

**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, 24 JUNE 2014 AT 6:05PM**

**Present:**

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

Councillor A Andrews (Deputy Mayor) (Central Ward) (arrived 6.12pm)

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

**Officers Present:**

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoples
Director City Planning	Ms S Truvert
Acting Director Governance & Financial Services	Mr D Kelly/Mr G Byrnes
Acting Manager Administrative Services	Ms J Hartshorn
Manager Development Assessment	Mr K Kyriacou
Acting Communications Manager	Ms E Shanks
Manager Organisational Staff Services	Mr J Keech
Manager Corporate Improvement	Ms A Warner
Manager Corporate & Financial Planning	Mr M Woods

**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**

Nil.

**Confirmation of the Minutes**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD ON TUESDAY 27 MAY 2014**

162/14

**RESOLUTION: (Smith/Moore)** that the Minutes of the Ordinary Council Meeting held on Tuesday 27 May 2014 (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 Garcia declared a non-significant non pecuniary interest in Item NM60/14 as a member of the Coogee Surf Club and a member of the Executive as well.
- b) Cr Garcia declared a non-significant non pecuniary interest in Item CP77/14 as members of the committee are known to him.
- c) Cr D'Souza declared a non-significant non pecuniary interest in Item CP75/14 as the local pharmacist he knows a number of the objectors and the applicant.
- d) Cr Belleli declared a non-significant non pecuniary interest in Item NM61/14 as a resident of the city.
- e) Cr Matson declared a non-significant non pecuniary interest in Item GM20/14, MM59/14, NM64/14, NM65/14 and NM68/14 as he knows the speakers on the matters and has had frequent email conversations with some of them.
- f) Cr Shurey declared a non-significant non pecuniary interest in Item GM20/14, MM59/14, NM64/14, NM65/14 and NM68/14 as she knows the speakers on the matters and has had frequent email conversations with some of them.
- g) Cr Neilson declared a non-significant non pecuniary interest in Item GM20/14, MM59/14, NM64/14, NM65/14 and NM68/14 as she knows the speakers on the matters and has had frequent email conversations with some of them.
- h) Cr Seng declared a non-significant non pecuniary interest in Item NM69/14 and MM51/14 as he owns property and lives nearby.
- i) Cr Matson declared a non-significant non pecuniary interest in NM69/14 and MM51/14 as he own property and lives in Kingsford.
- j) Cr Nash declared a non-significant non pecuniary interest in GF42/14 as he knows the Jack and Jean Ziade.
- k) Cr Andrews declared a non-significant non pecuniary interest in NM69/14 and MM51/14 as he is aware of an employee of the Anson Group.

### 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:

MM49/14 MAYORAL MINUTE - WAIVING OF FEES - SALVATION ARMY COMMUNITY LUNCH

**For** Matt Gluyas

**RESOLVED: (PROCEDURAL MOTION) (Bowen/Matson)** that MM49/14 be brought forward for immediate consideration.

CP74/14 170 BOTANY STREET, KINGSFORD (DA/263/2014)

**Objector** Zeljka Damjanovic (representing the objector)

**Applicant** Ana Rakovac

CP75/14 585 BUNNERONG ROAD, MATRAVILLE (DA/627/2013)

**Objector** Colleen Hurst

**Applicant** Sam Khoury

- MM51/14 MAYORAL MINUTE - CBD AND SOUTH EAST LIGHT RAIL PROJECT - UPDATE REPORT ON THE DEVELOPMENT AGREEMENT; and  
GM20/14 PROPOSED DEVELOPMENT AGREEMENT BETWEEN RANDWICK CITY COUNCIL AND TFNSW FOR THE CBD SOUTH EAST LIGHT RAIL PROJECT.

**Against** Rosemary Mackenzie

- NM59/14 NOTICE OF MOTION FROM CR STAVRINOS - LIGHT RAIL DEVELOPMENT AGREEMENT ISSUES

**For** Margery Whitehead

- NM63/14 NOTICE OF MOTION FROM CR MATSON - MISTREATMENT OF LAND ON THE HERITAGE AND AGRICULTURAL LAND OF THE CHINESE MARKET SITE

**For** Fred Haskins

- NM64/14 NOTICE OF MOTION FROM CR ROBERTS - PROPOSED EXTENSION OF LIGHT RAIL PAST MAROUBRA JUNCTION

**Against** Margaret Hogg

- NM65/14 NOTICE OF MOTION FROM CR ROBERTS - BUSINESS ELECTORAL ROLL

**For** Margaret Hogg

- NM66/14 MOTION PURSUANT TO NOTICE - NOTICE OF MOTION FROM CR ROBERTS - CRACKER NIGHT

**For** Aidan Reynolds

- NM68/14 NOTICE OF MOTION FROM CR BOWEN - HIGH CROSS PARK

**For** Rickie-Lee Lauren-Smith

**For** Margaret Hogg

The Meeting was adjourned at 7.03pm and was resumed at 7.22pm.

## Mayoral Minutes

### MM46/14 Mayoral Minute - Bendigo Bank - Waiving of Fees (F2014/00096)

163/14

**RESOLUTION: (Mayor, Cr Nash)** that:

- a) Council vote \$158.18 to cover the application fee for the Clovelly Community Bank to celebrate their 12<sup>th</sup> Birthday outside the bank at 222-226 Clovelly Road, Clovelly and funds be charged to the 2014-15 Contingency Fund;
- b) the activity organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the activity; and
- c) the Mayor or his representative be given the opportunity to address the activity on behalf of Council.

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

**MM47/14 Mayoral Minute - Sponsorship - UNSW joint Alzheimer's and Parkinson's Disease (A+PD) Symposium/Cell Architecture in Development and Disease (CADD) Symposium (F2004/07396)**

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164/14 **RESOLUTION: (Mayor, Cr Nash)** that Council takes out a bronze sponsor for the UNSW 2014 joint Alzheimer's and Parkinson's Disease (A+PD) Symposium/Cell Architecture in Development and Disease (CADD) Symposium in the amount of \$1,000 and that this be funded from the 2014-15 Contingency Fund.

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

**MM48/14 Mayoral Minute - Waiving of fees - St George Coptic Church Fete (F2014/00096)**

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165/14 **RESOLUTION: (Mayor, Cr Nash)** that:

- a) Council vote \$885.00 to cover the associated fees for the St George Coptic Church Fete and funds be charged to the 2014-15 Contingency Fund;
- b) the activity organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the activity; and
- c) the Mayor or his representative be given the opportunity to address the activity on behalf of Council.

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

**MM49/14 Mayoral Minute - Waiving of fees - Salvation Army Community Lunch (F2014/06574)**

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166/14 **RESOLUTION: (Mayor, Cr Nash)** that:

- a) the Salvation Army be offered the use of the Cawood Room at the Prince Henry Centre on Saturday 29 November 2014 for the proposed community lunch and that the fees for use of the Centre, being approximately \$1,862.50, be waived.
- b) the waiving of fees will be funded from the 2014-15 Contingency Fund.
- c) Council's contribution be acknowledged on the day and in any event promotions.

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

**MM50/14 Mayoral Minute - Inaugural Walking Volunteers walk of the Sydney Harbour and coastal walking network, September 2014 (F2010/00241)**

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167/14 **RESOLUTION: (Mayor, Cr Nash)** that it is agreed that:

- a) Council promotes and encourages the dates and times of the walk through Randwick to our community to enable their participation and involvement;
- b) a small interested contingent of staff be permitted and selected to participate in the walk alongside interested Councillors to a maximum of 5 each day, selected by ballot or similar;

- c) a community planting activity be organised for walkers to participate at an appropriate location with refreshments provided; and
- d) an amount up to \$800 be provided to support the community planting and refreshments as part of our support of this inaugural walk of the Sydney Harbour and coastal walking network.

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

**MM51/14 Mayoral Minute - CBD and South East Light Rail Project - Update  
Report on the Development Agreement (F2013/00263)**

168/14

**RESOLUTION: (Mayor, Cr Nash) that:**

1. Council supports the light rail project and the economic and employment benefits it will bring to our local area;
2. Council rejects the currently proposed draft Development Agreement reported under cover of GM Report 20/14;
3. Council continue to advocate publicly its position on the following concerns:
  - the High-Cross Park interchange (this issue is not negotiable);
  - the proposed Randwick Stabling Facility (at 66a Doncaster Avenue) and identified future community centre;
  - undergrounding of Power along Anzac Parade in line with the Urban Design objectives of the proposal;
  - loss of parking, particularly arising from the location of the Kingsford light-rail bus interchange. In lieu of compensation for the loss of parking in Kingsford and Kensington, that the Kingsford Markets Site be transferred to council at no cost;
  - the status of Council's Urban Design Guidelines;
  - the Prince of Wales Hospital stop;
  - clawing back 100-120 parking spaces on Anzac Parade (from Alison Road to Darling Street);
  - concern in relation to tree losses and the requirement for an audit of the trees scheduled for removal in the Randwick City Council area due to light rail, with a report back to Councillors on this matter before the matter is next debated
  - traffic modeling be brought forward to demonstration the local traffic impacts at the following areas:
    - Kingsford and Kensington (along and either side of Anzac Parade)
    - Randwick (at Wansey Road, High Street, Botany Street and the interconnecting streets)
    - Randwick (at Avoca Street, Belmore Road, Coogee Bay Road, Cuthill Street and Perouse Road;
  - TfNSW needs to bring forward, and make public, its proposal for the bus changes resulting from the implementation project;
4. the Councillors nominate areas of concern or interest by sending wording for any amendments for inclusion in the proposed draft Development Agreement to the General Manager by next Tuesday (1 July 2014);
5. Council defers its consideration of GM Report 20/14 to allow a Councillors' Briefing to be held on Tuesday 1 July 2014.

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

**MM52/14 Mayoral Minute - Bondi Outreach Program (BOP) (F2004/06290)**

169/14

**RESOLUTION: (Mayor, Cr Nash)** that:

- a) Council acknowledge and appreciate the valuable work of youth services in providing much needed services to our young people, and for keeping them safe.
- b) a meeting be arranged with the Mayor of Waverley Council and relevant officers to jointly look at opportunities to address the funding issues highlighted by BOP.

**MOTION: (Mayor, Cr Nash) CARRIED - SEE RESOLUTION.****Urgent Business****UB5/14 Cr Geoff Stevenson - Rat infestation at Maroubra Junction (F2006/00595)**

170/14

**RESOLUTION: (Stevenson/Andrews)** that Council immediately investigate the rat infestation at Maroubra Junction and implement an eradication program.**MOTION: (Stevenson/Andrews) CARRIED - SEE RESOLUTION.****Director City Planning Reports****CP73/14 Director City Planning Report - 18 Dangar Street, Randwick (DA/1153/2010/A)**

171/14

**RESOLUTION: (Stavrinou/Andrews)** that Council, as the consent authority, grants development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify the approved development by extending dwelling to rear at ground level by reducing size of deck, alterations to some openings, internal alterations, enclose first floor deck, and alteration to roof form, at No. 18 Dangar Street, Randwick, 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****Amend Condition No. 1 to read:****Approved Plans & Supporting Documentation**

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:

The development must be implemented substantially in accordance with the:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received</i>
DA-1301, Rev C	Candalepas	20/03/11	21 April 2011
DA-1302, Rev C	Associates	20/03/11	21 April 2011
DA-1101, Rev B		16/03/11	17 March 2011
DA-1102, Rev B		16/03/11	17 March 2011
DA-1103, Rev B		16/03/11	17 March 2011
DA-1201, Rev B		16/03/11	17 March 2011

<i>BASIX Certificate</i>	<i>No.</i>	<i>Dated</i>	<i>Received</i>
Alterations and additions	A102466	17 December 2010	29 December 2010

as amended by the **Section 96 plans listed below and detailed in the Section 96 application:**

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Received by Council</b>
DA101 Rev A	Kymzy architecture	12.02.14	20 March 2014
DA102 Rev A		12.02.14	20 March 2014
DA104 Rev A		12.02.14	20 March 2014
DA105 Rev A		12.02.14	20 March 2014
DA202 Rev A		12.02.14	20 March 2014
DA203 Rev A		12.02.14	20 March 2014
DA204 Rev A		12.02.14	20 March 2014
DA205 Rev A		12.02.14	20 March 2014
DA206 Rev A		12.02.14	20 March 2014
DA301 Rev A		12.02.14	20 March 2014
DA302 Rev A		12.02.14	20 March 2014
DA303 Rev A		12.02.14	20 March 2014
DA304 Rev A		12.02.14	20 March 2014
DA305 Rev A		12.02.14	20 March 2014
DA401 Rev A		12.02.14	20 March 2014
DA402 Rev A		12.02.14	20 March 2014
DA403 Rev A		12.02.14	20 March 2014
DA404 Rev A	12.02.14	20 March 2014	

<b>BASIX Certificate No.</b>	<b>Dated</b>	<b>Received by Council</b>
A174239_02		20 March 2014

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

**Add the following condition:**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - b. Privacy screens having a height of 1.8m above floor level must be provided to northern and southern sides of the rear ground level deck. The privacy screens 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 screens may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.

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

**CP74/14 Director City Planning Report - 170 Botany Street, Kingsford (DA/263/2014)**

172/14

**RESOLUTION: (Neilson/Seng)** 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/263/2014 for alterations and conversion of the existing outbuilding to a secondary dwelling at No. 170 Botany Street, Kingsford, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

**Amendment of Plans & Documentation**

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

- a. A new 1.8 metre high boundary fence must be provided to the western and southern side boundaries directly adjacent to the secondary dwelling. The fence to the southern boundary must run for a distance of at least 12 metres from the south western corner in order to provide adequate privacy between the properties. Suitable retaining walls may be required where necessary, but should be incorporated within the maximum fence height of 1.8m as measured from existing ground level.
- b. Steps must be provided along the passageway adjacent to the southern side boundary so that the secondary dwelling may be accessed independently of the principal dwelling. Details must be submitted for the approval of Council's Manager Development Assessment prior to the issuing of a construction certificate.

**MOTION: (Andrews/Stavrinos)** that Council, as the consent authority, refuses development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/263/2014 for alterations and conversion of the existing outbuilding to a secondary dwelling at No. 170 Botany Street, Kingsford, for the following reasons:

1. the proposed development is not considered to be in the public interest.
2. the proposal has an adverse impact on the adjoining properties.
3. there is insufficient side access in relation to the proposed granny flat. **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Andrews	Councillor Belleli
Councillor Roberts	Councillor Bowen
Councillor Stavrinos	Councillor D'Souza
Councillor Stevenson	Councillor Garcia
	Councillor Matson
	Councillor Moore
	Councillor Nash
	Councillor Neilson
	Councillor Seng
	Councillor Shurey
	Councillor Smith
<b>Total (4)</b>	<b>Total (11)</b>

**MOTION: (Neilson/Seng) CARRIED - SEE RESOLUTION.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Andrews	Councillor Stavrinos
Councillor Belleli	
Councillor Bowen	
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	



Councillor Smith  
Councillor Stevenson

**Total (14)**

**Total (1)**

**CP75/14 Director City Planning Report - 585 Bunnerong Road, Matraville  
(DA/627/2013)**

173/14 **RESOLUTION: (Andrews/Stavrinos)** that the application be deferred to allow:

- Council officers to consult with RMS about Shirley Crescent not being used for entry/exit to the site; and
- Consideration of an additional consent condition to prohibit the playing of music while cars are being washed.

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

**CP76/14 Director City Planning Report - Report variation to Development Standard under State Environment Planning Policy No. 1 (SEPP 1) and Clause 4.6 between 1 to 31 May 2014 (F2008/00122)**

174/14 **RESOLUTION: (Andrews/Stavrinos)** that the report be received and noted.

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

**CP77/14 Director City Planning Report - Maroubra Surfing Walk of Fame and Beach Breaks Carnival 2014 (F2010/00026)**

175/14 **RESOLUTION: (Andrews/Stavrinos)** that:

- a) Council endorse the events to be held at the 2014 Surfing Walk of Fame and Beach Breaks Carnival, on 27 July 2014,
- b) approve an additional \$5,000.00 cash sponsorship and waiving of site fees of equivalent to \$3,500, for Surfing NSW's Junior Surfing Competition, to be funded from the 2014-14 Contingency Fund.

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

**CP78/14 Director City Planning Report - Council Response to Cr Garcia's Notice of Motion - Commemoration Marking Centenary of First World War (F2014/00032)**

176/14 **RESOLUTION: (Garcia/Andrews)** that:

- a) Council writes to the churches and local places of worship to ring their bells at a solemn beat, and that representatives from participating churches and places of worship liaise with Council's Event Officer regarding the details of the bell ringing.
- b) Council proceeds with commemorating the centenary of the First World War and that Council covers the costs associated with light refreshments being offered to guests attending the commemoration service at St Jude's Church, Randwick.

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

## General Manager's Reports

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**GM18/14 General Manager's Report - Randwick City Council Operational Plan and Budget 2014-15 (F2014/03000)**

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177/14

**RESOLUTION: (Andrews/Matson) that:**

- a) the Recommended Operational Plan 2014-15 be adopted as per the attached, and that the General Manager be authorised to make any minor changes as requested by the Council or the NSW Office of Local Government;
- b) the Recommended Annual Budget 2014-15 be adopted as per the attached;
- c) the Recommended General Fees and Charges be adopted for 2014-15 as per the attached;
- d) Council make and levy the ordinary Residential Rate for 2014-15, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.183110 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Residential;
- e) Council make and levy the ordinary Business Rate for 2014-15, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.614580 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Business;
- f) Council make and levy the Environmental Levy Rate for 2014-15 under s.495 and s.498(1)(b) and (2) of the Local Government Act 1993, as a rate of 0.015013 cents in the dollar on the land value of all rateable land within the City of Randwick;
- g) Council make and levy the ordinary Residential minimum rate for 2014-15 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$701.01;
- h) Council make and levy the ordinary Business minimum rate for 2014-15 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,129.66;
- i) Council make and levy the Domestic Waste Management Charge for 2014-15 under s.496 of the Local Government Act 1993, as \$510.72;
- j) Council make and levy a Domestic Waste Management Charge for an additional 140 litre bin for 2014-15 under s.496 of the Local Government Act 1993, as \$254.60;
- k) Council make and levy the Stormwater Management Service Charge for residential properties for 2014-15 under s.496A of the Local Government Act 1993, as \$25.00;
- l) Council make and levy the Stormwater Management Service Charge for residential strata properties for 2014-15 under s.496A of the Local Government Act 1993, as \$12.50;
- m) Council make and levy the Stormwater Management Service Charge for business properties for 2014-15 under s.496A of the Local Government Act 1993, as \$25.00 plus an additional \$25.00 for each 350m<sup>2</sup> or part thereof by which the parcel of land exceeds 350m<sup>2</sup>;
- n) Council make and levy the Stormwater Management Service Charge for business strata properties for 2014-15 under s.496A of the Local Government Act 1993, calculated in accordance with the land area as in 'm' above and then apportioned by unit entitlement subject to a minimum charge of \$5.00 per business strata lot.

- o) Council make and levy the Stormwater Management Service Charge for company title properties for 2014-15 under s.496A of the Local Government Act 1993, calculated in accordance with the rating category of the land and then apportioned according to the number of shares held by each shareholder for each respective lot.
- p) the interest rate on overdue rates for 2014-15 be set at 8.5 per cent which is the maximum rate as determined by the Minister for Local Government; under s.566(3) of the Local Government Act 1993; and
- q) the responsible Accounting Officer be delegated to make changes as adopted by Council.

**AMENDMENT: (Stevenson/-)** that a summary of costs to the nearest \$500,000 be added to list of project on page 74 of the 2014-15 Operational Plan. **LAPSED FOR THE WANT OF A SECONDER.**

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

**GM19/14 General Manager's Report - Internal Audit Committee Charter  
(F2004/06565)**

178/14 **RESOLUTION: (Andrews/Stavrinos)** that Council note and endorse the amended Charter of Council's Internal Audit Committee.

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

**GM20/14 General Manager's Report - Proposed Development Agreement  
between Randwick City Council and TfNSW for the CBD South East  
Light Rail Project. (F2013/00263)**

This matter was deferred earlier in the meeting – see MM51/14 (page 4 of these minutes)

**Director City Services Reports**

Nil.

**Director Governance & Financial Services Reports**

**GF39/14 Director Governance & Financial Services Report - Confidential  
Business Papers Policy (F2004/06565)**

179/14 **RESOLUTION: (Andrews/Stavrinos)** that the Confidential Business Papers Policy be adopted and the Confidential documents policy be repealed.

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

**GF40/14 Director Governance & Financial Services Report - Local  
Government NSW Annual Conference 2014 (F2004/06645)**

180/14 **RESOLUTION: (Andrews/Garcia)** that:

- a) Councillors interested in attending the 2014 Conference of Local Government NSW advise the General Manager as soon as possible;
- b) Council identify, and advise the General Manager by 4 July 2014, the most important issues which they believe are causing concern to the Council and/or

the local community (and a motion or proposed solution for each issue) for inclusion in the business paper for the July Council Meeting.

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

**GF41/14 Director Governance & Financial Services Report - Investment Report - May 2014 (F2014/06527)**

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181/14 **RESOLUTION: (Andrews/Stavrinos)** that the investment report for May 2014 be received and noted.

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

**GF42/14 Director Governance & Financial Services Report - Affixing of the Council Seal - Jack & Jean Ziade (F2014/07367)**

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182/14 **RESOLUTION: (Smith/Garcia)** that the Council's Seal be affixed to the lease between Randwick City Council and Jack and Jean Ziade in relation to the lease for the airspace at 39-47 St Pauls Street, Randwick commencing 15 May 2013 for a period of 5 years.

**MOTION: (Smith/Garcia) CARRIED - SEE RESOLUTION.**

**GF43/14 Director Governance & Financial Services Report - economy.id (F2009/00243)**

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183/14 **RESOLUTION: (Andrews/Stavrinos)** that the economy.id online economic information tool be published on Council's website, and promoted to businesses and residents through the local Chambers of Commerce and informational workshops.

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

### **Petitions**

Nil.

### **Motion Pursuant to Notice**

**NM58/14 Notice of Motion from Cr Shurey - Concerning references by Nation Partners of the "Development Potential" of Malabar Headland (F2004/06759)**

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184/14 **RESOLUTION: (Shurey/Garcia)** that Council seek clarification from the Commonwealth Government as to what options it has directed the project delivery and strategic consulting firm Nation Partners to explore in terms of the development potential of the Malabar Headland.

**MOTION: (Shurey/Garcia) CARRIED - SEE RESOLUTION.**

**NM59/14 Notice of Motion from Cr Stavrinos - Light Rail Development Agreement issues (F2004/08175)**

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This matter was dealt with earlier in the meeting in conjunction with MM51/14 (see page 4 of these minutes)

**NM60/14 Notice of Motion from Cr Stavrinos - CPR classes at DRLC**

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**(F2013/00568)**

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185/14 **RESOLUTION: (Stavrinos/Moore)** that Council acknowledges the important contribution that CPR has played in saving the lives of people and:

- a) bring back a report into the costing of running CPR classes at the Des Renford Leisure Centre for interested residents living in the Randwick LGA.
- b) uses its communication budget to promote active surf club membership in the anticipation of the upcoming surf season.

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

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**NM61/14 Notice of Motion from Cr Belleli - Free reflective/luminous kerb side house numbers for our residents program (F2008/00330)**

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186/14 **RESOLUTION: (Belleli/Bowen)** that Council brings back a report on a staged all ward free community service to our ratepayers program on painted street numbers (luminous reflective paint) house number on Council's road kerb. Suggestion and consideration to be addressed in the report:

1. that a 5 or 7 or 10 year program or a 1 year trial program depending on budgeting/costing set with parts of all wards done each year of the program. If program gets approval that it will be in next round of budgeting. Not to effect upcoming budget;
2. that after each year results of program be reported to Council to gauge effectiveness;
3. that if Council decides to complete the program bring back a report once completed to see if or when to recommence program and start again;
4. that program whether goes out to tender or Council does it itself, that a request for legal working youth & local employment be considered if possible;
5. that its stipulated whoever is commissioned to do work, that it be properly supervised with proper training and safety regulation and best practices be put in place and proof of safety being regularly monitored.

**MOTION: (Belleli/Bowen) CARRIED - SEE RESOLUTION.**

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**NM62/14 Notice of Motion from Cr Matson - Concerns with the Federal Government's 2014/15 Budget (F2009/00065)**

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187/14 **RESOLUTION: (Matson/Garcia)** that Council:

1. Notes with concern:
  - a) The Federal Government's decision in the 2014/15 Budget to freeze indexation for Commonwealth funded Financial Assistance Grants.
  - b) That the indexation freeze is projected to cut \$288 million from funding to local councils in NSW which will directly impact on council's ability to provide essential services and maintain and build infrastructure; and
  - c) That 152 local councils in NSW currently have a combined infrastructure backlog of \$7.2 billion.
2. Calls on the Federal Government to immediately abandon its decision to freeze the indexation of Financial Assistance Grants and reinstate the \$1 billion of

previously promised funding to Local Governments across Australia.

3. forward this as a motion to LGNSW for the 2014 Conference.

**MOTION: (Matson/Garcia) CARRIED - SEE RESOLUTION.**

**NM63/14 Notice of Motion from Cr Matson - Mistreatment of land on the heritage and agricultural land of the Chinese Market Site (F2004/07905)**

188/14

**RESOLUTION: (Matson/Seng) that Council:**

1. notes with concern, reports from local residents of illegal dumping and noxious weed coverage on the heritage and agricultural land of the Chinese Market Gardens Site, Lot 1079, and investigate the complaints with a report back to Councillors; and
2. calls on the State Government to return Lot 1079, currently under the management of the Botany Cemetery Trust, to market garden use consistent with RU4 Land Use Zoning.

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

Councillors Stavrinou and Andrews 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 Bowen	Councillor Stavrinou
Councillor D'Souza	Councillor Stevenson
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Smith	
<b>Total (12)</b>	<b>Total (3)</b>

**NM64/14 Notice of Motion from Cr Roberts - Proposed Extension of Light Rail past Maroubra Junction (F2004/08175)**

189/14

**RESOLUTION: (Roberts/Stavrinou) that:**

- a) Council reiterate its decision of 27 November 2012 "that Council adopt a position of in principal support for the further extension to Maroubra Junction of the proposed CBD to UNSW light rail" and writes to TfNSW requesting the CESLR be extended to Maroubra Junction and beyond.
- b) Council seek affirmation from the NSW Government that no Urban Activation Precincts will be justified or proposed on the basis that light rail is extended.
- c) Council undertake consultation with residents and businesses in Maroubra to establish their position in relation to an extension of the light rail to Maroubra

Junction.

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

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Andrews	Councillor Belleli
Councillor Bowen	Councillor Neilson
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Smith	
Councillor Stavrinis	
Councillor Stevenson	
<b>Total (13)</b>	<b>Total (2)</b>

**NM65/14 Notice of Motion from Cr Roberts - Business Electoral Roll (F2004/06586)**

190/14

**RESOLUTION: (Matson/Shurey)** that this matter be deferred for further consideration.

**MOTION: (Roberts/Andrews)** that:

1. Council conducts a public information campaign in early 2016 encouraging eligible businesses in the LGA to enroll to vote at the next local government elections.
2. this campaign is to include a letter written to every business in the LGA with an enclosed enrollment form and reply paid envelope.
3. Council write to the state government requesting a change in the legislation that would result in the requirement to have a permanent local government business electoral roll to be maintained.

**AMENDMENT: (Matson/Shurey) CARRIED AND BECAME THE MOTION.**

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:

<b>FOR</b>	<b>AGAINST</b>
Councillor Belleli	Councillor Andrews
Councillor Bowen	Councillor Nash
Councillor D'Souza	Councillor Roberts
Councillor Garcia	Councillor Seng
Councillor Matson	Councillor Smith
Councillor Moore	Councillor Stavrinis
Councillor Neilson	

Councillor Shurey	
Councillor Stevenson	
<b>Total (9)</b>	<b>Total (6)</b>

**MOTION: (Matson/Shurey) CARRIED – SEE RESOLUTION.**

**NM66/14 Notice of Motion from Cr Roberts - Cracker Night (F2007/00128)**

**MOTION: (Roberts/Stavrinos)** that Council write to David Elliott MP, Member for Baulkham Hills, expressing its support for his Private Members Bill calling on the return of Cracker Night. **LOST.**

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Roberts	Councillor Andrews
Councillor Smith	Councillor Belleli
	Councillor Bowen
	Councillor D'Souza
	Councillor Garcia
	Councillor Matson
	Councillor Moore
	Councillor Nash
	Councillor Neilson
	Councillor Seng
	Councillor Shurey
	Councillor Stavrinos
	Councillor Stevenson
<b>Total (2)</b>	<b>Total (13)</b>

**NM67/14 Notice of Motion from Cr Garcia - Revitalisation of Public Art in Randwick City (F2009/00424)**

191/14

**RESOLUTION: (Garcia/Bowen)** that Council:

1. confirms its belief that public art revitalises public space and facilitates engagement within the community;
2. confirms its belief that public art raises a town centre's profile and improves economic outcomes;
3. confirms its belief that public art creates strong sense of cultural and historical identity;
4. agrees that the cultural and historical identity of Randwick city is threatened by a number of state government initiatives including, for example, (a) recommendations that local government is amalgamated in the area and (b) the intended desecration of High Cross Park;
5. request Council Officers to draw up a list of historical figures, events and places that Randwick City Council may want to memorialise through public art.

**MOTION: (Garcia/Bowen) CARRIED - SEE RESOLUTION.**



**NM68/14 Notice of Motion from Cr Bowen - High Cross Park (F2013/00263)**

192/14

**RESOLUTION: (Bowen/Andrews)** that, given the recent announcement from the state government that the proposed light rail terminus at High Cross Park will not be re-located to a Prince of Wales Hospital stop and terminus, Council urgently:

- a) appoint an expert heritage consultant to provide a report on the impact of the proposed terminus at High Cross Park and the Randwick High Cross Heritage precinct generally;
- b) appoint an expert environment consultant to provide a specialist report on the existing environmental heritage at High Cross Park, with particular emphasis on the value of the existing mature trees at High Cross Park;
- c) obtain urgent legal advice from senior counsel as to possible challenges to the state government's decision to make use of High Cross Park as a public transport interchange, with the procurement of such advice to have regards to any timing issues about bringing a challenge.
- d) a consultative committee of 3 Councillors (from each of the ALP, Liberal and Greens parties) be formed to select the relevant experts and senior Counsel at (a) – (c) above.

**MOTION: (Bowen/Andrews) CARRIED - SEE RESOLUTION.**

**NM69/14 Notice of Motion from Cr Bowen - Kingsford Parking (F2013/00263)**

This matter was dealt with earlier in the meeting in conjunction with MM51/14 (see page 4 of these minutes)

**Confidential reports (closed session)**

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

**Closed Session****GM21/14 Late confidential - Review of the management and overall performance of Council's Information Services Department (F2005/00524)**

*This matter is considered to be confidential under Section 10A(2) (a) Of the Local Government Act, as it deals with personnel matters concerning particular individuals*

193/14

**RESOLUTION: (Andrews/Roberts)** that:

- a) Council notes the review of the management and overall performance of the Information Services Department;
- b & c) Council notes and endorses the actions taken by the General Manager, as outlined in the report and recommendation, with respect to the position of Director Governance & Financial Services (for reasons of confidentiality);
- d) Council adopts the proposed new organisational structure as outlined in the report; and
- e) Council requires the General Manager to report to Council on the progress of the new organisational structure.

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

**CS8/14 Confidential - Tender for Brook Street Bridge, Coogee, Maintenance Works - No. T2014-17 (F2013/00491)**

*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.*

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194/14 **RESOLUTION: (Andrews/Roberts) that:**

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Thomas Contracting Pty Ltd be accepted as the successful tenderer for Tender T2014-17;
- 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: (Andrews/Roberts) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**CS9/14 Confidential - Tender for 31 Ireton Street, Malabar, Retaining Wall and Associated Works - No. T2014-18 (F2013/00495)**

*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.*

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195/14 **RESOLUTION: (Andrews/Roberts) that:**

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, United Crib Blocks Pty Ltd be accepted as the successful tenderer for Tender T2014-18;
- 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: (Andrews/Roberts) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**GF44/14 Confidential - Tender for Bushland Regeneration Services - No. T2014-08 (F2013/00532)**

*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.*

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196/14 **RESOLUTION: (Andrews/Roberts) that:**

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Bush Habitat Restoration Co-operative, Toolijooa Pty Ltd, Waratah Eco Works, Dragonfly Environmental Pty Ltd, Sydney Bush Regeneration, and Bushland Management Solutions Pty Ltd be accepted as the successful tenderer(s);

- b) the General Manager, or delegated representative, be authorised to enter into preferred supplier agreements with these tenderers for a period of 3 years, with 2 optional 1 year extensions; and
- c) the unsuccessful tenderers be notified.

**MOTION: (Andrews/Roberts) CARRIED UNANIMOUSLY - SEE RESOLUTION.  
GF45/14 Confidential - SSROC Tender for the Provision of Fire Safety  
Services - No. S2014-01 (F2013/00500)**

*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.*

197/14 **RESOLUTION: (Andrews/Roberts) that:**

- a) under Regulation 178 (1)(a) of the Local Government (General) Regulation 2005, Council accepts the tender submissions offered by Newsound Fire Services, Tyco Australia T/A Wormald, Alliance Alarms Fire Systems, Universal Fire Protection, Hirotec Maintenance and Metro Fire Services; and
- b) the General Manager, or delegated representative, be authorised to enter into a preferred supplier agreement with these recommended suppliers for a period of three (3) years, with two (2) optional one (1) year extensions.

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

**GF46/14 Confidential - Randwick City Council Operational Plan and Budget  
2014-15: Confidential Fees and Charges (F2014/00149)**

*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.*

198/14 **RESOLUTION: (Andrews/Roberts) that the recommended Confidential Fees and Charges 2014-15 be adopted for the 2014-15 financial year.**

**MOTION: (Andrews/Roberts) CARRIED UNANIMOUSLY - 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 S Nash, declared the meeting closed at 11:15pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 22 July 2014.**

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**CHAIRPERSON**