural and Community Program funds totalling \$38,438.99 to be allocated to the recommended grant applicants listed in Attachment One.
- b) any excess grant funds be transferred to the March 2014 round of the Cultural and Community Grants Program.

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

Crs Belleli and D'Souza returned to the meeting at this point (8.10pm).

CP72/13 Director City Planning Report - Council Response to Councillor Stavrinou's Notice of Motion Local Art Competition (F2006/00216)

268/13

RESOLUTION: (Moore/Nash) that the report be noted.

MOTION: (Garcia/Stavrinou) that this matter be referred back to Council officers to review means to promote creativity and art for primary school age children in the local area. **LOST.**

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

General Manager's Reports**GM19/13 General Manager's Report - Rock fishing in Randwick City survey (F2004/07086)**

269/13 **RESOLUTION: (Stavrinos/Garcia)** that Council:

- a) note the findings of Council's on-the-ground rock fishing survey;
- b) note that the outcome and recommendations of SLSA's Project BluePrint are still being assessed and will be reported to Council at a future date;
- c) lodge a submission to the State Government's Discussion Paper on the Wearing of Life Jackets by Rock Fishers supporting the compulsory wearing of lifejackets;
- d) put a copy of our survey on our website and provide copies to key fishing and safety organisations.

MOTION: (Stavrinos/Garcia) CARRIED - SEE RESOLUTION.

Director City Services Reports

Nil.

Director Governance & Financial Services Reports**GF49/13 Director Governance & Financial Services Report - Delegations of Authority (F2004/06895)**

270/13 **RESOLUTION: (Stavrinos/Garcia)** that pursuant to section 377 of the Local Government Act, the Delegations of Authority be amended as detailed in the report.

MOTION: (Stavrinos/Garcia) CARRIED - SEE RESOLUTION.

GF50/13 Director Governance & Financial Services Report - 2012-13 Financial Statements (F2012/00513)

271/13 **RESOLUTION: (Belleli/Smith)** that the Financial Statements for the year ended 30 June 2013 be adopted.

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

GF51/13 Director Governance & Financial Services Report - Councillors' Expenses & Facilities Policy - results of public exhibition (F2004/06576)

272/13 **RESOLUTION: (Andrews/D'Souza)** that:

- a) it be noted that there were no submissions received as a result of the public exhibition of the revised Councillors' Expenses & Facilities Policy.
- b) the revised Councillors' Expenses & Facilities Policy be adopted for immediate implementation.
- c) a copy of this report and the revised policy be forwarded to the Division of Local Government (Department of Premier and Cabinet).

MOTION: (Andrews/D'Souza) CARRIED - SEE RESOLUTION.

GF52/13 Director Governance & Financial Services Report - Investment Report - August 2013 (F2004/06527)

273/13 **RESOLUTION: (Andrews/D'Souza)** that the investment report for August 2013 be received and noted.

MOTION: (Andrews/D'Souza) CARRIED - SEE RESOLUTION.

Petitions

Nil.

Motions Pursuant to Notice

NM81/13 Notice of Motion from Cr Roberts - Prince William's family visit to Australia 2014 (F2012/00240)

274/13 **RESOLUTION: (Stavrinos/Nash)** that:

- a) Council note that Prince William and his new family will be touring Australia in 2014 and that Prince William is a RAF rescue helicopter pilot;
- b) Council write a letter to Prince William inviting him and his family to visit Randwick City at some point on his visit to Australia;
- c) A potential reason is to visit the helicopter rescue base in La Perouse where he can also meet local volunteers such as the SES.

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

NM82/13 Notice of Motion from Cr Stavrinos - Carparks in West Ward (F2004/06326)

275/13 **RESOLUTION: (Moore/Garcia)** that Council:

- a) refers this motion to the yearly Councillors' Workshop to allow Councillors to consider it in relation to The Randwick City Plan, Council's Transport Plan, the CBD to Kingsford Light Rail Project, the government's Urban Activation Precincts, the WestConnex motorway proposal and an overview of supply and demand management solutions and parking and congestion problems.
- b) acknowledges resident, the community and local business concerns regarding the potential loss of parking along Anzac Parade with the loss of commercial, social and community access to the Kensington and Kingsford Town Centres.
- c) writes to the NSW State Government expressing the concerns put forward by both the business and community representatives as a result of the loss of parking access along Anzac Parade.
- d) seeks, from the NSW State Government, solutions to the loss of parking proposed as part of the light rail project.

MOTION: (Stavrinos/Andrews) that Council refers this motion to the yearly Councillors' Workshop to allow Councillors to consider it in relation to The Randwick City Plan, Council's Transport Plan, the CBD to Kingsford Light Rail Project, the government's Urban Activation Precincts, the WestConnex motorway proposal and an overview of supply and demand management solutions and parking and congestion problems.

**AMENDMENT: (Moore/Garcia) CARRIED AND BECAME THE MOTION.
MOTION: (Moore/Garcia) CARRIED - SEE RESOLUTION.**

**NM83/13 Notice of Motion from Cr Garcia - 90th Anniversary of Legacy
(F2006/00121)**

276/13

RESOLUTION: (Garcia/Andrews) that Council:

- a) note that Legacy is a charity that provides services to local families suffering financially and socially after the death or incapacitation of a spouse or parent, during or after their defence force service;
- b) note that Sydney Legacy currently cares for 13,000 widows and 600 dependents;
- c) note that Legacy week was recently held from 1 to 7 September and supported by many local residents who purchased legacy pins and donated money;
- d) note that Legacy celebrates its 90th anniversary this year;
- e) write a letter to Sydney Legacy that both congratulates the charity on its 90th anniversary and commences a dialogue with it to see how, and in what ways, Randwick Council might support this organisation's good work in the future.

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

**NM84/13 Notice of Motion from Cr Stevenson - Council rates and levy
allocation to projects (F2013/00406)**

277/13

RESOLUTION: (Stevenson/D'Souza) that a webpage be created on the Council website that clearly shows the details of all Council funded projects over \$300,000 and the sources of funding for each project.

MOTION: (Stevenson/D'Souza) CARRIED - SEE RESOLUTION.

**NM85/13 Notice of Motion from Cr Stevenson - Ratepayer use of Aquatic and
Fitness Centre (F2008/00064)**

278/13

RESOLUTION: (Garcia/Andrews) that, after a period of 12 months of operation of the new Aquatic and Fitness Centre, a report be brought back to Council on a marketing strategy, including the possibility of introducing free passes for ratepayers.

MOTION: (Stevenson/D'Souza) that all Randwick City ratepayers be given five (5) free passes each year to the Aquatic and Fitness Centre to be used at off peak-times.

AMENDMENT: (Matson/Andrews) that Council notes that Cr Stevenson's proposal will reduce the funding stream of the Aquatic and Fitness Centre and resolves to refer it back to him to seeking clarification as to what rate increases, service delivery cuts, building cutbacks or borrowings he recommends to offset this funding loss and yet maintain the balanced budget. **LOST.**

**AMENDMENT: (Garcia/Andrews) CARRIED AND BECAME THE MOTION.
MOTION: (Garcia/Andrews) CARRIED - SEE RESOLUTION.**

NM86/13 Notice of Motion from Cr Moore - Improving swimming pool operation efficiencies within Randwick City (F2004/08291)

279/13

RESOLUTION: (Moore/Andrews) that Council, in setting a commitment to reduce the City's ecological footprint through direct activities and via a range of support programs for Randwick residents, businesses and visitors alike to reduce, reuse and recycle, now seeks to support improved water and energy consumption for swimming pools and in so doing:

- a) recognises the operational and maintenance of swimming pools requires the consumption of water, energy and other resources.
- b) notes there are continuous advancements in technology offering improved water and energy efficiency associated with operating swimming pools.
- c) explores the opportunity to support the City's pool owners to reduce operating cost whilst contributing to reducing the City's ecological footprint.
- d) requests to be presented to Council, for consideration, a program that:
 - i) aligns with the Council's short and long term sustainability targets
 - ii) seeks to raise awareness regarding the costs associated with operating pools
 - iii) empowers pool owners to assess the operation of their pool and benchmark their consumption against comparable best practice targets
 - iv) provides advice to pool owners regarding technology options and operational practices enabling reduced water and energy consumption and
 - v) considers a scheme consistent with Council's environmental incentives.

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

NM87/13 Motion Pursuant to Notice from Crs Stevenson, Moore and D'Souza - under Section 372(5) of Local Government Act - Discounted Access for Seniors and Low Income Families to Aquatic and Fitness Centre (F2008/00064)

280/13

RESOLUTION: (Matson/Andrews) that fees and charges for the Aquatic and Fitness Centre (including any discounted rates) be reviewed in conjunction with the 2014-15 budget.

MOTION: (Stevenson/D'Souza) that Council implement an Aquatic and Fitness Centre Access Card similar to the one in use by the City of Sydney to give healthcare card holders, pension card holders, senior card holders and low income household residents experiencing financial hardship use of both the Aquatic and Fitness Centre at a discounted casual rate.

AMENDMENT: (Matson/Andrews) CARRIED AND BECAME THE MOTION.
MOTION: (Matson/Andrews) CARRIED - SEE RESOLUTION.

Confidential reports (closed session)

That the meeting move into closed session in order to consider confidential items.

Closed Session

CS13/13 Confidential - Tender T2014-001 Memorial for Fallen Lifesavers (F2013/00329)

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Note: Having previously declared an interest, Cr Garcia left the chamber and took no part in the debate or voting on this matter.

281/13 **RESOLUTION: (D'Souza/Nash)** that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Hargraves Landscapes Pty Ltd be accepted as the successful tenderer at a fixed price of \$696,822.93 (ex GST);
- b) the General Manager, or delegated representative, be authorised to enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

MOTION: (D'Souza/Nash) CARRIED - SEE RESOLUTION.

A **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Andrews	Councillor Matson
Councillor Belleli	
Councillor Bowen	
Councillor D'Souza	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Seng	
Councillor Smith	
Councillor Stavrinou	
Councillor Stevenson	
Total (11)	Total (1)

GF53/13 Confidential - 16R Albi Place, Randwick - Road Dedication to formalise occupation (F2004/06325)

This matter is considered to be confidential under Section 10A(2)(g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

282/13 **RESOLUTION: (Andrews/Stavrinou)** that:

- a) Council approve the placement of a Notice on the Land on 16R Albi Place, Randwick (Lot 1 DP 907007), notifying, the general public of Council's proposed dedication of the Land and attaching a copy of Deposited Plan 907007 for a period of 28 days;
- b) following the end of the 28 days, Council publish a notice in the NSW Government Gazette dedicating the land as public road;
- c) Council give authority to the General Manager to sign and affix the Council seal to any necessary notice and dedication documentation; and
- d) Council continues to use the land as open space and undertakes the necessary

rectification works.

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

GM20/13 Confidential - Closure of Margaret Martin Library on Saturday, 26 October 2013 (F2004/08383)

This matter is considered to be confidential under Section 10A(2)(f) of the Local Government Act, as it deals with matters affecting the security of the Council, Councillors, Council staff or Council property.

283/13

RESOLUTION: (Andrews/Stavrinou) that Council approve the closure of Margaret Martin Library on Saturday 26 October 2013 for the launch of the eSmart Homes initiative.

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

Open Session

That the meeting move back into open session.

Notice of Rescission Motions

Nil.

There being no further business, His Worship the Mayor, Cr T Bowen, declared the meeting closed at 9.45pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 22 October 2013.

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CHAIRPERSON