

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, 26 NOVEMBER 2013 AT 6:08PM.**

Present:

The Mayor, Councillor S Nash (Chairperson) (West Ward)

Councillor A Andrews (Deputy Mayor) (Central Ward)

- | | |
|--------------|-----------------------------------------------------|
| North Ward | - Councillors K Neilson, L Shurey & K Smith |
| South Ward | - Councillors R Belleli, N D'Souza & P Garcia |
| East Ward | - Councillors T Bowen, M Matson & B Roberts |
| West Ward | - Councillors G Moore & H Stavrinou |
| Central Ward | - Councillors A Andrews (from 7.38pm) & G Stevenson |

Officers Present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoplos
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	Mr J Hay

Prayer & Acknowledgement of Local Indigenous People

The Council Prayer was read by Cr Belleli. The Acknowledgement of Local Indigenous People was read by Cr Roberts.

Apologies/Granting of Leave of Absences

An apology was received from Cr Seng.

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

Confirmation of the Minutes

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY 22 OCTOBER 2013**

318/13

RESOLUTION: (D'Souza/Stavrinos) that the Minutes of the Ordinary Council Meeting held on Tuesday 22 October 2013 (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

- a) Cr Belleli declared a non-significant non pecuniary interest in Item CP86/13 as his wife teaches dance at various childcare centres throughout the Randwick City area.
- b) All Councillors who own land in the Randwick Council area declared a non-significant non pecuniary interest in Item MM92/13 concerning Urban Activation Precincts.
- c) Cr Bowen declared a non-significant non pecuniary interest in Item CP83/13 as he knows the speaker from a legal case he was involved in many years ago.
- d) Cr Smith declared a pecuniary interest in Item CP91/13 as his employer is involved in the liquor industry. Cr Smith will be taking no part in the debate or voting on this matter.
- e) All Liberal Councillors declared a non-significant non pecuniary interest in Item CP83/13 as the consultant planner involved in this matter has previously made a donation to the Liberal Party.
- f) Cr Matson declared a significant non pecuniary interest in Item CP89/13 as he knows the family of one of the objectors. Cr Matson will be taking no part in the debate or voting on this matter.
- g) Cr Matson declared a significant non pecuniary interest in Item CP90/13 as he is a delegate on the Joint Regional Planning Panel. Cr Matson will be taking no part in the debate or voting on this matter.
- h) Cr Neilson declared a non-significant non pecuniary interest in Item CP89/13 as she knows some of the objectors on this matter.
- i) Cr Neilson declared a non-significant non pecuniary interest in Item CP92/13 as she knows some of the objectors on this matter.
- j) Cr Neilson declared a non-significant non pecuniary interest in Item GF60/13 as she knows some of the objectors on this matter.
- k) Cr Neilson declared a non-significant non pecuniary interest in Item NM115/13 as she knows some of the objectors on this matter.
- l) Cr Shurey declared a non-significant non pecuniary interest in Item CP92/13 as she knows some of the objectors on this matter.
- m) Cr Shurey declared a non-significant non pecuniary interest in Item NM115/13 as she knows some of the objectors on this matter.
- n) Cr Moore declared a significant non pecuniary interest in Item CP90/13 as he is an alternate delegate on the Joint Regional Planning Panel. Cr Moore will be taking no part in the debate or voting on this matter.
- o) Cr Nash declared a significant non pecuniary interest in Item CP90/13 as he is a delegate on the Joint Regional Planning Panel. Cr Nash will be taking no part in the debate or voting on this matter.
- p) All Liberal Councillors declared a non-significant non pecuniary interest in Item CP88/13 as the family of the applicant in this matter has previously made a donation to the Liberal Party.
- q) Cr Andrews declared a non-significant non pecuniary interest in Item NM103/13 as he is a regular attendee at the St Spyridon parish and his son attends the

- junior school.
- r) Cr Stavrinou declared a non-significant non pecuniary interest in Item NM103/13 as he is a regular attendee at the St Spyridon parish.
 - s) Cr Andrews declared a non-significant non pecuniary interest in Item CP83/13 as he knows the speaker for the objector.
 - t) Cr Andrews declared a non-significant non pecuniary interest in Item CP88/13 as he knows the late owner of the property.
 - u) Cr Belleli declared a non-significant non pecuniary interest in Item GF60/13 as his wife teaches dance at various childcare centres throughout the Randwick City area.
 - v) Cr Smith declared a non-significant non pecuniary interest in Item NM111/13 as he is a BHP shareholder.

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:

MM91/13 PROVIDING SUPPORT FOR RESPONSIBLE RUNNERS AND RESPONSIBLE CAFES IN RANDWICK TO ASSIST REDUCE BEACH LITTER AND RUBBISH

For Justin Bosney

MM92/13 URBAN ACTIVATION PRECINCTS

For Rosemary Mackenzie

CP83/13 40 EARL STREET, RANDWICK (DA/544/2011/D)

Objector Anthony Boskovitz

Applicant Paul Tahar

CP84/13 2-8 ANZAC PARADE, KENSINGTON (DA/148/2013)

Applicant Anthony Betros on behalf of applicant

CP86/13 1 DAMPIER STREET, CHIFLEY (DA/348/2013)

Objector Wayne Mackey

Applicant Mark Gerstl

CP87/13 10-20 ANZAC PARADE, KENSINGTON (DA/161/2011/B)

Applicant Anthony Betros on behalf of applicant

CP88/13 65-71 BELMORE ROAD, RANDWICK (DA/606/2011/B)

Applicant Anthony Betros on behalf of applicant

CP89/13 30 CARR STREET, COOGEE (DA/236/2013)

Objector Sally Blackadder

Applicant Paul Balyck

GF60/13 KENSINGTON BOWLING CLUB - FUTURE USE & OCCUPATION

Against Kane Williams

For Oli Bramley

NM103/13 NOTICE OF MOTION FROM CRS ANDREWS & STAVRINOS - TRAFFIC SAFETY MEASURES AT ST SPYRIDONS COLLEGE, MAROUBRA.

For Ellia Econonou

NM109/13 NOTICE OF MOTION FROM CR MATSON - ADDITIONAL FUNDING FOR COOGEE COMMUNITY GARDEN

For Donna Wiltshire

NM111/13 NOTICE OF MOTION FROM CR MATSON - PRESERVING RANDWICK'S DRINKING WATER

Against Robert Harris

For Rose McMillan

NM114/13 NOTICE OF MOTION FROM CR ROBERTS - REVIEW OF COUNCIL'S OUTDOOR DINING FEES AND CHARGES

For Masumi Yasuda

The meeting was adjourned at 8.08pm and was resumed at 8.29pm.

RESOLVED: (PROCEDURAL MOTION) (Smith/Andrews) that Council immediately deal with matters that were subject to addresses by members of the public. **CARRIED.**

Mayoral Minutes

MM87/13 Mayoral Minute - Passing of Joseph "Joe" Seddon (F2005/00266)

319/13 **RESOLUTION: (Mayor, Cr S Nash)** that:

- a) Council acknowledges the invaluable contribution made to our community for over fifty years by Joseph "Joe" Seddon and sends its condolences to the Seddon family; and
- b) Council determine an appropriate way to recognise the invaluable contribution made by Joe Seddon to our community.

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

MM88/13 Mayoral Minute - 2013 Corporate Leadership Cup (F2013/00508)

320/13 **RESOLUTION: (Mayor, Cr S Nash)** that Council acknowledge the ongoing success of the Corporate Leadership Cup and Randwick City Council's success in demonstrating and fostering best practice leadership in local government.

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

MM89/13 Mayoral Minute - Launch of eSmart Library Program

(F2012/00319)

321/13 **RESOLUTION: (Mayor, Cr S Nash)** that Council become a member of the eSmart Library Program, which is an initiative of the Allannah & Madeleine foundation and attempts to combat cyber bullying in our community.

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

MM90/13 Mayoral Minute - Surf Life Active - Initiative 'to get Australians Fitter, Healthier and Happier' (F2011/00287)

322/13 **RESOLUTION: (Mayor, Cr S Nash)** that the Mayor meet with Surf Life Active representatives to discuss ways in which Council can support/assist their community initiative that looks to build a fitter, happier and healthier Australia.

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

MM91/13 Mayoral Minute - Providing Support for Responsible Runners and Responsible Cafes in Randwick to Assist to Reduce Beach Litter and Rubbish (F2008/00171)

323/13 **RESOLUTION: (Mayor, Cr S Nash)** that Council:

- a) supports the Responsible Runners and Responsible Cafes initiatives as outlined in this Mayoral Minute; and
- b) the General Manager to bring a report back to Council on various options to reduce the usage of plastic bags, including approaching the State Government to implement a surcharge on plastic bags and revisiting the issue of calico bags being issued to the community.

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

MM92/13 Mayoral Minute - Urban Activation Precincts (F2013/00012)

324/13 **RESOLUTION: (Mayor, Cr S Nash)** that Council:

- a) confirm that Council's position on the urban activation precinct proposals is that they are opposed to the extent that they differ from Council's current LEP controls, on the basis that Council's pronouncement of what it sees are appropriate planning controls for our local area are reflected in its recently adopted and gazetted LEP 2012 (and, as appropriate, communicate that position to local residents);
- b) distribute appropriate information, including the current study map, to local residents (by letter, enews and other mediums) regarding the specific sites identified for rezonings as part of the Urban Activation Precincts proposals exhibition;
- c) re-affirm its resolution passed on 28 August 2013, viz that Council call on the State Government to confirm that they will undertake a community consultation process that is no less extensive than the consultation process Council undertook for its LEP 2012 and ensure planning decisions in our local government area rest with Council;
- d) assert the position that the return of light rail to Randwick and Kingsford is justified by the current densities built into the LEP 2012;

- e) in the event a decision is made to proceed with a UAP proposal in Randwick, that Council immediately obtain legal advice on its position; and
- f) the General Manager bring back a report, including costings, to the next Planning Committee meeting looking at a potential metropolitan media campaign on its position on UAP's, stating that Council does not want its LEP touched and that controls must stay with Council.

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

MM93/13 Mayoral Minute - Request for Increase in the Aged Pensioner Council Rebate (F2004/07458)

- 325/13 **RESOLUTION: (Mayor, Cr S Nash)** that Council writes to the State Government requesting an increase in the pensioner rebate on rates from \$250.00 to \$350.00, to be funded by the State Government or at the least, should be split in the same proportion between State Government (55 percent) and local councils (45 percent), as is currently the case.

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

MM94/13 Mayoral Minute - Joint Beach Litter Campaign with Waverley Council for the Summer Period (F2008/00171)

- 326/13 **RESOLUTION: (Mayor, Cr S Nash)** that Councillors endorse our beach litter campaign being conducted jointly with Waverley Council.

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

MM95/13 Mayoral Minute - Waiving of Fees - Greek Epiphany 2014 (F2013/00096)

- 327/13 **RESOLUTION: (Mayor, Cr S Nash)** that:
- a) Council vote \$5,673.00 to cover the fees associated with the event and 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; and
 - c) the Mayor or the Mayor's representative be given the opportunity to address the event on behalf of Council.

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

Urgent Business

Nil.

Director City Planning Reports

CP82/13 Director City Planning Report - 40 Arden Street, Clovelly (DA/616/2013)

- 328/13 **RESOLUTION: (Andrews/Stavrinou)** hat 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. 616/2013 for ground level alterations and additions to the existing childcare centre including upgrade of laundry, reconfiguration of bathrooms and staffroom, alteration to main entry and provision of an accessible path of travel at No. 40 Arden Street, Clovelly, subject to the conditions contained in the development application compliance report attached to this report.

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

**CP83/13 Director City Planning Report - 40 Earl Street, Randwick
(DA/544/2011/D)**

329/13

RESOLUTION: (Roberts/Bowen) that Council, as the consent authority, grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No DA/544/2011/D for permission to delete pergola, relocate the stairs externally and change the size of openings on the eastern elevations for 40 Earl Street, Randwick in the following manner:

- **Amend Condition No. 1 to read:**
- 1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>
DA. 1001 Issue B	Home Environment Design Group	April 2011
DA. 1002 Issue A	Home Environment Design Group	April 2011
DA. 1003 Issue A	Home Environment Design Group	April 2011
DA. 1004 Issue B	Home Environment Design Group	April 2011
DA. 1005 Issue B	Home Environment Design Group	April 2011
DA. 1006. Issue A	Home Environment Design Group	April 2011

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
	A117763	14 July 2011

As amended by the Section 96 'A' plans

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>
S96. 1001 Issue A	Home Environment Design Group	March 2012
S96. 1004 Issue A	Home Environment Design Group	March 2012
S96. 1005 Issue A	Home Environment Design Group	March 2012

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
	A117763_03	14 March 2012

As amended by the Section 96 'B' plans

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>
S96.200 Issue B	Home Environment Design Group	June 2012
S96.201 Issue B	Home Environment Design Group	June 2012
S96.202 Issue B	Home Environment Design Group	June 2012

As amended by the Section 96 'D' plans

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
S96.200 Issue D	Home Environment Design Group	June 2012	4 September 2013

S96.201 Issue D	Home Environment Design Group	June 2012	4 September 2013
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<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>
	A117763_04	6 June 2013

Only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, except as may be amended by the following conditions and as may be shown in red on the attached plans:

- **Delete Condition No. 2(a) and replace with the following:**

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:
 - a. To maintain a reasonable degree of privacy into the private outdoor living areas of the adjoining properties, the privacy screens on the external staircase landing to the studio loft above the garage must be permanently fixed and have a height of 1,800mm as measured from the finished floor level of the landing and must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.

MOTION: (Roberts/Bowen) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**CP84/13 Director City Planning Report - 2-8 Anzac Parade, Kensington
(DA/148/2013)**

330/13

RESOLUTION: (Andrews/Matson) that Council, as the consent authority, refuses development consent under Section 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 148/2013 for demolition of existing structures and construction of a 4-storey residential flat building containing 18 units, car parking for 16 vehicles, landscaping and associated works at Nos. 2-8 Anzac Parade, Kensington, for the following reasons:

1. The proposal does not comply with the height standard pursuant to Clause 4.3 of Randwick Local Environmental Plan 2012 and the "Exception to Development Standard" sought by the applicant is not well founded.
2. The proposal does not comply with the floor space ratio standard pursuant to Clause 4.4 of Randwick Local Environmental Plan 2012 and the "Exception to Development Standard" sought by the applicant is not well founded.

MOTION: (Moore/Roberts) that this matter be approved with standard conditions as the size and scale of the proposal is compatible with the emerging development in the locality, the articulation addresses the street and boundaries, front walls are parallel to Anzac Parade and reinforce the spatial definition of the urban block, the proposal takes into account environmental considerations and is in the public interest.
LOST.

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

FOR

AGAINST

Councillor Moore
Councillor Roberts
Councillor Stavrinou

Councillor Andrews
Councillor Belleli
Councillor Bowen
Councillor D'Souza
Councillor Garcia
Councillor Matson
Councillor Nash
Councillor Neilson
Councillor Shurey
Councillor Smith
Councillor Stevenson

Total (3)

Total (11)

MOTION: (Andrews/Matson) 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 Moore
Councillor Belleli	Councillor Roberts
Councillor Bowen	Councillor Stavrinou
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Nash	
Councillor Neilson	
Councillor Shurey	
Councillor Smith	
Councillor Stevenson	
Total (11)	Total (3)

**CP85/13 Director City Planning Report - 1179 Anzac Parade, Matraville
(DA/994/2011/A)**

331/13

RESOLUTION: (Andrews/Stavrinou) that Council, as the consent authority, refuse development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/994/2011 by way of addition of a roof terrace to each dwelling, increase in size of bedroom 1 to each dwelling, and alter entry stairs, at No. 1179 Anzac Parade, Matraville, for the following reasons:

1. The proposal does not satisfy the relevant objectives for R2 Low Density Residential Zone as set-out in the Randwick Local Environmental Plan 2012 in that it fails to :
 - a) recognise the desirable elements of the existing streetscape and built form that contributes to the desired future character of the area.
2. The proposed increase in overall height is excessive and does not comply with development standards and objectives under Clause 4.3 of the Randwick Local Environmental Plan 2012 in that it fails to:
 - a) ensure that the size and scale of development is compatible with the desired future character of the locality;
 - b) ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, overshadowing

and views

3. The proposed increase in the external wall height is excessive and does not comply with the Controls and objectives under Section 3.2 of the Randwick DCP 2013 in that it fails to:
 - a) To ensure development height establishes a suitable scale to the street and contributes to its character.
 - b) To ensure development height does not cause unreasonable impacts upon the neighbouring dwellings in terms of overshadowing, view loss, privacy and visual amenity.
 - c) To ensure the form and massing of development respect the topography of the site.
4. The proposed roof terrace does not satisfy the objectives and controls under Section 4.4 of the Randwick Comprehensive Development Control Plan 2013 – Roof Design and Features in that it fails to:
 - a) Adhere to the control that roof terraces, decks or trafficable outdoor spaces must not be provided on the uppermost or main roof of the building
5. The proposed roof terrace and entries does not satisfy the amenity objectives under Section 5.3 and 5.4 of the Randwick Comprehensive Development Control Plan 2013 – Visual and Acoustic privacy in that it fails to:
 - a) ensure development minimise overlooking or cross viewing to the neighbouring dwellings to maintain reasonable levels of privacy.
 - b) ensure the siting and design of development minimise the impacts of noise transmission

MOTION: (Andrews/Stavrinos) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**CP86/13 Director City Planning Report - 1 Dampier Street, Chifley
(DA/348/2013)**

332/13

RESOLUTION: (Andrews/Roberts) 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/348/2013 for demolition of the existing dwelling house and construction of a new two storey child care centre for 44 children including associated site and landscaping works, at No. 1 Dampier Street, Chifley, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non standard conditions

- 2a. The colour of the rear canvas shade structures must be of light coloured material to maintain the integrity and amenity of the building and the streetscape.
55. The childcare centre is to be operated in accordance plan of management titled "Plan of Management A Place To Grow" dated 13 November 2013 at all times.
56. The recommendations detailed in acoustic report by Acoustic Dynamics PTY LTD, Report No 3263L001.AB.131112 dated 13 November 2013, section 6 shall be fully complied with. Details of compliance are to be confirmed in writing by a suitably qualified acoustic consultant and provided to the certifying authority with the construction certificate plans prior to a construction certificate being issued.

67. The outdoor play areas are to be operated in accordance with plan of management titled "Plan of Management A Place To Grow" dated 13 November 2013, submitted with the application and any operational recommendations detailed in acoustic report by Acoustic Dynamics PTY LTD, Report No 3263L001.AB.131112 dated 13 November 2013.

MOTION: (Andrews/Roberts) 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 Belleli
Councillor Bowen	Councillor D'Souza
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Shurey	
Councillor Smith	
Councillor Stavrinis	
Councillor Stevenson	
Total (12)	Total (2)

**CP87/13 Director City Planning Report - 10-20 Anzac Parade, Kensington
(DA/161/2011/B)**

333/13

RESOLUTION: (Andrews/Stavrinis) that Council, as the consent authority, modify the development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, for Development Application No. DA/161/2011/B for 10-20 Anzac Parade, Kensington in the following manner:

Amend Condition No. 71 to read:

71 The applicant shall meet all costs associated with replacing overhead wires with aerial bundled cable along the Anzac Parade site frontage. The aerial bundling works must be undertaken in accordance with a design approved by Ausgrid (or other relevant service utility authority), and a full compliance certification must be provided to the Certifying Authority at the completion of the aerial bundling works. All aerial bundling works must be completed to the satisfaction of the relevant service utility authority prior to either the issuing of a final occupation certificate, or 12 months from the date of the issuing of an interim of an interim occupation certificate, which ever occurs first.

MOTION: (Andrews/Stavrinis) CARRIED UNANIMOUSLY - SEE RESOLUTION.

**CP88/13 Director City Planning Report - 65-71 Belmore Road, Randwick
(DA/606/2011/B)**

334/13

RESOLUTION: (Andrews/Stavrinis) that Council, as the consent authority, grants its consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/606/2011 for deletion of the approved terrace, landscaping and laundry on the roof, installation of solar panels on the roof, relocation and expansion of the residential communal room on level 1, and provision of an additional serviced apartment on level 3 by reconfiguring the floor

layout, at No. 65-71 Belmore Road, Randwick, in the following manner:

Non-Standard Conditions

It is recommended that the following additional non-standard conditions be included in the consent:

Imposition of Condition 71 to read:

71. The fixed glass louvres attached to the western windows of the "Semi-Outdoor Terrace" adjacent to the Residential Communal Room shall be DELETED, in order to improve the function of the above terrace as a semi-outdoor living space.

Imposition of Condition 72 to read:

72. The layout of level 1 shall be amended to create a hallway in between the "Existing Office Space" and the "Residential Communal Room", so that independent access (without passing through the office areas) is provided to the above residential communal room. Details demonstrating compliance shall be submitted to the satisfaction of Council, prior to the issuing of any Construction Certificate relating to level 1.

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

CP89/13 Director City Planning Report - 30 Carr Street, Coogee (DA/236/2013) (DA/236/2013)

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

335/13

RESOLUTION: (Bowen/Neilson) that the matter be deferred for mediation between the parties.

MOTION: (Andrews/Stavrinou) 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. 236/2013 for demolition of the existing dwelling house and construction of a new two storey dwelling house with double garage including installation of rain water tank and air conditioning unit, associated site and landscaping works at No. 30 Carr Street, Coogee, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non standard conditions

2. The approved plans and documents must be amended in accordance with the following requirements:
- The first floor north-facing balcony linked to the media room shall be reduced in depth to 600mm, shall have frameless clear/transparent glass balustrades and no screens to its sides.
 - Any air-conditioning unit shall be located in a location that is adjacent to the wall of the proposed building in the rear yard and/or eastern courtyard and away from any habitable opening in the adjoining property.

AMENDMENT: (Bowen/Neilson) CARRIED AND BECAME THE MOTION.

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

FOR	AGAINST
Councillor Belleli	Councillor Andrews

Councillor Bowen	Councillor Moore
Councillor D'Souza	Councillor Stavrinou
Councillor Garcia	Councillor Stevenson
Councillor Matson	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Shurey	
Councillor Smith	
Total (10)	Total (4)

MOTION: (Bowen/Neilson) CARRIED - SEE RESOLUTION.

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

FOR	AGAINST
Councillor Belleli	Councillor Andrews
Councillor Bowen	
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Shurey	
Councillor Smith	
Councillor Stavrinou	
Councillor Stevenson	
Total (13)	Total (1)

CP90/13 Director City Planning Report - 330 Anzac Parade, Kensington - JRPP (DA/748/2011/B)

Note: Having previously declared an interest, Crs Matson, Moore and Nash left the chamber and took no part in the debate or voting on this matter.

336/13 **RESOLUTION: (Smith/Stavrinou)** that the assessment report for the Joint Regional Planning Panel in relation to DA/748/2011/B (330 Anzac Parade, Kensington – UNSW) be received and noted.

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

CP91/13 Director City Planning Report - The Spot Festival - Licence for Spot Festival Bar (F2013/00011)

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

337/13 **RESOLUTION: (Moore/Andrews)** that:

- a) Council approve the request for quotation for the running of the bar at the Spot Festival;
- b) Council approve a licence fee to be charged to the successful bar operator; and

- c) a report comes back to council with the recommendation from the committee for approval.

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

CP92/13 Director City Planning Report - Randwick Environment Park Final Draft Plan of Management (F2010/00407)

- 338/13 **RESOLUTION: (Matson/Shurey)** that this matter be deferred to the February ordinary Council meeting to facilitate a meeting onsite for Councillors to meet with the Moverley Precinct Committee and the general community to discuss future options for the park.

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

CP93/13 Director City Planning Report - Randwick Community Centre Draft Final Plan of Management (F2004/06764)

- 339/13 **RESOLUTION: (Matson/Shurey)** that this matter be deferred to the February ordinary Council meeting to facilitate a meeting onsite for Councillors to meet with the Moverley Precinct Committee and the general community to discuss future options for the park.

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

CP94/13 Director City Planning Report - Community Health Programs Addressing Suicide Prevention (F2006/00216)

- 340/13 **RESOLUTION: (Andrews/Stavrinos)** that:

- a) Randwick City Council note and endorse the status of suicide prevention information sessions to be delivered within the first six months of 2014;
- b) A report be brought to Council in July 2014, providing an assessment of the impact and effectiveness of the suicide prevention information sessions held, including as a minimum:
1. the number and type of activities conducted
 2. attendance numbers and attendee feedback
 3. aspects that were considered successful and those that were not
 4. suggested improvements or variations to enhance the program
 5. consideration for role Council might play in future mental health awareness programs.

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

CP95/13 Director City Planning Report - Notice of Motion from Cr Roberts - Child Welfare Programs (F2006/00216)

- 341/13 **RESOLUTION: (Andrews/Stavrinos)** that Council:

- a) note the programs and projects that promote child welfare that are being delivered directly by Randwick City Council, and in partnership with our local service providers;
- b) endorse the welfare of children as an area of priority for Council initiated and

supported programs; and

- c) endorse the current programs, and the ongoing work that is currently underway to identify and address community needs in relation to child welfare.

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

General Manager's Reports

GM23/13 General Manager's Report - Review of the 2013-14 Annual Operational Plan – September Quarterly Report (F2012/00177)

- 342/13 **RESOLUTION: (Andrews/Stavrinos)** that the information contained in the September 2013 Quarterly Review of the 2013-14 Annual Operational Plan be received and noted.

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

Director City Services Reports

CS14/13 Director City Services Report - Supporting "Sense of Community" Street Parties (F2004/07232)

- 343/13 **RESOLUTION: (Andrews/Stavrinos)** that Council:

1. support "Sense of Community" street parties by arranging, on behalf of residents:
 - a) traffic control plans
 - b) the preparation of traffic management plans and road occupancy licences for submission to the RMS (if necessary), and
 - c) all traffic control measures associated with street parties including all signage and other materials as well as labour on the day of the event.
2. vote \$18,500 to cover the costs associated with the street party applications, with funds being allocated from the 2013-14 Contingency Fund.

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

Director Governance & Financial Services Reports

GF60/13 Director Governance & Financial Services Report - Kensington Bowling Club - Future Use & Occupation (F2011/07367)

- 344/13 **RESOLUTION: (Moore/Stavrinos)** that:

- a) Council gives its "in principle" support to Option 1 for the upgrade of Kensington Bowling Club which includes a 315sqm community centre, half basketball court, KikOff, seniors outdoor gym and a 34 space car park;
- b) Council writes to all participants of the Expression of Interest process and advise of Council's "in principle" decision and commences the consultation process with the community;
- c) to address the concerns regarding the impact of the KikOff facility on the residents, a mediation session be organised between Kikoff and the local residents with a view to developing a Plan of Management and that the future of the KikOff facility be assessed at an upcoming Councillor briefing session; and

- d) Council consider the naming of the new facility in recognition of an appropriate member of the west ward community.

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

Councillors Andrews and Smith called for a **DIVISION**.

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

FOR	AGAINST
Councillor Andrews	Councillor D'Souza
Councillor Belleli	Councillor Garcia
Councillor Bowen	Councillor Roberts
Councillor Matson	Councillor Smith
Councillor Moore	Councillor Stevenson
Councillor Nash	
Councillor Neilson	
Councillor Shurey	
Councillor Stavrinos	
Total (9)	Total (5)

GF61/13 Director Governance & Financial Services Report - Contingency Fund and Funding of Capital Works for other Organisations (F2004/07396)

- 345/13 **RESOLUTION: (Andrews/Stavrinos)** that the current processes for Contingency Fund budget allocations and the funding of non budgeted capital works intended to assist community service groups, be endorsed.

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

GF62/13 Director Governance & Financial Services Report - Quarterly Budget Review - September 2013 (F2012/00511)

- 346/13 **RESOLUTION: (Andrews/Stavrinos)** that:

- the report in relation to the September 2013 budget review be received and noted; and
- the proposed September 2013 budget variations shown in the attachment to this report be adopted.

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

GF63/13 Director Governance & Financial Services Report - Investment Report - October 2013 (F2004/06527)

- 347/13 **RESOLUTION: (Andrews/Stavrinos)** hat the investment report for October 2013 be received and noted.

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

GF64/13 Director Governance & Financial Services Report - Arrangements During Christmas/New Year Period for Decision Making and

Schedule of Meetings for 2014 (F2004/06565)

348/13 **RESOLUTION: (Andrews/Stavrinis)** that:

- a) the Council Meeting recess commence following the ordinary Council Meeting scheduled to be held on Tuesday 10 December, 2013 and meetings be resumed on Tuesday 11 February, 2014 (with Committee meetings being held on that night) and during the recess period the 'Council in Recess Procedure' be utilised, subject to the need for any extraordinary Council Meetings, which may be called in extenuating circumstances; and
- b) the Meeting Schedule for the 2014 calendar year be adopted.

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

GF65/13 Director Governance & Financial Services Report - Council Operating Hours - Christmas and New Year 2013-14 (F2006/00304)

349/13 **RESOLUTION: (Andrews/Stavrinis)** that the proposed 2013-14 Christmas and New Year opening hours for the Administration Building, Depot, Libraries and Leisure Centre, be adopted.

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

GF66/13 Director Governance & Financial Services Report - Affixing of the Council Seal - 627R Bunnerong Road, Matraville (F2011/07367)

350/13 **RESOLUTION: (Andrews/Stavrinis)** that the Council's Seal be affixed to the signing of agreements between Council and NSW Trade & Investment in relation to a licence of crown land for the purpose of sporting facilities, access, occupation, and pony club activities at 627R Bunnerong Road, Matraville.

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

GF67/13 Director Governance & Financial Services Report - Withdrawal of Caveat and Affixing of the Council Seal (F2004/06862)

351/13 **RESOLUTION: (Andrews/Stavrinis)** that the Council's Seal be affixed to the Withdrawal of Caveat form for the property at 4/6 Ford Road, Maroubra also known as Lots 4 & 21 in Strata Plan 2441.

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

Petitions

Nil.

Motion Pursuant to Notice

NM96/13 Notice of Motion from Cr D'Souza - Centenary of Maroubra Junction Public School (F2004/07396)

352/13 **RESOLUTION: (D'Souza/Stavrinis)** that Council:

- 1) Congratulate and acknowledge the Centenary of Maroubra Junction Public School and the great contribution it has made to the education of children in the Maroubra area; and

- 2) Acknowledge the dedication and effort of the many teachers over the 100 years in particular Mrs Joan Williamson and its present principal Mr Garrie Russell for their belief and support of the Public education system, which has given many Australian children an opportunity to become literate at a minimal cost.

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

**NM97/13 Notice of Motion from Cr Garcia - Proposed Car Free Days
(F2009/00508)**

353/13

RESOLUTION: (Garcia/Stavrinos) that Council:

- a) note that developed nations have a special responsibility to ensure global fuel security and address global climate change;
- b) note that our communities have become car dependent and many of our streets, formerly places of human interaction, have become dominated by cars;
- c) note that while cars have benefited society in many different ways, they have also had an impact on air quality, noise, levels of obesity, energy security, congestion and, for those who do not possess or enjoy the benefits of cars, a level of isolation and dislocation;
- d) note that car free days can provide opportunities for residents to take a step back and reconsider the possibilities of their urban environment and alternative transport options; and
- e) consider and report back on the possibilities and benefits of car free days in parts of Randwick.

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

**NM98/13 Notice of Motion from Cr Garcia - Ausgrid Maintenance Program
(F2004/08164)**

354/13

RESOLUTION: (Garcia/Stavrinos) that Council:

- a) note that Ausgrid has an ongoing maintenance program to keep trees and their branches clear of power lines and poles;
- b) note that Ausgrid trim trees at growth points, in accordance with Standard AS4373, in an attempt to protect trees from infection or disease;
- c) note that, on occasion tree trimming under powerlines can leave local trees looking unsightly and detract from the overall aesthetic of a street; and
- d) consider and report back on what actions Council might undertake to protect the health and aesthetic of trees under powerlines including, for example:
 - (i) writing to Ausgrid requesting more regular pruning/trimming of trees under powerlines;
 - (ii) writing to the relevant state government minister about the development of a state government policy to fund the placing of overhead power lines underground.

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

NM99/13 Notice of Motion from Cr Garcia - Child Care Centre Procedures (F2005/00357)

355/13

RESOLUTION: (Garcia/Stavrinos) that Council:

- a) note the Commonwealth's decision to set up a Productivity Commission inquiry into child care and early childhood learning;
- b) Consult with local parents about any concerns they might have about the level and standard of child care and early childhood learning facilities in Randwick City; and
- c) Prepare a submission to the Productivity Commission inquiry based on its community consultation with local parents about child care and early childhood learning issues.

MOTION: (Garcia/Stavrinos) CARRIED - SEE RESOLUTION.**NM100/13 Notice of Motion from Cr Moore - Review of the Future for the Kensington & Kingsford Town Centres (F2013/00263)**

356/13

RESOLUTION: (Moore/Andrews) that Council, in light of the recent release of the Environmental Impact Statement (EIS) for the proposed CBD and South East Light Rail (CSELR) by Transport for NSW whereby the public is provided with greater and more specific details regarding the proposal, revisit the Town Centre Strategies for both Kensington and Kingsford with a view to

- a) assessing the likely impacts of the CSELR during both construction and operation on businesses and residents within the centres;
- b) providing a conduit for the local businesses to contribute to reshaping the Town Centres incorporating Light Rail;
- c) establishing options for consideration that address either negative consequences to the proposal or seek to provide improved amenity outcomes; and
- d) engaging with the CSELR Project and Transport for NSW to ensure positive urban design outcomes are included and incorporated in the project deliverables.

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

Note: Cr Stevenson left the chamber at this point in the meeting and did not participate in the debate or voting on the following item.

NM101/13 Notice of Motion from Cr Stavrinos - Celebrating Cultural Diversity in Randwick City (F2004/06281)

357/13

RESOLUTION: (Stavrinos/Roberts) that Council:

- a) recognise the importance and the contribution that cultural diversity has played in shaping the Randwick LGA;
- b) hold a civic reception in the Lodge Room to commemorate Greek Independence Day on 25th March, 2014; and

- c) bring back a report to Council, from our Multicultural Advisory Committee, investigating the feasibility of holding one annual cultural event to commemorate a significant event that is celebrated by the various ethnic groups that live within the Randwick LGA, ie. Chinese New Year Celebrations.

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

Councillors Stavrinos and Roberts called for a **DIVISION**.

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

FOR	AGAINST
Councillor Andrews	Councillor D'Souza
Councillor Belleli	Councillor Moore
Councillor Bowen	Councillor Neilson
Councillor Garcia	Councillor Shurey
Councillor Matson	
Councillor Nash	
Councillor Roberts	
Councillor Smith	
Councillor Stavrinos	
Total (9)	Total (4)

RESOLVED: (PROCEDURAL MOTION) (Smith/Stavrinos) that the meeting be extended to 12.15am. **CARRIED.**

NM102/13 Notice of Motion from Cr Andrews - Proposed Roundabout - Paine Street & Walsh Avenue, Maroubra (F2004/06185)

358/13

RESOLUTION: (Andrews/Stavrinos) that Council investigate the installation of a roundabout at the intersection of Walsh Avenue and Paine Street, Maroubra.

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

NM103/13 Notice of Motion from Crs Andrews & Stavrinos - Traffic Safety Measures at St Spyridons College, Maroubra. (CC/580/2009)

359/13

RESOLUTION: (Andrews/Stavrinos) that Council:

1. investigate the construction of a carpark in the median strip of Anzac Parade in front of St Spyridon College, Maroubra to assist with drop off and pick up of students and further provide parking for school users and visitors who attend the college to attend the new St Spyridon School Performing Arts Centre and;
2. make representations to the Roads and Maritime Services (RMS) for the installation of traffic signals at the intersection of Pozieres Avenue and Anzac Parade, Matraville/ Maroubra (hereafter referred to as the intersection) in order to improve pedestrian safety for students who attend St Spyridon College, noting that a pedestrian crossing is not an option as Anzac Parade is a dual carriageway and not permissible under RMS regulations. Further such traffic signals will improve the safety for all users at this intersection.

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

AMENDMENT: (Matson/Shurey) that any carpark configuration preserve the option for a future light rail line through the area and the integration of an off road bike path. **LOST.**

NM104/13 Notice of Motion from Cr Shurey - Leachate from Malabar Headland Land Fill (F2004/06759)

360/13

RESOLUTION: (Shurey/Andrews) that Council:

- 1) seeks clarification from the Commonwealth Department of Finance and Deregulation of resident reports that it has changed strategies to control leachate on the Malabar Headland away from treatment at an on-site filtration system to a new system of eventual release to the ocean via connection to the South Coogee main trunk sewer line;
- 2) if there has been such a change in strategy by the Commonwealth, responds by requesting NSW State bodies such as the EPA and Sydney Water to assess the ecological impact on the local ocean ecology and its fisheries of such a discharge; and
- 3) advise the Maroubra Beach Precinct Committee of any results flowing from the above correspondence.

MOTION: (Shurey/Andrews) CARRIED - SEE RESOLUTION.**NM105/13 Notice of Motion from Cr Matson - Possible Replacing of Coogee Bay Road/Mount Street Roundabout with Traffic Lights (F2013/00099)**

361/13

RESOLUTION: (Matson/Stavrinos) that interested Councillors and Council officers meet at the corner of Coogee Bay Road and Mount Street to assess the safety risk facing general pedestrians and school attendees either between 8am to 9am or 3pm to 4pm and to consider referring to the Traffic Committee the option of replacing the roundabout with traffic lights.**MOTION: (Matson/Stavrinos) CARRIED - SEE RESOLUTION.****NM106/13 Notice of Motion from Cr Neilson - Improved Equipment for the Disabled at the Des Renford Leisure Centre (F2005/00920)**

362/13

RESOLUTION: (Neilson/Stavrinos) that Council:

- a) investigate the installation of a Wall-Mounted Height Adjusted Change Table and mobile floor hoist at the Des Renford Leisure Centre to improve the facilities for the disabled at the centre;
- b) note the installation of this equipment in the disability change room/s at the Des Renford Leisure Centre would make it possible for people with a disability such as a quadriplegic to be able to use the change room facilities;
- c) note that at present, for example, someone in a wheelchair can access the swimming pool but has problems using the change room eg a quadriplegic needs a wall mounted height adjustable change table (approximately \$3995.00) and a mobile floor hoist (approximately \$2360). Plus the cost of modifications to the existing room and installation costs;
- d) note that these improved change room facilities would be a fantastic addition to our facility; and
- e) seeks a report to advise how these or similarly appropriate equipment and

modifications to the disability change room/s at the Des Renford Leisure Centre can be introduced at the earliest opportunity to improve access for the disabled.

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

NM107/13 Notice of Motion from Cr Matson - Support for a Market Based System for Setting a Price on Carbon (F2005/00075)

363/13

RESOLUTION: (Matson/Shurey) that Council as a matter of urgency writes to the Prime Minister, the Leader of the Federal opposition and all parties in the Senate advocating the retention of a market based system for setting a price on carbon.

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

NM108/13 Notice of Motion from Cr Matson - Non Restrictive Response to Public Expressions made through Chalking (F2008/00195)

364/13

RESOLUTION: (Matson/Neilson) that Council resolves not to classify as graffiti designs, messages, or markings made by the use of non-permanent chalk, except for offensive material as classified under the law.

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

NM109/13 Notice of Motion from Cr Matson - Additional Funding for Coogee Community Garden (F2010/00421)

365/13

RESOLUTION: (Matson/Stavrinos) that Council request a breakdown of what the \$30,000.00 in funding is for and that a report be brought back to Council, in conjunction with a representative from the community garden project, on how the funds will be used to facilitate access to this garden for the entire community.

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

NM110/13 Notice of Motion from Cr Smith - Proposed Cycle Path - Centennial Park to Clovelly Beach (F2006/00399)

366/13

RESOLUTION: (Smith/Stavrinos) that Council investigate the feasibility of a separated cycle path along Clovelly Road that connects Centennial Park to Clovelly Beach.

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

NM111/13 Notice of Motion from Cr Matson - Preserving Randwick's Drinking Water (F2013/00388)

MOTION: (Matson/Shurey) that Council:

- a) calls on the NSW Government to prohibit mining and exploration in the Sydney Drinking Water Catchment Area via the expansion of the Mining SEPP Amendment (3 October 2013) to include the Sydney Drinking Water Catchment Area as a designated 'exclusion zone'; and
- b) resolves as a matter of urgency to write to the Premier, the Hon Barry O'Farrell, the Minister for Energy & Resources, The Hon. Chris Hartcher, the Leader of the Opposition, the Hon John Robertson, and the respective

representatives of the Opposition, the Greens, the Shooters & Fishers Party and the Christian Democrats, expressing the concerns and calls articulated in this motion. **LOST.**

Councillors Matson and Belleli called for a **DIVISION.**

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

FOR	AGAINST
Councillor Belleli	Councillor Andrews
Councillor Matson	Councillor Bowen
Councillor Moore	Councillor D'Souza
Councillor Neilson	Councillor Garcia
Councillor Shurey	Councillor Nash
	Councillor Roberts
	Councillor Smith
	Councillor Stavrinou
	Councillor Stevenson
Total (5)	Total (9)

NM112/13 Notice of Motion from Cr Matson - Possible Pedestrian Crossing on Carr Street near Barker Park (F2004/08240)

367/13

RESOLUTION: (Matson/Stavrinou) that interested Councillors and Council officers meet on Carr Street near Barker Park to assess the safety risk facing general pedestrians and school attendees either between 8am to 9am or 3pm to 4pm and to consider referring to the Traffic Committee the option of an pedestrian crossing at that that place.

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

NM113/13 Notice of Motion from Cr Matson - Response to Planning Bill 2013 (F2004/08420)

368/13

RESOLUTION: (Matson/Shurey) that Council:

- a) notes its deep concern at the changes proposed to the NSW planning system in the Planning Bill 2013 that will see Council lose more of its planning control via;
 - the imposition of code assessable development;
 - the establishment of sub-regional planning boards;
 - the use of discretionary strategic compatibility certificates; and
 - the expanded reliance on private certifiers;
- b) regards as a mistake the failures to enshrine ecologically sustainable development as the principle object of the bill and to address climate change issues;
- c) resolves as a matter of urgency to write to the Minister for Planning, the Hon Brad Hazzard MP and the Premier, the Hon Barry O'Farrell MP calling on the NSW government to not proceed with the Bill; and
- d) resolves as a matter of urgency to write to the Minister for Planning, the leader of the Opposition and the parliamentary representatives from the Greens, the Shooters & Fishers and the Christian Democrats advising them of this resolution and of Council's concerns.

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

NM114/13 Notice of Motion from Cr Roberts - Review of Council's Outdoor Dining Fees and Charges (F2011/07593)

369/13

RESOLUTION: (Roberts/Stavrinos) that Council review the outdoor dining administrative and fee structures and bring a report back to council in time for a new system to be implemented in the coming financial year. Options should include but not be limited to the following:

1. the status quo;
2. updated outdoor dining fees that more accurately reflect foot traffic in any particular area;
3. a graded fee structure where small outdoor dining areas are free but larger ones are paid for;
4. seasonal variation in the amount of fees charged; and
5. options to streamline the scheme's administration.

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

Note: Councillor Roberts tabled a petition from local residents asking Council to review its outdoor dining policy to better reflect the differences in fees that should be charged for restaurants in town centres and those outside town centre areas.

NM115/13 Notice of Motion from Cr Roberts - Coogee Bay Road Upgrade (F2004/08175)

Note: A rescission motion was submitted on this matter and will be heard at the next available meeting.

370/13

RESOLUTION: (Roberts/Stavrinos) that Council:

1. note that money has been set aside in the budget for the under-grounding of wires in the Coogee Bay Rd area near the beach;
2. note the additional need to upgrade the footpaths of Coogee Bay Rd;
3. note the significant disruption both upgrades would cause the community;
4. note that to minimise such disruption both upgrades would need to be done simultaneously and could be funded by budgeted amounts over two years;
5. note that the required upgrades present an opportunity to further beautify the beach/Coogee Bay Rd interface beyond the current planned upgrade;
6. Council resolve to conduct a community consultation on upgrading the entire Coogee Bay Rd/Arden St/Coogee Beach precinct with a mind to maximising the area's potential amenity; and
7. no proposal shall result in an increase in antisocial behaviour.

MOTION: (Roberts/Stavrinos) CARRIED – SEE RESOLUTION.

AMENDMENT: (Bowen/Matson) that Council:

1. note that money has been set aside in the budget for the under-grounding of wires in the Coogee Bay Rd area near the beach;
2. note the additional need to upgrade the footpaths of Coogee Bay Rd;
3. note the significant disruption both upgrades would cause the community;
4. note that to minimise such disruption both upgrades would need to be done simultaneously and be funded from money saved in this year's budget; and
5. no proposal shall result in an increase in antisocial behaviour. **LOST ON THE CASTING VOTE OF THE MAYOR.**

Councillors Bowen and Matson called for a **DIVISION**.

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor D'Souza	Councillor Belleli
Councillor Garcia	Councillor Nash
Councillor Matson	Councillor Roberts
Councillor Moore	Councillor Smith
Councillor Neilson	Councillor Stavrinis
Councillor Shurey	Councillor Stevenson
Total (7)	Total (7)

RESOLVED: (PROCEDURAL MOTION) (Smith/Stavrinis) that the meeting be extended to 12.30am. **CARRIED.**

NM116/13 Notice of Motion from Cr Roberts - Angle Parking at Dolphin Street, Coogee (F2013/00099)

371/13

RESOLUTION: (Roberts/Stavrinis) that a report be brought back to Council outlining the effectiveness of providing angle parking on Dolphin St Coogee between Carrington Road and Mount Street by widening the north side of the road.

MOTION: (Roberts/Stavrinis) CARRIED - SEE RESOLUTION.

NM117/13 Notice of Motion from Cr Bowen - Randwick TAFE (F2004/06283)

372/13

RESOLUTION: (Bowen/Stavrinis) that Council:

- a) note the important role of Randwick TAFE in offering local students the opportunity of gaining entry to university through the tertiary preparation course, in particular mature age or students who have not completed their HSC; and
- b) state its opposition to any proposal to cancel the tertiary preparation course at Randwick TAFE and write to the State Government and Premier O'Farrell requesting such courses be maintained at Randwick TAFE.

MOTION: (Bowen/Stavrinis) CARRIED - SEE RESOLUTION.

RESOLVED: (PROCEDURAL MOTION) (Smith/Stavrinis) that the meeting be extended to 12.45am. **CARRIED.**

**NM118/13 Notice of Motion from Cr Bowen - Council Amalgamations
(F2004/06554)**

373/13

RESOLUTION: (Smith/Roberts) that Council notes the final report of the Independent Review Panel is now significantly delayed (being due in September) and, as such, reaffirms its resolution of 11th December 2012 that: -

- a) Council affirm the position that Randwick Council not be amalgamated;
- b) Council consider a plebiscite of the residents of Randwick at an appropriate time when further feedback is available from the review panel to obtain guidance from the residents on the issue of possible amalgamation;
- c) non-voluntary Council amalgamations are opposed;
- d) but should non-voluntary amalgamations proceed a preferred outcome for Randwick would include the following:
 - i. The election of Councillors should be based on a proportional system of at least three Councillors per ward with this system being introduced into the Botany Council area;
 - ii. The current ratio of Councillors to residents across the eastern suburbs should not be reduced but increased to a realistic level;
 - iii. If Botany Council is to be absorbed into an expanded City of Sydney Council, Randwick, Woollahra and Waverly should be kept separate as a distinct eastern suburbs council area;
 - iv. If the City of Sydney amalgamates with Botany Council the Port Botany complex should be retained within whatever eastern suburb Council emerges; and
- e) neighbouring Councils are to be informed of this resolution.

MOTION: (Bowen/Belleli) that Council notes the final report of the Independent Review Panel is now significantly delayed (being due in September) and, as such, clearly states its position of opposing any amalgamation of Randwick City Council.

AMENDMENT: (Smith/Roberts) CARRIED AND BECAME THE MOTION.

Councillors Smith and Roberts called for a **DIVISION**.

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

FOR	AGAINST
Councillor Andrews	Councillor Belleli
Councillor Matson	Councillor Bowen
Councillor Nash (+ casting vote)	Councillor D'Souza
Councillor Roberts	Councillor Garcia
Councillor Shurey	Councillor Moore
Councillor Smith	Councillor Neilson
Councillor Stavrinos	Councillor Stevenson
Total (7)	Total (7)

MOTION: (Smith/Roberts) CARRIED - SEE RESOLUTION.

Councillors Smith and Roberts called for a **DIVISION**.

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

FOR	AGAINST
Councillor Andrews	Councillor Bowen
Councillor Belleli	Councillor D'Souza
Councillor Matson	Councillor Garcia
Councillor Nash	Councillor Moore
Councillor Neilson	Councillor Stevenson
Councillor Roberts	
Councillor Shurey	
Councillor Smith	
Councillor Stavrinou	
Total (9)	Total (5)

Confidential Reports

The meeting moved into closed session in order to consider confidential items.

GF68/13 Confidential - 23-27 Adina Avenue, Phillip Bay - Sale (F2011/07367)

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.

374/13

RESOLUTION: (Stavrinou/Moore) that all parties who made a submission under the EOI process be informed that Council is reconsidering its position on the matter in light of the responses to the expression of interest for the Adina Avenue site.

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

Open Session

The meeting moved back into open session.

Notice of Rescission Motions

Note: A rescission motion on item NM115/13 Notice of Motion from Cr Roberts - Coogee Bay Road Upgrade was submitted by Councillors Bowen, Matson and Shurey in accordance with Council's Code of Meeting Practice and will be considered at the Council Meeting to be held on 10 December 2013.

There being no further business, His Worship the Mayor, Cr S Nash, declared the meeting closed at 12.44am.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 10 December 2013.

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CHAIRPERSON

