

**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, 23 SEPTEMBER 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            |
| 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:**

Acting General Manager	Ms S Truvert
Director City Services	Mr J Frangoples
Acting Director City Planning	Mr R Wereszczynski
Manager Development Assessment	Mr K Kyriacou
Director Governance & Financial Services	Mr J Smith
Acting Manager Administrative Services	Ms J Hartshorn
Manager Corporate and Financial Planning	Mr M Woods
Communications Manager	Mr J Hay
Communications Coordinator	Ms E Shanks

**Prayer & Acknowledgement of Local Indigenous People**

The Council Prayer was read by Cr Andrews. The Acknowledgement of Local Indigenous People was delivered by Aunty Barbara Simms-Keeley.

**Apologies/Granting of Leave of Absences**

An apology was received from Cr Smith.

**RESOLVED: (Neilson/Stavrinou)** that the apology received from Cr Smith 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 26 AUGUST 2014**

273/14 **RESOLUTION: (Seng/Andrews)** that the Minutes of the Ordinary Council Meeting held on Tuesday 26 August 2014 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting, subject to the addition of the following declaration of interest:

- v) Cr Seng declared a non-significant non pecuniary interest in Item NM76/14 as he is a member of South Juniors.

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY 2 SEPTEMBER 2014**

274/14 **RESOLUTION: (Andrews/Stavrinos)** that the Minutes of the Extraordinary Council Meeting held on Tuesday 2 September 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 Matson declared a non-significant non pecuniary interest in Items NM88/14 and NM90/14 as he knows former Councillor, Margery Whitehead.
- b) Cr Andrews declared a non-significant non pecuniary interest in Items NM88/14 and NM90/14 as he knows former Councillor, Margery Whitehead.
- c) Cr Andrews declared a significant non pecuniary interest in Item CP93/14 as he has a close relationship with the applicant. Cr Andrews will not be taking part in the debate or voting on this matter.
- d) Cr Neilson declared a non-significant non pecuniary interest in Item CP93/14 as some of the objectors are known to her.
- e) Cr Neilson declared a non-significant non pecuniary interest in Item CP96/14 as some of the objectors are known to her.
- f) Cr Garcia declared a pecuniary interest in NM91/14 as he is a Captain in the Australian Army Reserves posted to the Randwick Barracks. Cr Garcia will not be taking part in the debate or voting on this matter.
- g) Cr Bowen declared a non-significant non pecuniary interest in Item NM83/14 as he is a member of South Juniors.
- h) Cr Stevenson declared a non-significant non pecuniary interest in Item NM89/14 as he owns and operates a business in the city of Randwick.
- i) Cr Belleli declared a non-significant non pecuniary interest in Item NM83/14 as his wife is a member of South Juniors.
- j) Cr Stavrinos declared a non-significant non pecuniary interest in Item NM83/14 as he is a member of South Juniors.
- k) Cr Andrews declared a non-significant non pecuniary interest in Item NM83/14 as he is a member of South Juniors.
- k) Cr Roberts declared a non-significant non pecuniary interest in Item MM66/14 as he was, previously, an airforce officer.
- l) Cr Seng declared a non-significant non pecuniary interest in Item NM83/14 as he is a member of South Juniors.
- m) Crs Seng, Nash and Belleli declared a significant non pecuniary interest in Item CP93/14 as they were of the belief that Bruce Notley-Smith's State election campaign received a donation from the applicant. Crs Seng, Nash and Belleli indicated that they would not be taking part in the debate or voting on the matter
- n) Cr Matson declared a significant non pecuniary interest in Item CP96/14 as he knows some of the objectors. Cr Matson will not be taking part in the debate or

voting on this matter.

- o) Cr Belleli declared a significant non pecuniary interest in CP101/14 as he and his wife's dance school performs at the Maroubra Fun Run and Walsh's Pharmacy Christmas show. Cr Belleli will not be taking part in the debate or voting 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:

MM80/14 MAYORAL MINUTE – 2014 HARMONY WALK

**For** Ernie Friedlander (Moving Forward Together Association)

CP95/14 3 SEVERN STREET, MAROUBRA (DA/552/2013/A)

**Applicant** Alec Pappas – Architect representing the applicant

CP97/14 40 MARCEL AVENUE, RANDWICK (DA/326/2014)

**Objector** Sofocleis Michael

**Applicant** Con Harris – representing the applicant

GF58/14 2013-14 FINANCIAL STATEMENTS

**For** Gary Mottau – Spenser Steer Auditors

NM88/14 NOTICE OF MOTION FROM CR MOORE - PROPOSED KENSINGTON PARK - PLAN OF MANAGEMENT

**For** Margery Whitehead

NM90/14 NOTICE OF MOTION FROM CR MOORE - KENSINGTON COMMUNITY CENTRE - ENVIRONMENTAL SUSTAINABLE DESIGN

**For** Margery Whitehead

NM110/14 NOTICE OF MOTION FROM CR GARCIA - RECOGNITION OF INDIGENOUS AUSTRALIAN SOLIDERS

**For** Aunty Barbara Simms-Keeley

NM114/14 NOTICE OF MOTION FROM CR GARCIA - RECOGNITION FOR THE STOLEN GENERATION

**For** Aunty Barbara Simms-Keeley

The Meeting was adjourned at 7.10pm and was resumed at 7.28pm.

**RESOLVED: (PROCEDURAL MOTION) (Garcia/Stavrinos)** that all matters that were subject to addresses by the public be dealt with as the first items of business.

### **Mayoral Minutes**

**MM65/14 Mayoral Minute - Councillors Ted Seng & Murray Matson - Acknowledgement of Twenty Years' Service to Randwick City Council (DEFERRED) (F2004/06577)**

275/14

**RESOLUTION: (Mayor, Cr Nash)** that Council recognise twenty years' outstanding

service by Councillors Ted Seng and Murray Matson by undertaking some form of recognition ceremony at an appropriate time.

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

**MM66/14 Mayoral Minute - 324 (City of Randwick) Squadron Australian Airforce Cadets - celebrating 60 years (DEFERRED) (F2013/00014)**

276/14

**RESOLUTION: (Mayor, Cr Nash) 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.

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

**MM67/14 Mayoral Minute - Maroubra Diggers Swimming Club - Waiving of Fees (DEFERRED) (F2010/00214)**

277/14

**RESOLUTION: (Mayor, Cr Nash) 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.
- c) That normal facility spectator fees apply for all non competitors.

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

**MM68/14 Mayoral Minute - Waiving of Fees - St Marks Anglican Church (F2014/00096)**

278/14

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

- a) Council vote \$2,172.00 to cover the fees associated with the Malabar "Carols By Candlelight" to be held on Saturday 6 December, 2014, and that these funds be allocated from the 2014-15 Contingency Fund.
- b) The event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.
- c) The Mayor or his representative be given the opportunity to address the event on behalf of Council.

- d) The organisers provide Council with information following the event on the number of attendees.

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

**MM69/14 Mayoral Minute - Waiving of Fees - St Pauls Anglican Church  
(F2014/00096)**

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279/14 **RESOLUTION: (Mayor, Cr Nash) that:**

- a) The fees for the "Carols by Candlelight" event in Grant Reserve on Saturday 13 December 2014 be waived and \$1,169.00 be allocated from the 2014-15 Contingency Fund;
- b) The organisers undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.
- c) The Mayor or his representative is given the opportunity to address the event on behalf of Council.
- d) The event organisers provide Council with information following the event on the number of attendees.

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

**MM70/14 Mayoral Minute - POW Hospital's request for financial support to  
use Prince Henry Centre (F2012/00278)**

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280/14 **RESOLUTION: (Mayor, Cr Nash) that**

- a) Council vote a maximum of \$3,600 from the contingency fund to cover the fees and charges associated with the use of Prince Henry Centre on 6 August 2015 by the POW Hospital Department of Nephrology for a celebration dinner to mark the 50<sup>th</sup> year since the first kidney transplant was undertaken in NSW.
- b) The event organiser undertake to appropriately and prominently acknowledge and promote the Council's contribution prior to and during the event.
- c) The Mayor or his/her representative be given the opportunity to address the event.

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

**MM71/14 Mayoral Minute - Sydney Coastal Councils Group - 25 year  
Anniversary (F2004/07436)**

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281/14 **RESOLUTION: (Mayor, Cr Nash) that Council congratulates the Sydney Coastal Councils Group on their achievements over the last 25 years.**

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

**MM72/14 Mayoral Minute - Prince of Wales Hospital Foundation - Request for  
Financial Support (F2005/00213)**

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282/14 **RESOLUTION: (Mayor, Cr Nash) that Council purchase a table at the twilight race**

meeting being held on Friday 28 November 2014 as a show of support for the Prince of Wales Hospital Foundation with the funds coming from the 2014-15 Contingency Fund.

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

**MM73/14 Mayoral Minute - Local Government Reform (F2014/06574)**

This Mayoral Minute was dealt with in conjunction with NM100/14 (see resolution 318/14 – page 23 of these minutes.

**MM74/14 Mayoral Minute - A National Act of Recognition (F2014/06574)**

283/14 **RESOLUTION: (Mayor, Cr Nash)** that Council notes an invitation will be sent to the Reverend Lindsay McDowell for him to brief Councillors on the National Act of Recognition.

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

**MM75/14 Mayoral Minute - 125 Brook Street, Coogee (Preschool in Church Hall) (F2004/07396)**

284/14 **RESOLUTION: (Mayor, Cr Nash)** that Council do not waive or defer the DA fees.

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

**MM76/14 Mayoral Minute - Australian Institute of Building Surveyors - Service to the Profession Award to Roman Wereszczynski (F2013/00332)**

285/14 **RESOLUTION: (Mayor, Cr Nash)** that Randwick City Council formally recognises the Award bestowed on Roman Wereszczynski, Council's Manager of Health, Building and Regulatory Services by the Australian Institute of Building Surveyors and congratulates him accordingly.

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

**MM77/14 Mayoral Minute - Extension of Mayor's Award at Randwick Boys' High School (F2013/00332)**

286/14 **RESOLUTION: (Mayor, Cr Nash)** that Council agree to the continuation of the 'Mayor's Award' for Randwick Boys High School and agrees to fund the cost of operating the award for a further period of five years at a cost of \$5,000.00, of which \$1,000.00 is to be funded each year from the Contingency Fund.

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

**MM78/14 Mayoral Minute - Mayor's Visit to Randwick City Council's Sister City - Temora Shire Council (F2014/06574)**

287/14 **RESOLUTION: (Mayor, Cr Nash)** that Council receive and note this Mayoral Minute.

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



### **MM79/14 Mayoral Minute - Councillor Briefing on Fit for the Future Package (F2014/06574)**

This Mayoral Minute was dealt with in conjunction with NM100/14 (see resolution 318/14 – page 23 of these minutes.

### **MM80/14 Cr Scott Nash - 2014 Harmony Walk (F2004/07703 )**

288/14

**RESOLUTION: (Mayor, Cr Nash)** that Council promote the 2014 Harmony Walk through local media, the Council website and eNews to encourage local residents participation.

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

### **Urgent Business**

Nil.

### **Director City Planning Reports**

#### **CP93/14 Director City Planning Report - 147 Avoca Street, Randwick (DA/400/2014)**

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

**RESOLVED: (PROCEDURAL MOTION) (Roberts/Neilson)** that Cr Moore (as chairperson of Planning Committee) be elected to Chair the meeting in the absence of the Mayor and Deputy Mayor.

289/14

**RESOLUTION: (Stavrinos/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. 400/2014 for the extension of existing awning along Alison Road and ground floor tiling along the street frontages at No. 147 Avoca Street Randwick, subject to the standard conditions contained in the development application compliance report attached to this report.

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

Crs Andrews, Belleli, Nash and Seng returned to the meeting at this point. The Mayor, Cr Nash, returned to the Chair.

#### **CP94/14 Director City Planning Report - 8 Simeon Street, Clovelly (DA/794/2011/C)**

290/14

**RESOLUTION: (Andrews/Stavrinos)** 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/794/2011/C by adding a new lift, increasing the garage door width, internal reconfiguration, changes to various window openings on all elevations and a new rear first floor balcony at 8 Simeon Street, Clovelly, subject to the following conditions:

- **Amend Condition 1 to read:**
  1. The development must be implemented substantially in accordance with the following plans:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>



DA01C- Site Plan	In + Out Pty Ltd	14 January 2013	15 January 2013
DA03C- Ground Floor Plan			
DA04B- First floor Plan			
DA05B – Upper sitting area			
DA06C- Roof Plan			
DA07C- Section S1			
DA08B- Section S2			
DA09D- East and West Elevations			
DA10C-North Elevation			
DA11C-South Elevation			

as amended by the *Section 96 (B) plans listed below:*

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Received by Council</b>
Proposed Section 1	Not stated	Undated	1 November 2013
1011/179 (Sheet 1 of 1)	Harrison & Morris Consultancy Pty. Ltd.	18 October 2013	1 November 2013

except as amended by the *Section 96 (C) plans listed below:*

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Received by Council</b>
DA02d	In + Out Pty Ltd	29/1/13	29/07/2014
DA03F	In + Out Pty Ltd	29/1/13	29/07/2014
DA04E	In + Out Pty Ltd	24/6/14	29/07/2014
DA05D	In + Out Pty Ltd	29/1/12	29/07/2014
DA06F	In + Out Pty Ltd	6/5/14	29/07/2014
DA07D	In + Out Pty Ltd	4/4/14	29/07/2014
DA08D	In + Out Pty Ltd	29/1/13	29/07/2014
DA09E	In + Out Pty Ltd	17/7/14	29/07/2014
DA10E	In + Out Pty Ltd	8/4/14	29/07/2014
DA11E	In + Out Pty Ltd	8/4/14	29/07/2014

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

- **Add Condition 61 to read:**
61. The privacy screens located to the northern and southern edges of the rear first floor balcony shall be constructed to a height of 1.6m above the finished deck level.

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

**CP95/14 Director City Planning Report - 3 Severn Street, Maroubra  
(DA/552/2013/A)**

291/14

**RESOLUTION: (Stavrinou/Andrews)** that Council, as the consent authority, grants development consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify DA/552/2013 by altering the internal layout of the building, increase in the size of the dining/living rooms for units 1 to 6 and 8, increase the wall height of the rear portion of the front building by 900mm,

changes to window openings on elevations, reallocate portions of front and rear courtyards to private courtyards for units 1 and 7, changes to external materials and finishes for 3 Severn Street, Maroubra, 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:

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Received by Council</b>
A-01 Rev. A	Alec Pappas Architects	Nov 2013	27/11/13
A-02 Rev. A		Nov 2013	27/11/13
A-03 Rev. A		Nov 2013	27/11/13
A-04 Rev. A		Nov 2013	27/11/13
A-05 Rev. A		Nov 2013	27/11/13
A-06 Rev. A		Nov 2013	27/11/13
A-07 Rev. A		Nov 2013	27/11/13
A-08 Rev. A		Nov 2013	27/11/13

<b>BASIX Certificate No.</b>	<b>Dated</b>	<b>Received by Council</b>
497445M	28/8/13	28/8/13

as amended by the following **Section 96 plans and documentation:**

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Received by Council</b>
A-01 Rev C	Alec Pappas Architects	August 2014	26 August 2014
A-02 Rev C		August 2014	26 August 2014
A-03 Rev C		August 2014	26 August 2014
A-04 Rev C		August 2014	26 August 2014
A-05 Rev C		August 2014	26 August 2014
A-06 Rev C		August 2014	26 August 2014
A-07 Rev C		August 2014	26 August 2014
A-08 Rev C		August 2014	26 August 2014
SP-01 Rev C		August 2014	26 August 2014
SP-02 Rev C		August 2014	26 August 2014

<b>BASIX Certificate No.</b>	<b>Dated</b>	<b>Received by Council</b>
497445M_02	12 June 2014	23 June 2014

except as may be amended by the following conditions and as may be shown in red on the attached plans:

**Add the following Conditions:**

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - e. The following windows must be provided with translucent, obscured, frosted or sandblasted glazing below a minimum height of 1.6m above floor level:
    - South east facing kitchen awning windows within the front building

- f. The planter along the property frontage shall be reallocated as common property and the strata plans shall be amended prior to endorsement of the strata plans.
- g. The open area between the north western side pathway and the south western corner of unit seven (7) shall be reinstated as a clothes drying area.

**Amend Condition No. 36 to read:**

**Landscaping & Environmental amenity:**

- 36. Landscaping at this site must be installed substantially in accordance with the Landscape Plan by Michael Siu Landscape Architects, dwg L01/1-K18306, dated 30th May 2014 and stamped 23rd June 2014, subject to the following additional details being included on an amended plan, which must be submitted to, and be approved by, the Certifier/PCA:
  - a. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm, with construction details confirming compliance to be provided.
  - b. The Banksia intergrifolia located in the front yard is to be deleted from the landscape plan L01/1- K18306 and replaced with a native species capable of attaining no more than 2m in height when mature.

**Add the following Conditions:**

**REQUIREMENTS PRIOR TO THE ISSUE OF A SUBDIVISION/STRATA CERTIFICATE**

The following conditions of consent must be complied with prior to the *'Principal Certifying Authority'* issuing a *'Subdivision certificate'* or *'Strata Certificate'*.

These conditions have been applied to satisfy the provisions of Council's environmental plans, policies and codes for subdivision works.

- 64. A formal strata subdivision application is required to be submitted to and approved by the Council or an accredited certifier and all relevant conditions of this development consent are required to be satisfied.
- 65. All floors, external walls and ceilings depicted in the proposed strata plan must be constructed.
- 66. All floors, external walls and ceilings depicted in the proposed strata plan must correspond to those depicted in this development consent and construction certificate for the building.
- 67. With the exception of the two visitor car spaces which shall be dedicated as common property, all car spaces shall form part of a strata lot associated with a dwelling and allocated in accordance with the conditions of this consent.
- 68. Details of critical stage inspections carried out by the principal certifying authority, together with any other certification relied upon, must be provided to Council or the accredited certifier.
- 69. if on-site detention has been provided, a "restriction on the use of land" and "positive covenant" (under section 88B of the *Conveyancing Act 1919*) shall be placed on the title of the subject property (in conjunction with registration of the plan of subdivision) to ensure that the onsite detention system is

maintained and that no works which could affect the design function of the infiltration/detention system are undertaken without the prior consent (in writing) from Council. The restriction and positive covenant shall not be released, varied or modified without the consent of the Council.

The "restriction on the use of land" and "positive covenant" are to be prepared and specified to the satisfaction of Council. A copy of Council's standard wording/layout for the restriction and positive covenant may be obtained from Council's City Services Department.

70. The applicant shall create suitable right of carriageway, easements for services and internal stormwater lines, as required. The applicant shall be advised that the minimum easement width for any internal stormwater line is 0.9 metres.
71. The conditions of development consent must be satisfied and all public roads and reserves must be satisfactorily restored prior to endorsement of the strata subdivision plans.

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

**CP96/14 Director City Planning Report - 32-34 Carr Street, Coogee  
(DA/725/2012/A)**

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

292/14

**RESOLUTION: (Andrews/Stavrinos)** that Council, as the consent authority, grants development consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/725/2012 by amending basement levels and configurations, reconfiguration of residential floors, roof changes, revised landscaping and fence design, at No. 32-34 Carr Street, Coogee, 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>Received by Council</i>
A1.01b Rev C	Marchese & Partners Architects	21 Feb 2014
A1.01c Rev C		21 Feb 2014
A1.01d Rev B		21 Feb 2014
A1.01e		21 Feb 2014
A2.01 Rev B		28 June 2013
A2.02 Rev A		15 March 2013
A2.03 Rev B		19 Feb 2014
A2.04 Rev B		19 Feb 2014
A2.05 Rev C		20 Feb 2014
A2.05b Rev B		19 Feb 2014
A2.06 Rev B		19 Feb 2014
A3.01 Rev B		21 Feb 2014
A3.02 Rev C		21 Feb 2014
A4.04 Rev B		20 Feb 2014
A8.01 Rev B		15 March 2013

<b><i>BASIX Certificate No.</i></b>	<b><i>Dated</i></b>	<b><i>Received by Council</i></b>
540923M	8 April 2014	8 April 2014

as amended by the following ***Section 96 plans and documentation:***

<b><i>Plan</i></b>	<b><i>Drawn by</i></b>	<b><i>Dated</i></b>	<b><i>Received by Council</i></b>
A2.01 Rev C	Marchese & Partners Architects	27 June 2014	18 July 2014
A2.02 Rev C		27 June 2014	18 July 2014
A2.03 Rev C		27 June 2014	18 July 2014
A2.04 Rev C		27 June 2014	18 July 2014
A2.05 Rev C		10 Sept. 2014	10 September 2014
A2.06 Rev C		10 Sept. 2014	10 September 2014
A3.01 Rev D		24 June 2014	18 July 2014
A3.02 Rev E		24 June 2014	18 July 2014
A4.04 Rev D		10 Sept. 2014	10 September 2014

<b><i>BASIX Certificate No.</i></b>	<b><i>Dated</i></b>	<b><i>Received by Council</i></b>
540923M_02	27 June 2014	18 July 2014

except as may be amended by the following conditions and as may be shown in red on the attached plans:

**Add the following Conditions:**

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - 2.5 The eastern elevation south of unit 3.01 shall not exceed a maximum overall height of RL34.70. This condition requires the deletion of the parapet that extends above the roof along this part of the development.
  - Carr Street front fence**
  - 2.6 The front fence along the Carr street frontage shall be limited to a maximum height of 1.6m above footpath level with an allowance of 150mm for step-downs. The fence shall be designed so that the upper third portion is a minimum 30% open across its surface. Details of colours, materials and finishes shall be submitted to Council for approval prior to a construction certificate being issued for the development.
  - 2.7 The additional planter (S.02) and existing planter that project beyond the northern elevation of the apartment at level 3 shall only contain plant species that attain a maximum height of 400mm at maturity.
  - 2.9 Details of the proposed new chimney (L3.05) shall be submitted to Council for approval prior to a Construction Certificate being issued for the development.
  - 2.10 The frameless glass panel (L3.10) located at Level 3 shall be clear glass.

**Amend Condition No. 5 to read:**

**Waltham Street front fence**

5. The fence along the Waltham Street frontage is to be constructed in accordance with the plan number A3.02, dated 24 June 2014 and received by Council on 18 July 2014.

Details of colours, materials and finishes shall be submitted to Council for approval prior to a construction certificate being issued for the development.

**Amend Condition No. 19 to read:**

19. The gradient of the internal access driveway must be designed and constructed in accordance with **the approved Section 96 plans stamped by Council 18<sup>th</sup> July 2014** and AS 2890.1 (2004) – Off Street Car Parking and the levels of the driveway must match the alignment levels at the property boundary (as specified by Council). Details of compliance are to be included in the construction certificate.

**Amend Condition No. 37 to read:**

37. Prior to the commencement of any site works, the Ground Level & Level 03 Landscape Plans by Black Beetle, dwg LA LP 01, revision E, dated 30.06.14; and LA LP 02, revision F, dated 30.06.14, must be amended further to include the following requirements, with these plans to be submitted to, and be approved by, the Certifying Authority/PCA;

- a. The three palm trees located at the south-western corner of the site shall be replaced with one of the following species that do not exceed a maximum height of 8m:
- *Howea fosteriana* (Kentia Palm) - native, single trunk
  - *Dypsis lutescens* (Golden Cane Palm) - exotic, multiple stems from base
  - *Strelitzia nicholii* (Giant Bird of Paradise) - exotic, multiple stems, large 'banana' plant like leaves

This condition has been included in order to ensure view corridors are maintained.

- b. Construction details must be provided confirming that a soil depth of 1100mm (600mm for the one planter shown on Section BB) will be provided for those gardens at Ground Level, and may be mounded to increase soil volume.

**Amend Condition No. 67 to read:**

67. Prior to issuing a Final (or any type of interim) Occupation Certificate/s, certification from a qualified professional in the landscape/horticultural industry must be submitted to, and be approved by, the PCA, confirming the date that the completed landscaping was inspected, and that it has been installed substantially in accordance with the Ground Level & Level 03 Landscape Plans by Black Beetle, dwg LA LP 01, revision E, dated 30.06.14; and LA LP 02, revision F, dated 30.06.14, and relevant conditions of consent.

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

Cr Matson returned to the meeting at this point.

**CP97/14 Director City Planning Report - 40 Marcel Avenue, Randwick (DA/326/2014)**

**RESOLUTION: (Andrews/Stavrinos) –**

- A. That Council supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clauses 4.3 (2) and 4.4 (2) of Randwick Local Environmental Plan 2012, relating to the maximum height of buildings and the maximum FSR respectively, on the grounds that the proposed development complies with the objectives of the above clauses, and will not adversely affect the amenity of the locality, and

that the Department of Planning & Environment be advised accordingly.

- B. 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. 326/2014 for alterations and additions to the existing residential flat building to include a new upper floor to the existing building comprising an additional bedroom with en-suite and WIR to each of the units 3 and 4, construct new balconies, provide 2 new car spaces and landscaping works (Heritage Conservation Area) Variation to FSR and Height Controls) at No. 40 Marcel Avenue, 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**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. The rear first floor balconies to units 3 and 4 are to be provided with a solid balustrade of timber or other appropriate material to a minimum height of 900mm. The total height of these balustrades shall be a minimum of 1.2m. Details are to be submitted to be approved by Councils Manager of Development Assessment prior to the issuing of a construction certificate.
  - b. The privacy screens to the eastern and western edges of the first floor balconies to units 3 and 4, having a height of 1.8m above floor level, 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. Details are to be shown on the construction certificate.
4. A Schedule of Conservation Works for the existing building shall be prepared in accordance with the principles embodied in the Australia ICOMOS Burra Charter and the methodology outlined in J.S. Kerr's The Conservation Plan. The Schedule is to cover all internal and external components, materials and finishes including brickwork, decorative render, leadlight glazing, windows, doors, tiling, timberwork, plasterwork and removal of balcony enclosures,. This Schedule shall be prepared by an architect suitably qualified and experienced in heritage conservation, and shall be to be submitted to and approved by Council's Director City Planning, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.
5. Existing undamaged terrazzo stair treads are to be salvaged for reuse in construction of the new internal and external entry stairs. An architect or tradesperson suitably qualified and experienced in heritage conservation shall be engaged to oversee the demolition and salvage works relating to the stair.
6. Changes to existing external openings at the rear of the building are to be carefully carried out to minimise impact on existing brickwork. For example, the infill to existing openings on the rear elevation may be able to be slightly recessed from the line of the external wall, rather than tooting in to existing brickwork.
7. Existing timber windows to the front and side elevations are to be retained and repaired as far as possible, rather than replaced. Any replacement windows are to match the detail of existing windows, including pattern and dimensions and of glazing bars.
9. Detailed drawings are to be prepared of the proposed double entry doors and sidelights. Detailed drawings are to be submitted to and approved by Council's

Director City Planning, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.

10. The layout of the ground and first floors of the existing building are to incorporate 50mm minimum nib walls and beams projecting below ceiling level, if required to facilitate retention of plasterwork and timberwork.

**MOTION: (Andrews/Stavrinis) 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 Bowen
Councillor Belleli	
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinis	
Councillor Stevenson	
<b>Total (13)</b>	<b>Total (1)</b>

**CP98/14 Director City Planning Report - 68- 70 Market Street, Randwick  
(DA/425/2014)**

294/14

**RESOLUTION: (Andrews/Stavrinis)** 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/425/2014 for alterations and additions to the existing Mt St Joseph's Home Aged Care facility including new two storey addition to the eastern side of the building to accommodate 11 new bedrooms and 3 communal lounge areas, extension to the northern and southern sides of the existing bedrooms at first and second floor levels, new landscaped courtyards and associated retaining walls, and BCA upgrade works, at No. 68- 70 Market Street, Randwick, subject to the standard conditions contained in the development application compliance report attached to this report.

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

**CP99/14 Director City Planning Report - Report variation to Development Standard under State Environment Planning Policy No. 1 (SEPP 1) and Clause 4.6 between 1 August to 31 August, 2014  
(F2008/00122)**

295/14

**RESOLUTION: (Bowen/Garcia)** that the report be received and noted.

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



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**CP100/14 Director City Planning Report - Randwick City Council  
Enforcement Policy (Review) (F2004/06770)**

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296/14 **RESOLUTION: (Shurey/D'Souza)** that "Randwick City Council Enforcement Policy – Revised August 2014" be deferred to allow for a Councillors' briefing on the matter.

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

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**CP101/14 Director City Planning Report - Cultural and Community Grant  
Program September 2014 Round assessment report  
(F2009/00182)**

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

297/14 **RESOLUTION: (Andrews/Stavrinos)** that the Council:

- a) the proposed amendment to the Cultural and Community Grant Program Guidelines to enable for-profit organisations to be eligible for large, free, accessible community events involving activities that are not to be for profit purposes or the organisation's core business, be deferred for a Councillors' briefing.
- b) accepts the inclusion of three applications on receipt of outstanding end of project acquittal documentation by the close of business Wednesday 8 October.
- c) approves Cultural and Community Program funds totalling \$49,316.30 to be allocated to the recommended grant applicants listed in Attachment One.
- d) commit to a special funding provision for the South Maroubra Village Green Art Show and that this event be funded from Contingency Fund.

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

Cr Belleli returned to the meeting at this point.

### **General Manager's Reports**

Nil.

### **Director City Services Reports**

Nil.

### **Director Governance & Financial Services Reports**

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**GF58/14 Director Governance & Financial Services Report - 2013-14  
Financial Statements (F2012/00509)**

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298/14 **RESOLUTION: (Roberts/Stavrinos)** that the Financial Statements for the financial year ended 30 June 2014 be adopted.

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

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**GF59/14 Director Governance & Financial Services Report - Investment  
Report - August 2014 (F2014/06527)**

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299/14 **RESOLUTION: (Andrews/Stavrinos)** that the investment report for August 2014 be received and noted.

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

### Petitions

Nil.

### Motion Pursuant to Notice

**NM83/14 Motion Pursuant to Notice from Crs Matson, Nash & Smith under Section 372(5) of Local Government Act - "Fair Go for Kingsford, Fair Go for Randwick" (F2004/08175)**

300/14

**RESOLUTION: (Matson/Shurey)** 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) better publicising 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;
- 2) 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;
- 3) to assess potential other parking lots and parking facilities in the Kingsford Business Centre; and
- 4) 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.

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

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

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

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

**NM84/14 Motion Pursuant to Notice from Crs Andrews and Stavrinos - Car parking in West Ward (F2004/08175)**

301/14

**RESOLUTION: (Stavrinos/Andrews)** that Council investigate the feasibility of acquiring land in west ward for the purposes of building a carpark/carparks to alleviate the loss of parking caused by the light-rail and bring a report back also addressing the cost of acquiring such land and proposing a community consultation on the acquisition.

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

Councillors Andrews and Stavrinos 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 Stevenson
Councillor Belleli	
Councillor Bowen	
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinou	
<b>Total (13)</b>	<b>Total (1)</b>

**NM85/14 Motion Pursuant to Notice from Cr D'Souza - Racial Discrimination Act (F2004/06281)**

302/14 **RESOLUTION: (D'Souza/Andrews)** that Council write to the Attorney General and the Federal Liberal Government supporting the decision not to repeal Section 18C of the Racial Discrimination Act, as the proposed law would have removed protections against offending, insulting or humiliating individuals on the basis of their race or ethnicity.

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

**NM86/14 Motion Pursuant to Notice from Crs D'Souza & Neilson - 150th Anniversary of St Jude's Church, Randwick (F2013/00014)**

303/14 **RESOLUTION: (D'Souza/Neilson)** that Council:

- a) notes St Jude's Church, Randwick, will be celebrating its 150<sup>th</sup> Anniversary in 2015 and that the first Mayor of Randwick, Simeon Pearce, was instrumental in the decision to have St Jude's Church built in Randwick;
- b) acknowledges the important role that this Church has played in the lives of the residents of Randwick City over the past 150 years; and
- c) marks the occasion by organising a function, in conjunction with the Church and similar to the WW1 commemoration held on 4 August 2014, celebrating St Jude's 150<sup>th</sup> anniversary at its present site, with the cost of the function to be funded from the 2014-15 Contingency Fund.

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

**NM87/14 Motion Pursuant to Notice from Cr Stavrinou - Proposed Savings on Domestic Waste Disposal (F2009/00275)**

304/14 **RESOLUTION: (Stavrinou/Andrews)** that:

- a) council write to waste contractor Sita Environmental Solutions requesting to know what savings council will receive on its domestic waste disposal as a result of the abolition of the Carbon Tax; and

- b) the report back to Council on this matter (as resolved at the 26 August 2014 Council Meeting) include consideration of residents being compensated or reimbursed for any savings that are identified on domestic waste disposal in the 2015-16 Domestic Waste Charge.

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

**NM88/14 Motion Pursuant to Notice from Cr Moore - Proposed Kensington Park - Plan of Management (F2007/00043)**

305/14

**RESOLUTION: (Moore/Stavrinos)** that Council, in recognising Kensington Park is one of six District Parks in the City, and

- a) has previously adopted generic and site specific Plan of Management (PoM) to assist and guide the maintenance, development, operation and management for the City's range of parks, reserves and community facilities as an integral component of the City Open Space and Recreational Plan of Management (COSRPM) and
- b) has recently committed to converting and refurbishing the former Kensington Bowling Club to a Community Centre
- c. prepare a Plan of Management for Kensington Park that
- i) is consistent with the goals outlined in the current District Park Generic Management Plan including the objective to establish a site specific Plan of Management for Kensington Park
  - ii) gives consideration to the historical and established use of the park, recognises the changes that have occurred since previously adopted and outlines a vision for the future of the park
  - iii) explores opportunities to create linkages with the Randwick City Council Nursery as integral to the Park and Community Centre
  - iv) comprises land owned or in the care or control of Council within and the immediately surrounding Kensington Park
  - v) includes consideration for the following aspects PoM
    1. Kensington Oval
    2. proposed Kensington Community Centre
    3. John Calopedos Memorial Reserve
    4. the broader Kensington Park open space
    5. Randwick City Council Nursery
    6. park amenities and facilities
    7. car parking and access.

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

**NM89/14 Motion Pursuant to Notice from Cr Moore - Concerns related to the 'secretive' Bill on compulsory business voting in Local Government Elections (F2004/06586)**

306/14

**RESOLUTION: (Moore/Matson)** that Council finds the lack of consultation and transparency in relation to the 'secretive' Bill on compulsory business voting in Local Government elections quite extraordinary and in so doing:

- a) notes that not a single NSW council has been consulted on the 'secretive' Shooters and Fishers Party Bill being rushed through Parliament
- b) notes whilst the current Bill is solely aimed at the City of Sydney there is the very real potential for these new voting rules to be rolled out to any or all NSW councils
- c) notes the proposed new rules have the potential to affect processes, procedures and results and yet the only detail provided is what was announced in the media
- d) calls upon the Mayor to write to the Premier, Minister and Shadow Minister for Local Government and copied to the President of the LGNSW and the Lord Mayor of Sydney expressing Randwick City Council's abhorrence at both the non-existent consultation with NSW Local Government and the lack of community consultation.
- e) Council declares its public opposition to the City of Sydney Amendment (Elections) Bill 2014 and urgently advises accordingly LGNSW, the Minister for Local Government, the Premier and the local Government spokespersons for all political parties represented in NSW Parliament. Council will also submit a motion of opposition to the upcoming LGNSW conference

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

**NM90/14 Motion Pursuant to Notice from Cr Moore - Kensington Community Centre - Environmental Sustainable Design (PROJ/10686/2013)**

307/14

**RESOLUTION: (Moore/Stavrinis)** that Council, consistent with Council's Sustaining Our City Initiative, adopt sustainable design principles in its approach to converting the former Kensington Bowling Club to Community Centre and in so doing

- a) draw on the successes and experiences gained from environmental design features utilised in other Council projects, including although not limited to, Barrett House and the Randwick Community Centre
- b) aim to minimise the environmental impact due to the operation of the facility
- c) include features to protect the local environment, by seeking to utilise renewable energy sources, water recycling and waste minimisation initiatives
- d) explore any potential and applicable grant funding to support the implementation of ideas or initiatives proposed as part of the sustainable design.

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

Cr Neilson left the meeting at this point (9.48pm).

**NM91/14 Motion Pursuant to Notice from Cr Matson - Possible unmonitored contamination work on area 10 at Bundock Street site (F2006/00653)**

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

308/14

**RESOLUTION: (Matson/Andrews)** that Council asks the Department of Defence whether an appropriate regulatory body monitored the execution of recent contamination works involving the chipping of trees on area 10 at its Bundock Street property in accordance with 2 made by the Parliamentary Standing Committee on

Public Works in February 2003.

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

Crs Garcia and Neilson returned to the meeting at this point.

**NM92/14 Motion Pursuant to Notice from Cr Garcia - Youth Education on  
Local Government (F2004/06290)**

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309/14

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

- a) acknowledges the importance of education for the development of young people into active participatory citizens;
- b) review the Junior Mayor Competition run by Penrith City Council and provide a recommendation to Council on whether it should conduct a similar program in order to provide local primary school students with an opportunity to learn about the role of Councillors and how Council works.

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

**NM93/14 Motion Pursuant to Notice from Cr Matson - Response to Bill on  
expanding business voting provisions at a local government level  
(F2004/06586)**

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This motion was dealt with in conjunction with NM89/14 (see resolution 306/14 – page 19 of these minutes.

**NM94/14 Motion Pursuant to Notice from Cr Matson - Protection of Eastern  
Suburbs Banksia Scrub on Malabar Headland (F2004/06759)**

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310/14

**RESOLUTION: (Matson/Andrews) that Council informs the Federal Government that it agrees with FOMH that if an agreement is reached to return the horses to Malabar Headland that they should be operated under a license with conditions to physically restrict them from entering Endangered Eastern Suburbs Banksia Scrub such as the erection of adequate fencing.**

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

**NM95/14 Motion Pursuant to Notice from Cr Bowen - Light Rail & Impact on  
Randwick LGA Bus Services (F2004/08175)**

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311/14

**RESOLUTION: (Bowen/Moore) that, in noting community concern about the change and cancellation of existing bus services under the South East Light Rail proposal, Randwick Council call on the State Government to immediately advise all residents of Randwick LGA of the proposed changes by an information campaign with such information to be available on buses, bus stops, places where tickets or Opal cards are sold, TfNSW website and by direct distribution of information to Randwick Residents.**

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

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**NM96/14 Motion Pursuant to Notice from Cr Bowen - Preservation of Bees  
(F2009/00522)**

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312/14

**RESOLUTION: (Bowen/Stavrinos)** that Randwick Council notes with concern the threat to Australian Bee Colonies in recent years from introduced disease and climate change. Studies in WA have indicated 30% of Australia's' food crop plants are dependent on Bees for pollination. In recognition of the vital role Bees play in protecting our ecosystem and food sources, prepares a report to investigate:

1. providing Guidelines and assistance to local resident who may be interested in setting up a beehive,
2. such guidelines to ensure hives be operated safely and without disturbance to neighboring properties,
3. Council also consider whether further action can be taken to protect the Australian bee population on a community wide basis.
4. the installing of native bee hives at the Randwick Environment Park.

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

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**NM97/14 Motion Pursuant to Notice from Cr D'Souza - Election Funding  
(F2004/06586)**

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313/14

**RESOLUTION: (D'Souza/Bowen)** that Council:

- 1) note Premier Baird's apology to the citizens of NSW for the "reprehensible" conduct of former Liberal Party members of the NSW Parliament following evidence given to the ICAC;
- 2) note the findings of corruption against members of the former Labor state government following evidence given to the ICAC;
- 3) write to the Premier expressing abhorrence at these ICAC revelations and thanking him for the unprecedented levels of funding support provided by his government to the ICAC, which has enabled these investigations to take place;
- 4) request an immediate guarantee from the NSW divisions of both the Labor and Liberal Parties that no unlawful donations have been received from any developer with an interest in state government or private developer proposals affecting Randwick LGA;
- 5) note that the state government is already looking at public funding models to fund State and Local elections to discourage such reprehensible behavior by politicians and Councillors in the future.
- 6) call on the state government to investigate further reform to reduce corruption and increase public consultation.

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

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**NM98/14 Motion Pursuant to Notice from Cr Shurey - Policy position on  
sewer infrastructure (F2004/07190)**

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314/14

**RESOLUTION: (Shurey/Andrews)** that Council notes the inadequacies of the Coogee sewerage pit situation, the need for a broader local sewer infrastructure improvement, and the ecological importance of secondary treatment of ocean sewage discharges. That Council responds to these issues by adopting a policy position of urging the State Government to consider the following options:

- a) The commencement of a feasibility study into constructing an earlier diversion away from Coogee of the main sewage flows from other suburbs thus achieving a more direct path to their ultimate destination at the Malabar treatment plant;
- b) Sydney Water to investigate opportunities to work collaboratively with the Council to model and project changes to pressures placed on the sewage infrastructure system under various projected population growth scenarios;
- c) The implementation of secondary treatment techniques at the Malabar treatment plant; and
- d) A State Environmental Planning Policy (SEPP) imposing a sewage infrastructure improvement levy on all new developments causing residential increase in the LGA.

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

**NM99/14 Motion Pursuant to Notice from Cr Roberts - Building Design Competitions (F2011/00520)**

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315/14

**RESOLUTION: (Roberts/Stavrinos)** that Council consider design competitions, where appropriate, in the future as part of the capital works and building construction design process.

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

**NM100/14 Motion Pursuant to Notice from Cr Andrews - Request for Clarification on Amalgamations (F2004/06554)**

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316/14

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

1. Council write to the Minister for Local Government and the Premier seeking clarification of the government's policy on forced amalgamations and its relationship to the Fit for the Future package announcement made on 10 September 2014 (and in particular, whether the policy will apply beyond 30 June 2015).
2. this Council unambiguously state it is opposed to the amalgamation of Randwick City Council.
3. the Councillors affirm that they are opposed to amalgamation of Randwick Council now and after the Council Election of 16 September 2016.
4. the Council write to the State Members for Maroubra, Heffron and Coogee seeking clarification that the State Government's policy remains that there be no forced amalgamations of local government after the 2016 Local Government Election.
5. the Council immediately notify residents, ratepayers, businesses, community groups, sporting clubs, surf lifesaving clubs and council staff that this Council does not support the amalgamation of Randwick Council.
6. Council fund a public awareness campaign opposing any amalgamation of Randwick Council.
7. the General Manager arrange a briefing for Councillors as soon as possible in relation to the Fit for the Future package.



8. the General Manager exercise due diligence in relation to this issue.

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

**NM101/14 Motion Pursuant to Notice from Cr Garcia - Recognition of Indigenous Australian Soldiers (F2008/00317)**

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317/14

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

1. recognise the contribution of the more than 1,000 indigenous Australians that fought in the First World War and those who fought in subsequent conflicts.
2. recognise the contribution of the many local indigenous Australian soldiers who served in the First World War and subsequent conflicts.
3. recognise the discrimination many indigenous Australian soldiers faced upon their return home including, for example, being prohibited from applying for land under the soldier settlement scheme.
4. instruct the General Manager to liaise with the local indigenous community and bring back a report to Council on ways in which the residents of Randwick might commemorate the contribution of local indigenous Australian soldiers including consideration of a permanent memorial or cenotaph.

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

**NM102/14 Motion Pursuant to Notice from Cr Stavrinis - Educating our residents on the dangers of illicit drugs (F2004/07027)**

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318/14

**RESOLUTION: (Stavrinis/Andrews)** at Council:

- a) acknowledge that the use of Ice and other illicit drugs have become a serious problem throughout all communities in Australia;
- b) bring back a report investigating ways on how to educate our residents and children on the effects and dangers of taking illicit drugs; and
- c) as part of the report, find out what services are available in Randwick City to help those with drug addiction and council use its resources to promote and aid these services.

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

**NM103/14 Motion Pursuant to Notice from Cr Bowen - Council's position on amalgamations (F2004/06554)**

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This motion was dealt with in conjunction with NM100/14 (see resolution 318/14 – page 23 of these minutes.

**RESOLVED: (PROCEDURAL MOTION) (Stavrinis/Andrews)** that the meeting be extended to 12am.

**NM104/14 Motion Pursuant to Notice from Cr Bowen - Resident Parking Schemes (F2004/07236)**

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319/14

**RESOLUTION: (Andrews/Roberts)** that Councillors be briefed on this proposal

prior to any decision being made.

**MOTION: (Bowen/D'Souza)** that, noting the increased parking pressures envisaged for the Council in the coming years, Council revise the current Resident Parking Scheme and initiate a new scheme, operative from 1 July 2015, whereby the first resident parking permit per household is free with additional costs to be incurred in relation to the second and subsequent parking permits to be increased to maintain the financial balance of the scheme overall.

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

Councillors Matson and Bowen 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 Matson	Councillor Bowen
Councillor Nash	Councillor D'Souza
Councillor Roberts	Councillor Garcia
Councillor Seng	Councillor Moore
Councillor Shurey	Councillor Neilson
Councillor Stavrinou	
Councillor Stevenson	
<b>Total (8)</b>	<b>Total (6)</b>

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

**NM105/14 Motion Pursuant to Notice from Cr Garcia - Recognition for The Stolen Generation (F2004/06272)**

320/14

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

1. recognise the local members of the Stolen Generation - those local indigenous residents who were forcibly removed from their families by past Australian Federal and State government agencies.
2. note the apology of the Commonwealth Government on 13 February 2008 and the then Prime Minister who said:

*We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.*

*For the pain, suffering and hurt of these Stolen Generations, their descendants and for their families left behind, we say sorry.*

*To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry.*

*And for the indignity and degradation thus inflicted on a proud people and a proud culture, we say sorry.*

*We the Parliament of Australia respectfully request that this apology be received in the spirit in which it is offered as part of the healing of the nation.*

3. instruct the General Manager to liaise with the local indigenous community and bring back a report to Council on ways in which the residents of Randwick

City might remember the stolen generation.

4. request Council's Aboriginal and Torres Straight Island Advisory Committee to give early consideration of the possible construction of a memorial garden to the stolen generation.

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

### **Confidential reports (closed session)**

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

#### **Closed Session**

#### **CS17/14 Confidential - Tender for Heffron Park Redevelopment Stage A, Maroubra No. T2015-01 (F2014/00279)**

*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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321/14

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Statewide Civil Pty Ltd be accepted as the successful tenderer for Tender T2015-01 Heffron Park Redevelopment Stage A, Maroubra;
- b) the General Manager, or delegated representative, be authorised to enter into contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

#### **CS18/14 Confidential - Tender for Heffron Park South West Sports Amenities Upgrade No. T2015-02 (F2013/00496)**

*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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322/14

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Imperium Projects Pty Ltd be accepted as the successful tenderer for Tender T2015-02 Heffron Park South West Sports Amenities Upgrade;
- 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: (Roberts/Moore) 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 11.55pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 28 October 2014.**

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**CHAIRPERSON**