

**ORDINARY COUNCIL MEETING
SUPPLEMENTARY BUSINESS PAPER**

MAYORAL MINUTES

TUESDAY 26 AUGUST 2014

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ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Council Meeting of the Council of the City of Randwick will be held in the Council Chamber, First Floor, 90 Avoca Street, Randwick on Tuesday, 26 August 2014 at 6:00pm.

Mayoral Minutes

MM57/14	Councillors Ted Seng & Murray Matson - Acknowledgement of Twenty Years' Service to Randwick City Council.....	1
MM58/14	Request for Council Support for White Balloon Day	3
MM59/14	Maroubra Diggers Swimming Club - Waiving of Fees	5
MM60/14	324 (City of Randwick) Squadron Australian Airforce Cadets - celebrating 60 years	7
MM61/14	Light Rail - Randwick interchange location	9
MM62/14	Randwick Community Race Day	11
MM63/14	Randwick Petersham Cricket Club - Hosting of Cricket Ireland	15
MM64/14	Draft Development Agreement - Negotiations	17

Confidential Late General Manager's Report

GM27/14	Senior Counsel's advice on possible challenge to use of High Cross Park as a public transport interchange <i>This matter is considered to be confidential under Section 10A(2) (g) Of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.</i>	
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Mayoral Minute No. MM57/14



Subject: Councillors Ted Seng & Murray Matson
- Acknowledgement of Twenty Years'
Service to Randwick City Council

Folder No: F2004/06577

Author: Councillor Nash, Mayor

Introduction

It gives me great pleasure to advise that 2015 will mark twenty years' outstanding service to the Randwick City community provided by Councillors Ted Seng and Murray Matson. The purpose of this mayoral minute is to seek Council approval to recognise this tremendous and quite rare achievement by undertaking some form of recognition ceremony at the 2015 Australia Day Ceremony to be held at the Prince Henry Centre.

Issues

Councillors Ted Seng and Murray Matson began their careers with Randwick City Council on 9th September, 1995. Outstanding service to their respective political parties and, more importantly, to their local communities resulted in both being elected as Mayor of Randwick City Council in 2005/06 (Cr Seng) and in 2004/05 & 2010/11 (Cr Matson).

Both Councillors' efforts have been instrumental in transforming Randwick City Council into a leader in Local Government, a leader in the community and an employer of choice. They have also been heavily involved in ensuring Randwick City Council is one of the few NSW Councils that are in a strong financial position with a positive outlook going forward.

Financial impact statement

There is no direct financial impact for this matter.

Conclusion

Given their outstanding contributions to Council and the community over such an extended period of time and that such an achievement is extremely rare in the local government industry, I seek Council's support in recognising the efforts of Councillors Ted Seng & Murray Matson at the 2015 Australia Day Ceremony.

Recommendation

That Council recognise twenty years' outstanding service by Councillors Ted Seng and Murray Matson by undertaking some form of recognition ceremony at the 2015 Australia Day Ceremony to be held at the Prince Henry Centre.

Attachment/s:

Nil

MM57/14

Mayoral Minute No. MM58/14



Subject: Request for Council Support for White Balloon Day

Folder No: F2005/00401

Author: Councillor Nash, Mayor

Introduction

A request has been received from Mr Ray Hadley, Ambassador of the Bravehearts Organisation, to show its support for Braveheart's signature event, White Balloon Day being held on Friday 12 September 2014 during National Child Protection Week.

Issues

The sad reality is that currently one in five children will be sexually assaulted in some way by the time they turn eighteen. This equates to 59,000 children each and every year, which is completely unacceptable in modern society. The first step towards reducing this alarming statistic is awareness about the problem, so Council should set an example and get right behind this most worthy community event.

White Balloon Day is a national day of support, awareness and fundraising to protect Australian children against child sexual assault. It is proposed that Council show its support through the displaying of white balloons on our premises, and a "Wear White Day" which will involve raising money through donations from staff and visitors to Council.

Financial impact statement

There is no direct financial impact for this matter.

Conclusion

As local government government is the closest tier of government to the people, we as a Council need to make child protection a priority in our community. With initiatives such as this we can make huge steps forward in child protection in NSW.

Recommendation

That Council show its support for Braveheart's signature event, White Balloon Day being held on Friday 12 September 2014 through the displaying of white balloons on our premises, and a "Wear White Day" which will involve raising money through donations from staff and visitors to Council.

Attachment/s:

Nil

MM58/14

Mayoral Minute No. MM59/14



Subject: Maroubra Diggers Swimming Club -
Waiving of Fees

Folder No: F2010/00214

Author: Councillor Nash, Mayor

Introduction

Correspondence has been received from Mr Rod Royston, President of Maroubra Diggers Junior Swimming Club, requesting the waiver of hire fees for the use of the Des Renford Aquatic Centre to hold two zone carnivals in November and December 2014.

Issues

The Maroubra Diggers Junior Swimming Club is a not for profit organisation that has been utilising the Des Renford Aquatic Centre for over thirty years on a weekly basis between October and March each year. This year they wish to invite a number of clubs to Des Renford Aquatic Centre to hold two zone swimming carnivals which will attract approximately 250 people to each event.

These events are both scheduled for outside normal operating hours of the facility. They will commence at 6.00pm in the evening and conclude at 9.30pm. The hire fees for the use of the facility for both dates is \$1,020.00.

The facility will incur increased staff and operating costs due to the after hours nature of these events. There will be no impact on the normal daily facility events.

Financial impact statement

In the event that Council accepts the report recommendation, the direct financial implication to Council will be \$1,020.00 which will be funded from the 2014-15 Contingency Fund.

Conclusion

It is considered that Council should support this request from Maroubra Diggers Junior Swimming Club to waive the fees to hire the Des Renford Aquatic Centre for two zone swimming carnivals in November and December 2014 to the value of \$1,020.00. The normal facility spectator fees still apply to all non competitors to assist the facility in recovering the increased costs of operating outside of normal hours.

Recommendation

That:

- a) Council vote \$1,020.00 from the 2014-15 Contingency Fund to cover the swimming carnival hire fees at the Des Renford Aquatic Centre by the Maroubra Diggers Swimming Club.
- b) The organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.

MM59/14

- c) That normal facility spectator fees apply for all non competitors.

Attachment/s:

Nil

MM159/14

Mayoral Minute No. MM60/14



Subject: 324 (City of Randwick) Squadron
Australian Airforce Cadets -
celebrating 60 years

Folder No: F2013/00014

Author: Councillor Nash, Mayor

Introduction

The 324 (City of Randwick) Squadron Australian Air Force Cadets, a youth development organisation sponsored by the Department of Defense operating within the City of Randwick, is celebrating their 60th anniversary later this year. Given the significant and long standing contribution of the unit throughout Randwick during the past 60 years, the unit has requested permission for a Freedom of Entry Parade to be held in Alison Park.

I have also received a letter from Bruce Notley-Smith (State Member for Coogee) informing Council of this marvelous achievement as well as requesting that Council send a letter of congratulations to the Squadron, honoring the milestone and recognising their continual service to the Eastern Sydney community.

Issues

The proposed parade is a dignified means for Council to honour a defence unit and assist in effecting a desirable liaison between Council and the armed services. The Parade is historically and culturally significant. Historically an armed body of men seeking admittance to a city was challenged at the city's gate by the city's official to ensure their peaceful intentions.

The order of the ceremony for a Freedom of Entry parade would be as follows:

- the unit moves on parade from Council Car Park Avoca Street to Alison Park, with its Colours and bayonets fixed;
- the unit commences its entry to the city and is challenged by a senior police officer (acting in the capacity of the City Marshal);
- the unit forms up an inspection line in Alison Park;
- the unit receives the official guests;
- the Mayor inspects the parade as the Reviewing Officer;
- the Mayor addresses the parade;
- the Mayor presents a scroll proclaiming the 'Freedom of Entry to the City of Randwick'
- the unit gives a general salute to the citizens of the City;
- the official guests depart; and
- the unit continues its march and then disperses.

At the completion of the parade and inspection, the Department of Defense will provide a number of small coaches to transport invited guests to the Officer's Mess located at Randwick Barracks where refreshments will be served.

It is customary for Council to write an official letter of invitation to the Regiment requesting the Freedom of Entry Parade to take place. In addition to other activities, the unit will be looking to replace its 6 current ceremonial swords which are over 20 years old. The unit is actively seeking community sponsorship for these swords with a

MM60/14

goal of having each engraved with the name of the organisation that donated the sword as a lasting reminder of their 60th anniversary. As such, the 324 Squadron has requested the Council to sponsor a 'Sword of Excellence' (valued at approximately \$400). This would include an engraved inscription proclaiming the sword's purpose on the blade. It is suggested that this sword be presented by a Council representative on an annual basis during the annual parade to the Senior Cadet who has best represented the core goals of the Australian Air Force Cadets, namely by displaying 'Leadership, Initiative, Self-Discipline and Self Reliance'.

In addition to the sponsorship of the Sword of Excellence, a further amount of \$600.00 is requested by the Squadron to cover the cost of providing trophies over the next five years.

Financial impact statement

If the report recommendation is adopted, the cost to Council will be as follows:

Freedom of Entry Parade Site Infrastructure Hire	\$6,000
Audio Visual, Power, Lectern, Dias for Reviewing Officer	\$1,500
One off sponsorship of ceremonial sword and Mayor's Trophies	\$1,000
Design and printing of Scroll	\$300
Preparation and implementation of Traffic Management Plan	\$2,300
Total:	\$11,100

This amount, if adopted, will be funded from the 2014-15 Contingency Fund.

Conclusion

In recognition of the the 324 (City of Randwick) Squadron Australian Air Force Cadets' 60th Anniversary achievement and contribution to the community, it is appropriate for Council to host a Freedom of Entry Parade on Sunday 14 December 2014 at Alison Park, as well as sponsoring a Sword of Excellence and Mayor's trophies over 5 years.

Recommendation

That:

- a) Council agree to host the Freedom of Entry Parade at Alison Park on 14 December 2014, and provide all necessary infrastructure and equipment for the event as detailed in the report.
- b) The Mayor to send an official invitation to the 324 (City of Randwick) Squadron Australian Air Force Cadets inviting them to perform the Freedom of Entry Parade, as well as a letter of congratulations on reaching this significant milestone, and for its continual service to the Eastern Sydney community.
- c) Council sponsor the purchase of a ceremonial sword and the Sword of Excellence Trophies for the next five years
- d) That the Council's financial contribution totalling \$11,100 be funded from the 2014-15 Contingency Fund.

Attachment/s:

Nil

Mayoral Minute No. MM61/14



Subject: Light Rail - Randwick interchange location

Folder No: F2013/00263

Author: Councillor Nash, Mayor

Introduction

Following discussions on feasible alternatives to the light rail interchange at High Cross Park at the last Council meeting on 22 July 2014, I am responding to concerns that some alternative options may impact on medical practices in the area.

Issues

Council's resolution (Shurey/Matson) included investigating acquisition of property on the north side of High Street and the east side of Belmore Road for an alternative interchange location. Several of these properties are occupied by medical practices.

To avoid disruption to these practices, and to support the ongoing provision of health services to the community in accessible locations, I recommend that options prepared as feasible interchange alternatives exclude acquisition of medical practices.

I must stress that Council's position at this early stage is only to scope out proposals for an alternative interchange location. Any options that Council identifies as a result of the implementation of Council's resolution (Shurey/Matson) will be subject to rigorous analysis and consideration.

In my opinion, the only way, as a Council, that we can seek to justify an alternative interchange location is to have the information and studies we need so that we can present these to Transport for NSW for its consideration.

This is not going to be a straight forward and easy process. But if we are genuinely going to try and locate and justify an alternative Randwick interchange design, Council's resolution (Shurey/Matson) needs to be implemented. As further information comes to light, it may be necessary to continue to refine this process.

Financial impact statement

There is no direct financial impact for this matter.

Conclusion

Feasible light rail interchange alternatives should concentrate on the use of High Street, in locations with good access to the main (High Street) entry to the Randwick Hospitals complex, avoiding acquisition of medical practices.

Recommendation

That Council's package of feasible interchange alternatives to High Cross Park exclude the acquisition of medical practices (including healthcare and paramedical practices, regardless of whether they are co-located with medical practices or otherwise) on High Street and Belmore Road, with the intent to concentrate on the use of High Street in locations with good access to the main (High Street) entry to the Randwick Hospitals complex.

MM61/14

Attachment/s:

Nil

MM61/14

Mayoral Minute No. MM62/14



Subject: Randwick Community Race Day
Folder No: F2007/00128
Author: Councillor Nash, Mayor

Introduction

The inaugural Randwick Community Race Day was held on Saturday 23 August 2014 at Royal Randwick Racecourse. More than 3,100 residents and ratepayers pre-registered for a free double pass to attend the event, with free entry for all children.

Issues

In May 2014, Council resolved to partner with the Australian Turf Club for the Randwick Community Race Day. This included printing and including a flyer in Council's July rates notice sent to all ratepayers, offering free entry to the Randwick Community Race Day. The race day focused on 'family fun' and had activities for children, including face painting, arts and craft, a jumping castle and pony rides.

Despite the wet weather, which may have affected attendance rates, there was a good turnout from the Randwick City community. Hundreds of families visited the Council information stall on the day to thank Council for our involvement in the Community Race Day initiative. Based on their feedback, for many of our residents this was the first opportunity to visit the iconic destination. Racegoers also commended Council's environmental efforts, with giveaway of our banner bags (recycled street banners, approximately 300 given to children and families) and plant giveaway (approximately 200) both proving extremely popular.

The eight race line up at Randwick Community Race Day included a feature race in Randwick Council's name, the Randwick City Mayor's Cup, and I had the pleasure of being involved in the trophy presentation for this race.

The Randwick Community Race Day was promoted within the local community – in addition to the flyer that was distributed to Randwick City ratepayers.

This promotion included:

- front page of Council's August Community Newsletter distributed to 55,000 homes
- three features in Randwick eNews distributed to more than 11,000 subscribers
- social media promotion on Facebook and Twitter
- media coverage in the Southern Courier

As a partner in this event, Council received the following from the Turf Club:

- opportunity for a Council stall on the day
- promotion on the Australian Turf Club website and their social media channels.
- a Randwick City Council branded sash for the presentation of the Randwick City Mayor's Cup,
- a Race Book advertisement placed adjacent to the race details (which was used to promote Council's brand new website); and

MM62/14

- Promotion of Council activities on large screens throughout the day.

Financial impact statement

Council contributed approximately \$2,000 to this event which covered printing the rates notice flyer, installing a horizontal banner on Alison Road and hiring a stall on the day.

Conclusion

Council works closely with many stakeholders within our City, including the Health and Education precincts. Similarly, we support smaller community and sporting groups by offering both financial and in-kind assistance.

By partnering with the Australian Turf Club for the Randwick Community Race Day, we have e strengthened our relationship with an important local stakeholder and provided an opportunity for our residents and ratepayers to have a free, fun day out at a local, world-class sporting destination. Council's motto, 'a sense of community' was certainly felt on the day.

Recommendation

That:

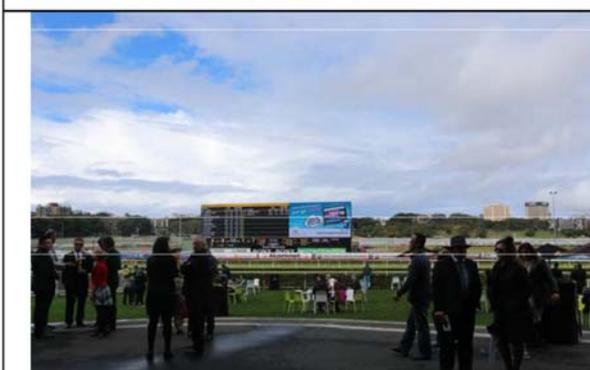
- a) Council notes the success of the Randwick Community Race Day and congratulates Council staff involved in the organisation and promotion of the event; and
- b) Council commences discussions with the Australian Turf Club with a view to considering making the Community Race Day an annual event.

Attachment/s:

1. Snapshots from Randwick Community Race Day

MM62/14

MM62/14



Mayoral Minute No. MM63/14



Subject: Randwick Petersham Cricket Club -
Hosting of Cricket Ireland

Folder No: F2014/00096

Author: Councillor Nash, Mayor

Introduction

Correspondence has been received from the Randwick Petersham Cricket Club Inc advising that they will be hosting the Ireland Cricket Team and will be assisting them with their preparations for the Cricket World Cup in February 2015. A meeting was held with myself and the President of the Randwick Petersham Cricket Club, Mr. Michael Whitney and Mr. John Stuart requesting in kind support and financial assistance from the Council.

Issues

The Randwick Petersham Cricket Club advised the following:

"A fortnight ago we received confirmation from Cricket Ireland that they are planning to be in Sydney a week before the warm up period of the Cricket World Cup and will train at Coogee Oval between the 2 and 5 February 2015 and play a warm up match against the Randwick Petersham Cricket Invitational XI on the 6 February 2015 at Coogee Oval. We believe this will greatly benefit the City of Randwick, the development of cricket in the east and cement cricketing ties between Randwick Petersham and Ireland"

In their correspondence, the following support has been requested:

- Advertising of event via Council website, libraries, community centres, etc.
- Flags (street banners) on Arden Street and the Kingsford Roundabout.
- Horizontal street banners at all four locations.
- Signage outside Coogee Oval welcoming Cricket Ireland.
- Cleaning of dressing rooms
- Financial Assistance of \$10,000.00
- Civic Reception hosted by the Mayor

The Randwick Petersham Cricket Club requested the hire of the street banners advertising the visit of Cricket Ireland to go up for a period beginning January 2015 to 8 February 2015. Council can only assist with this request from 27 January to 8 February as the Australia Day banners are up for the time period prior to that. Only one horizontal street banner at the Anzac Parade and Bunnerong Road, Kingsford site is available.

The cricket club has also requested financial assistance to the value of \$10,000 towards accommodation and the preparation of the cricket wicket each day. Council can assist with the preparation for the wicket each day but cannot provide cash contribution towards Cricket Ireland's accommodation. The following in kind support will be provided:

MM63/14

TYPE	IN/KIND CONTRIBUTION
Manufacture, installation, removal and hire of street flags on Arden Street x 12 from 27 January to 8 February 2015 x 2 weeks	\$3,478.86
Manufacture, installation, removal and hire of one banner at the Kingsford site (Anzac Parade and Bunnerong Road, Kingsford) x 1 week	\$1,813.00
Preparation of the cricket wicket x 5 days (2 – 6 February 2015)	\$2,500.00
Cleaning of dressing room and waste disposal x 5 days	\$ 900.00
TOTAL:	\$8,691.86

Financial impact statement

If the recommendation is adopted, the in kind contribution to the value of \$8,691.86 will be provided from the 2014/2015 Contingency Fund.

Conclusion

The visit by Cricket Ireland and the match played on 6 February 2015 between Randwick Petersham Cricket Club Invitational XI and Cricket Ireland would provide local residents and visitors alike an opportunity to experience a sporting event of this nature in their local area and may provide extra income to the local businesses.

Recommendation

That:

- a) Council supports the visit from Cricket Ireland in February 2015;
- b) Council assists with in kind support to the value of \$8,691.86 to be funded from the 2014/2015 Contingency Fund.
- c) The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.
- d) The Mayor or his representative is given the opportunity to address the event on behalf of Council.
- e) Council advertises the visit by Cricket Ireland on Council's website.
- f) Council supply barricades for parking in Brook Street, Coogee for the team coach and media vehicles each day.
- g) An afternoon tea be organised by Council for the visiting Ireland Cricket Team.

Attachment/s:

Nil

Mayoral Minute No. MM64/14



Subject: Draft Development Agreement - Negotiations

Folder No: F2013/00263

Author: Councillor Nash, Mayor

Introduction

The purpose of this Mayoral Minute is to update Councillors on negotiations relating to the draft Development Agreement.

As Councillors are aware, one of the main purposes of the Development Agreement is to secure additional benefits for Council arising from the construction of the light rail project.

Issues

I have been negotiating directly with TfNSW to seek amendments to the Development Agreement to reflect Council's position resolved on 22 July 2014 (I note a rescission motion was lodged in relation to the resolution).

I can now advise Councillors that TfNSW has generally agreed to amend the Development Agreement to reflect Council's position resolved on 22 July 2014 (subject to the rescission motion).

Provisions on pages 81, 82, 87, 88 and 90 of Schedule 7 of the draft Development Agreement are highlighted to draw your attention to specific matters covered in this Minute.

Councillors will recall that an updated draft of the Development Agreement was circulated on 12 August 2014. Subsequent to that draft document, further amendments were made to the Development Agreement as follows:

1. TfNSW has now also agreed under the draft Development Agreement to modify the planning approval for the light rail project to reflect Council's alternative location for the Randwick interchange should it be demonstrated to TfNSW that such alternative is feasible; and
2. The Development Agreement will note that Council may want to lodge a claim for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991* in relation to the Light Rail Randwick stabling facility.

The latest draft of the Development Agreement has been circulated to Councillors. I can confirm that TfNSW has said in writing that it would be prepared to sign this Agreement.

There has been an extensive history of community consultation in relation to the issues the subject of the Development Agreement. For the information of Councillors, I have attached to this Mayoral Minute a document outlining this history.

Financial impact statement

There is no direct financial impact for this matter.

Conclusion

It is my view that Council should now sign the Development Agreement. If Council does not sign the Development Agreement, Council's risks are as follows:

1. The Rainbow Street site will be tendered or auctioned and Council will not be able to secure the site to construct a car park;
2. We will lose the ability to legally and contractually force TfNSW to consider relocating the Randwick interchange from High Cross Park (in this regard, I note TfNSW can simply serve a notice on Council and acquire High Cross Park. In addition, I again note TfNSW has now agreed to modify the planning approval to reflect an alternative location for the Randwick interchange);
3. TfNSW will not be required to put in place a tree management process where, amongst other things, an independent arborist could be appointed by TfNSW and Council to review a disputed decision; and
4. We will lose the ability to allow parking on Anzac Parade, in Kensington, during non-peak periods.

The Development Agreement also provides the following benefits:

- It acknowledges Council's contribution to the light rail project
- There are contractual defects liability rights and indemnities
- There are conditions for works site access:
 - access is at TfNSW risk with no Council liability
 - provision for rectifying damage and handover of assets back to Council
- Cleaning and maintenance obligations on TfNSW:
 - performance levels and timeframes
 - graffiti removal and light rail station maintenance commitments
- Permanent light rail assets:
 - documentation and handover of Council assets such as signs, kerb lines, poles and drainage
- Technical requirements:
 - specific design and technical standards
 - includes public domain, planting, flooding and drainage
 - provision of electronic traffic model to Council

The only way to eliminate the risks I have identified above and secure these additional positive outcomes for our local community is to enter into a contractual agreement with TfNSW in the form attached to this Mayoral Minute. The light rail project is a great project, and with these benefits, we can make the project even better.

Recommendation

That Council:

1. Note the content of this Mayoral Minute and incorporate it into Council's minutes as a record of its content (including the Chronology of Reports – Councillor Briefings);
2. Note the extensive history of community consultation in relation to the issues the subject of the Development Agreement;
3. Note the significant additional benefits it will enjoy by entering into the Development Agreement including, amongst other things:

- a. Acquisition (with no public auction or tender) of the Rainbow Street site from TfNSW at market value assessed as at the date of the Development Agreement;
 - b. TfNSW will need to consider relocating the Randwick interchange to High Street (and to modify the planning approval to reflect the alternative location);
 - c. Tree management processes which minimise potential for loss of trees; and
 - d. Provision of parking on Anzac Parade, in Kensington, during non-peak periods.
4. Enter into the Development Agreement with TfNSW in the form circulated on 26 August 2014, subject to the Acting General Manager being authorised to negotiate minor typographical and other amendments or to settle any legal drafting issues outstanding prior to execution.

Attachment/s:

1. Chronology of Reports - Councillor Briefings
2. Email from Chris Lock, TfNSW
Draft Development Agreement - circulated separately

Light Rail Project

Chronology of Reports/Councillor Briefings Relating to the Light Rail Project

D02150692

Date	Council Reports/Councillor Briefings
20 August 2013	Council Report and Councillor Briefing – Overview of the Light Rail project (e.g. planning process, key issues, recommendations, etc) (Report: D01869187, Resolution D01869187; Briefing: D01872593)
November 2013	EIS released
15 November 2013	Councillor Briefing on the EIS, seeking Councillors' comments on identified issues relating to the EIS (D02129006)
Planning Committee Meeting 3 December 2013	Council Report – Council's submission to the EIS (D01952934)
8 April 2014	Councillor Briefing on issues relating to the Development Agreement (e.g. stops, alignment and other key issues) (D02046800)
Ordinary Council Meeting 29 April 2014	Council Report <ul style="list-style-type: none"> • Incorporation of key issues in the Development Agreement • Endorsement of the RCC Light Rail Urban Design Guidelines • Allocation of \$68 million for the Light Rail Support Plan and public domain improvements (D02051768, Resolution D02064202)
	Mayoral Minute - High Cross Park and Wansey Road alignment (D02056588, Resolution D02064191)
Ordinary Council Meeting 24 June 2014	Council Report - Proposed Development Agreement between Council and TfNSW (deferred) (D02096251)
	Mayoral Minute –Update Report on the Development Agreement (D02102258, Resolution D02106494)
1 July 2014	Councillor Briefing on outstanding issues and proposed wording for the Development Agreement (D02110384)
Ordinary Council Meeting 22 July 2014	Council Report - Proposed Amendments to the Development Agreement (deferred) (D02115619)
Extraordinary Council Meeting 29 July 2014	General Manager's Report - Proposed Amendments to the Development Agreement (D02125718) Resolution (D02127439) - deferred to allow Councillors to consider further information received on this matter.
Ordinary Council Meeting 26 August 2014	Consideration of the Development Agreement