

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

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF THE  
COUNCIL OF THE CITY OF RANDWICK HELD ON  
TUESDAY, 29 JULY 2014 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 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 | - Councillor T Seng                           |

**Officers Present:**

General Manager	Mr R Brownlee
Director City Planning	Ms S Truuvert
Acting Director Governance & Financial Services	Mr G Byrne
Manager Administrative Services	Mr D Kelly
Communications Manager	Mr J Hay
Manager Organisational Staff Services	Mr J Keech
Manager Corporate and Financial Planning	Mr M Woods
Manager Corporate Improvement	Ms A Warner
Manager Integrated Transport	Mr T Lehmann

**Prayer & Acknowledgement of Local Indigenous People**

The Council Prayer was read by Cr Bowen. The Acknowledgement of Local Indigenous People was read by Cr Matson.

**Apologies/Granting of Leave of Absences**

Apologies were received from Crs Garcia and Stevenson.

**RESOLVED: (Neilson/Bowen)** that the apologies received from Crs Garcia and Stevenson be accepted and leave of absences from the meeting be granted.

**Declarations of Pecuniary and Non-Pecuniary Interests**

All Councillors declared a non significant non pecuniary interest in Item GM 23/14 as they know a former Councillor who spoke on this matter.

## 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:

### GM23/14 THE LIGHT RAIL PROJECT - PROPOSED AMENDMENTS TO THE DEVELOPMENT AGREEMENT WITH TfNSW

<b>Against</b>	Margaret Hogg
<b>Against</b>	Dr Guy Paton
<b>Against</b>	Margery Whitehead
<b>Against</b>	Rona Wade
<b>Against</b>	Dr Mike Lambros

## Mayoral Minutes

### MM57/14 Cr Scott Nash - Fair Go for Kingsford, Fair Go for Randwick (F2004/08175)

**MOTION: (Mayor, Cr S Nash)** that South Juniors (i.e. The Juniors) and the Kingsford Chamber of Commerce be invited to sign a MOU (Memorandum of Understanding) with the Council for the mutual objectives of:

- 1) Working with the State Government to acknowledge the benefits of the CBD to South East Light Rail project and to facilitate its progression in Kingsford;
- 2) Better publicizing the responsible and reasonable light rail mitigation initiatives that the three co-signers are pursuing in Kingsford via the Council's Light Rail Support Plan Committee;
- 3) Acquiring the Government owned land at the old Kingsford Market site on fair and reasonable terms for the benefit of the businesses and residents of Kingsford;
- 4) To plan and promote the building of a parking facility on the Kingsford Market site to mitigate parking losses from the CBD to South East light Rail project; and
- 5) To run a media and advertising campaign under the slogan "Fair Go For Kingsford, Fair Go For Randwick" to support the attainment of these objectives.

Note: The meeting lapsed due to a lack of a quorum at 8.25pm and was resumed at 8.35pm where the Mayor withdrew his mayoral minute.

## Urgent Business

Nil.

## General Manager's Report

### GM23/14 General Manager's Report - The Light Rail Project - Proposed Amendments to the Development Agreement with TfNSW (F2013/00263)

A rescission motion on this item was submitted by Councillors Belleli, Bowen & Moore in accordance with Council's Code of Meeting Practice and will be considered at the next available meeting.

226/14

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

- (a) Council adopts the following positions in relation to the following issues:

1. The High Cross Park Interchange and Prince of Wales Hospital Stop - insert into the Development Agreement: "Randwick City Council will be scoping out a proposal known as "Feasible Interchange Alternatives" relating to the Randwick interchange/terminus, including acquisition and development of property on the north side of High Street, between Avoca and Clara Streets and on the east side of Belmore Road opposite High Cross Park between Avoca Street and Coogee Bay Road. TfNSW will consider this proposal once developed by Randwick City Council.
2. The proposed Randwick Stabling Facility (at 66a Doncaster Avenue) and identified future community centre – insert into the Development Agreement:
  - TfNSW will ensure that heavy maintenance be precluded at the Randwick Stabling Facility (and insert definition of "heavy maintenance");
  - Delete Item 1.2A.1 of Schedule 7; and
  - TfNSW notes Randwick City Council's interest in the land for the purposes of the Land Acquisition (Just Terms Compensation) Act 1991.
3. Undergrounding of power along Anzac Parade – No amendments necessary as planning approval addresses this issue and the issue is also addressed by issue "6" below.
4. Sale/transfer of Rainbow Street site to Council – Insert into the Development Agreement:
  - TfNSW will transfer ownership of the site to Randwick City Council at market value assessed at the date of the Development Agreement. (It is noted that the ownership was transferred in January 2014 for \$9.5 million);
  - TfNSW will allow Council to make instalment payments for the purchase price over a period of 5 years from the date of the Development Agreement;
  - There will be a delayed settlement, or alternatively a leaseback from Randwick City Council to TfNSW, so that the site can be used for its intended purpose as a construction compound for the project, with the effect that unencumbered ownership of the site will vest in Council upon practical completion of the project.
5. Rainbow Street Construction Compound – insert a note that Randwick City Council will provide any alternative site at Nil cost for use during the construction period of the project.
6. The status of Council's Urban Design Guidelines – insert "option 1" into clause 6.2.c.i on page 12 of the agreement which states "Where reasonably practicable, the project will be designed to implement Randwick City Council's Urban Design Guidelines in respect of the Public Domain, to the extent not inconsistent with the Planning Approval" (or the scope of the project). The deletion of schedule 8 of the agreement.
7. Retaining 100-120 parking spaces on Anzac Parade (from Alison Road to Darling Street) - no amendments necessary as TfNSW has already agreed to Council's request.
8. Concern in relation to tree losses – insert into the Development Agreement a clause which reads "TfNSW will ensure that a tree management process

be developed and implemented that if Council and TfNSW's tree experts do not agree on the extent of removal or limbing of trees, an independent arborist will review and make a determination."

9. Traffic modelling - no amendments necessary.
  10. Bus changes – no amendments necessary.
  11. Kingsford Nine-Ways intersection – no amendments necessary as issue dealt with in issue "6" above.
- b) Council advises TfNSW of the amendments sought for the draft Development Agreement proposed by TfNSW.
- c) a report be brought to Council with TfNSW response to these matters and consideration of the proposed Development Agreement.

**MOTION: (Smith/Matson) 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 Belleli
Councillor Matson	Councillor Bowen
Councillor Nash	Councillor D'Souza
Councillor Roberts	Councillor Moore
Councillor Seng	Councillor Neilson
Councillor Shurey	
Councillor Smith	
Councillor Stavrinou	
<b>Total (8)</b>	<b>Total (5)</b>

**AMENDMENT: (Bowen/Moore)** noting negotiations with the TfNSW regarding the development agreement have reached an advanced stage, and that Council is awaiting heritage studies and legal advice regarding High Cross Park which the Council has resolved is not negotiable, that Council make use of the time available until the studies are completed and the advice received and thereby defer consideration of the development agreement until the completion of the following: -

- 1) Council put the proposed development agreement, together with suggested changes, out to community consultation and seek input from all residents, ratepayers, businesses, chambers of commerce, precinct committees, community organisations and stakeholders in regard to both the development agreement as proposed and suggested changes;
  - 2) Councillors to provide any further suggested changes to the General Manager within seven days; and
  - 3) the consultation referred to above to conclude within a further two months.
- 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 Belleli	Councillor Andrews
Councillor Bowen	Councillor Matson

Councillor D'Souza  
Councillor Moore  
Councillor Neilson

Councillor Nash  
Councillor Roberts  
Councillor Seng  
Councillor Shurey  
Councillor Smith  
Councillor Stavrinou

**Total (5)**

**Total (8)**

**AMENDMENT: (Neilson/Bowen)** that Council write to the Premier of NSW to request the necessary funding be provided to Randwick City Council to accompany the light rail support plan measures and public domain improvements over the next five years to accompany the introduction and the operation of the light rail. **LOST.**

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

**FOR**

Councillor Belleli  
Councillor Bowen  
Councillor D'Souza  
Councillor Moore  
Councillor Neilson

**AGAINST**

Councillor Andrews  
Councillor Matson  
Councillor Nash  
Councillor Roberts  
Councillor Seng  
Councillor Shurey  
Councillor Smith  
Councillor Stavrinou

**Total (5)**

**Total (8)**

**RESOLVED: (Procedural Motion) (Smith/Matson)** that the motion be put.

### Notice of Rescission Motions

A rescission motion on item GM23/14 - The Light Rail Project - Proposed Amendments to the Development Agreement with TfNSW, was submitted by Councillors Belleli, Bowen and Moore in accordance with Council's Code of Meeting Practice and will be considered at the next available meeting.

There being no further business, His Worship the Mayor, Cr S Nash, declared the meeting closed at 8.36pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 26 August 2014.**

.....  
**CHAIRPERSON**