



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

**MINUTES OF ORDINARY COUNCIL MEETING OF THE
COUNCIL OF THE CITY OF RANDWICK HELD ON
TUESDAY, 24 FEBRUARY 2015 AT 6:07PM**

Present:

The Mayor, Councillor T Seng (Chairperson) (Central Ward)

Councillor A Andrews (Deputy Mayor) (Central Ward)

- | | |
|--------------|--|
| North Ward | - Councillors K Neilson, L Shurey & K Smith |
| South Ward | - Councillors N D'Souza, R Belleli & P Garcia (arrived 7.50pm) |
| East Ward | - Councillors T Bowen, M Matson & B Roberts (arrived 7.05pm) |
| West Ward | - Councillors G Moore, S Nash (arrived 6.17pm) & H Stavrinou |
| Central Ward | - Councillor G Stevenson |

Officers Present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangopoles
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr J Smith
Senior Administrative Coordinator	Ms J Hartshorn
Manager Development Assessment	Mr K Kyriacou
Manager Communications	Mr J Hay
Communications Coordinator	Ms E Shanks
Manager Business Performance Projects	Ms C Foley

Prayer & Acknowledgement of Local Indigenous People

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

Apologies/Granting of Leave of Absences

Nil.

Confirmation of the Minutes

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 9 DECEMBER 2014

1/15

RESOLUTION: (Smith/Stavrinou) that the Minutes of the Ordinary Council Meeting held on Tuesday 9 December 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 Belleli declared a non-significant non pecuniary interest in Item CP2/15 as the owner's father is known to him.
- b) Cr Matson declared a significant non pecuniary interest in Item MM10/15 as his daughter attends Randwick Girls' High School. Cr Matson indicated that he would not take part in the debate or the vote on the matter.
- c) Cr Andrews declared a non-significant non pecuniary interest in Item GM1/15 as he is a member of the South Sydney Football Club.
- d) Cr Bowen declared a non-significant non pecuniary interest in Item GM1/15 as he is a member of the South Sydney Football Club.
- e) Cr Smith declared a significant non pecuniary interest in Item CS1/15 as the matter concerns the same industry that he works in. Cr Smith indicated that he would not take part in the debate or the vote on the matter.
- f) Cr Neilson declared a non-significant non pecuniary interest in Item NR1/15 as some of the objectors are known to her.
- g) Cr Neilson declared a non-significant non pecuniary interest in Item CS1/15 as the speaker is known to her.
- h) Cr Neilson declared a non-significant non pecuniary interest in Item CP5/15 as the speaker is known to her.
- i) Cr Neilson declared a non-significant non pecuniary interest in Item GM3/15 as the speaker is known to her.
- j) Cr Neilson declared a non-significant non pecuniary interest in Item MM2/15 as her daughter attended the school.
- k) Cr Shurey declared a non-significant non pecuniary interest in Item CS1/15 as the speaker is known to her.
- l) Cr Matson declared a non-significant non pecuniary interest in Item GM1/15 as the speaker is known to him.
- m) Cr Belleli declared a non-significant non pecuniary interest in Item GM1/15 as his wife and daughter are members of South Sydney Juniors.
- n) Cr Bowen declared a non-significant non pecuniary interest in Item GM3/15 as the speaker is known to him.
- o) Cr Bowen declared a non-significant non pecuniary interest in Item CS1/15 as the speaker is known to him.
- p) Cr Bowen declared a non-significant non pecuniary interest in Item CP5/15 as the speaker is known to him.
- q) Cr Moore declared a non-significant non pecuniary interest in Item CP7/15 as he participates in the Green Money Recycling Rewards Scheme.
- r) Later in the meeting, Cr Garcia declared a non-significant non pecuniary interest in Item NM7/15 as the report referred to was commissioned by the Kelly Institute of which he is a Fellow.

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:

CP2/15 15 MAITLAND AVENUE, KINGSFORD (DA/527/2014/A)

Applicant Steve Moros

Cr Nash arrived at the meeting at this point (6.17pm)

CP5/15 - CBD AND SOUTH EAST LIGHT RAIL; ALTERNATIVE RANDWICK INTERCHANGE FEASIBILITY STUDY

Against Dr Brian Jarvie

GM3/15 COUNCIL'S FIT FOR THE FUTURE WORKING PARTY - STATUS REPORT

Against Rosemary Mackenzie

Note: Having previously declared an interest in Item CS1/15, Cr Smith left the chamber during the public address on this matter (and did not return to the meeting until after the adjournment (at 7.25pm)

CS1/15 COOGEE PAVILLION RESTIVAL DAY

For Rona Wade

For Anthony Jones (representing Coogee Pavillion)

NM4/15 NOTICE OF MOTION FROM CR MATSON - ASSESSMENT OF SUPPORT FOR EXTENDING ONE HOUR PARKING RESTRICTIONS IN COOGEE BEACH

For Melinda Jollie

NR1/15 NOTICE OF RESCISSION MOTION FROM COUNCILLORS NEILSON, BOWEN AND MATSON - DEVELOPMENT APPLICATION REPORT - 34 MILFORD ST, RANDWICK (DA/505/2014)

Objector David Phillips (representing the objectors)

Cr Roberts arrived at the meeting at this point (7.05pm)

Applicant George Karavanas (representing the applicant)

The Meeting was adjourned at 7.06pm and was resumed at 7.25pm.

RESOLVED: (PROCEDURAL MOTION) (Andrews/Stavrinis) that all the development application reports and the matters that were subject to addresses by the public be dealt with as the first items of business.

Mayoral Minutes

MM2/15 Mayoral Minute - Waiving of Fees - St Margaret Mary's Primary School (F2014/00096)

2/15 **RESOLUTION: (Mayor, Cr Seng)** that Council votes \$165.00 to cover the application fee for a fundraising activity outside the Randwick Literary Institute on Election Day, Saturday 28 March 2015 and fees be charged to the 2014-15

Contingency Fund.

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

MM3/15 Mayoral Minute - Local Government Chief Officers' Group Meetings (F2008/00390)

3/15 **RESOLUTION: (Mayor, Cr Seng)** that Council note and endorse the General Manager's attendance at the group meetings of the Local Government Chief Executive Officers' Group as outlined in this Mayoral Minute.

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

MM4/15 Mayoral Minute - Council Sponsorship of Rotary Police Awards (F2013/00087)

4/15 **RESOLUTION: (Mayor, Cr Seng)** that Randwick City Council enters into a sponsorship agreement with Rotary by contributing \$4,765.00 to their Rotary Police Awards program. In return the Randwick Council logo will be displayed on promotional material and Council will be acknowledged as a major sponsor on the night at the event to be held on 6 May 2015 at The Lakes Golf Club

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

MM5/15 Mayoral Minute - Waiving of Fees - The Hon Pat Farmer's Event "Quicksand" at Maroubra Beach (F2015/00096)

5/15 **RESOLUTION: (Mayor, Cr Seng)** that:

- a) Council vote \$3,804.30 to cover the fees associated with The Hon Pat Farmer's event "Quicksand" to be held on Saturday 20 June 2015, The 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; and
- d) the organisers provide Council with information following the event on the number of attendees and other event related information.

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

MM6/15 Mayoral Minute - Praise for Randwick City Council's community consultations (F2015/06574)

6/15 **RESOLUTION: (Mayor, Cr Seng)** that:

- a) the contents of this Mayoral Minute be noted and received.
- b) staff from the Strategic Planning and Communications Departments be congratulated for their high quality community engagement work.

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

MM7/15 Mayoral Minute - Receipt of Certificate of Appreciation from Father Chris Riley's Youth Off the Streets. (F2013/00220)

7/15 **RESOLUTION: (Mayor, Cr Seng)** that Council receives the Certificate of Appreciation presented by Father Chris Riley's Youth Off the Street.

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

MM8/15 Mayoral Minute - Awarding of Public Service Medal to General Manager (F2004/06219)

8/15 **RESOLUTION: (Mayor, Cr Seng)** that Council congratulates the General Manager, Mr Ray Brownlee, on his Public Service Medal in recognition of his invaluable contribution to community services and local government management.

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

MM9/15 Mayoral Minute - Eastern Beaches Local Area Command - 100 Years of Women in Policing (F2004/06287)

9/15 **RESOLUTION: (Mayor, Cr Seng)** that:

- a) Council support the Women in Policing centenary celebrations by providing the assistance requested (and detailed in this Mayoral Minute) in the amount of \$4,913.80 and that this contribution be funded from the 2014-15 Contingency Fund;
- b) the event organiser undertakes to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
- c) the Mayor or his representative be given the opportunity to address the event on behalf of Council.

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

MM10/15 Mayoral Minute - Randwick Boys and Girls High Schools - request for financial assistance (F2004/07396)

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

10/15 **RESOLUTION: (Mayor, Cr Seng)** that:

- a) Council donates \$4,000.00 to the Randwick Girls' and Boys' High Schools for the combined production to be held at NIDA in August 2015, such funds to come from the 2015-16 Contingency Fund budget.
- b) the Schools undertake to appropriately and prominently promote Council's sponsorship of the event.

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

Cr Matson returned to the meeting at this point (11.28pm).

Urgent Business

Nil.

Director City Planning Reports

CP1/15 Director City Planning Report - 140 Carrington Road, Randwick (DA/132/2014/A)

11/15

RESOLUTION: (Andrews/Stavrinos) that Council as the consent authority grant its consent under Section 96 of the *Environmental Planning and Assessment Act 1979* as amended to modify Development Consent No. DA/160/2011/A by removing timber cladding on the southern elevation and changes to the sill height of ground floor level bathroom window on northern and southern elevations at 140 Carrington Road, Randwick, in the following manner:

- **Amend Condition No. 1 to read:**
Approved Plans & Supporting Documentation

1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
LEC 000 – Site plan	Nicholas Tang Architects – All with Issue B	29/07/2014	31/07/2014
LEC 100 – Basement plan		29/07/2014	31/07/2014
LEC 101 – Ground floor plan		29/07/2014	31/07/2014
LEC 102 – First floor plan		29/07/2014	31/07/2014
LEC 103 – Second floor plan		29/07/2014	31/07/2014
LEC 104 – Roof plan		29/07/2014	31/07/2014
LEC 200 – Elevations 1		29/07/2014	31/07/2014
LEC 201 – Elevations 2		29/07/2014	31/07/2014
LEC 202 – Elevations 3		29/07/2014	31/07/2014
LEC 203 – Elevations 4		29/07/2014	31/07/2014
LEC 300 – Sections 1		29/07/2014	31/07/2014
LEC 301 – Sections 2		29/07/2014	31/07/2014
LEC 302 – Sections 3		29/07/2014	31/07/2014
LEC 600 – Solar access to living areas – Issue A	Nicholas Tang Architects	29/07/2014	31/07/2014
LEC 700 – floor area calculations plans – Issue A	Nicholas Tang Architects	29/07/2014	31/07/2014
14-766/1 – Revised Landscape plan – Issue B	Nicholas Tang Architects	29/07/2014	31/07/2014
Draft Strata Plans Ref 2336 SP Sheets 1 to 5	Eric Scerri Surveyor Issue B		15/08/2014

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received by Council</i>
532199m	13 March 2014	13 March 2014

As amended by the Section 96 "A" plans and supporting documentation listed below:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
S96 200 Issue B	Nicholas Tang Architects	18/09/2014	4 November 2014
S96 201 Issue A			

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received by Council</i>
532199M_03	14 December 2014	16 December 2014

Only in so far as they relate to the modifications highlighted on the

Section 96 plans and detailed in the Section 96 application, except where amended by Council in red and/or by other conditions of this consent:

- **Add the following Condition:**
- 2. e) The removal of timber cladding on the southern elevation as shown on drawing no. S96 201 (Issue A) dated 18/09/2014 and received by Council on 4 November 2014 shall be deleted from the plans, as marked in red.

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

**CP2/15 Director City Planning Report - 15 Maitland Avenue, Kingsford
(DA/527/2014/A)**

12/15

RESOLUTION: (Stavrinis/Andrews) that Council as the consent authority grant its consent under Section 96 of the *Environmental Planning and Assessment Act 1979* as amended to modify Development Consent No. DA/527/2014/A to delete condition 2(c) of the consent in relation to the deletion of the front portion of the proposed carport at 15 Maitland Avenue, Kingsford, in the following manner:

- **Delete condition No. 2 (c).**
 - **Add the following Condition:**
Council's Infrastructure, Vehicular Crossings, street verge
- 33.a The applicant must meet the full cost for a Council approved contractor to:
- Reconstruct/extend the concrete vehicular crossing and layback at kerb opposite the extended vehicular entrance to the site, to Council's specifications and requirements.

[Reasons for approving application: the proposed carport will not dominate the streetscape; there are other examples of similar carports in the area; the proposal will be architecturally sound and will blend in with other dwellings in the area]

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

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

FOR	AGAINST
Councillor Andrews	Councillor Matson
Councillor Belleli	Councillor Moore
Councillor Bowen	Councillor Neilson
Councillor D'Souza	Councillor Shurey
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Smith	
Councillor Stavrinis	
Councillor Stevenson	
Total (10)	Total (4)

CP3/15 Director City Planning Report - Report variation to Development Standard under State Environment Planning Policy No. 1 (SEPP 1) and Clause 4.6 between 1 December 2014 to 31 January 2015. (F2008/00122)

13/15

RESOLUTION: (Andrews/Stavrinis) that the report be received and noted.

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

CP4/15 Director City Planning Report - Affordable Housing Dwelling at Lot 7 in SP 90272, 1-3 Jenner Street, Little Bay - Classification of land under the Local Government Act 1993 (F2004/07991)

14/15 **RESOLUTION: (Andrews/Stavrinos)** that Council resolve to classify the affordable housing unit Lot 7 in Strata Plan (SP) 90272 at 1-3 Jenner Street Little Bay as 'operational' land in accordance with the provisions of the Local Government Act 1993.

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

PROCEDURAL MOTION: (Bowen/Stevenson) that Items CP5/15 and NM6/15 be dealt with together. **LOST.**

CP5/15 Director City Planning Report - CBD and South East Light Rail; Alternative Randwick Interchange Feasibility Study (F2014/00380)

15/15 **RESOLUTION: (Andrews/Matson)** that Council receives and notes this report and the attached draft Alternative High Street Feasibility Assessment.

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

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

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

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

General Manager's Reports

GM1/15 General Manager's Report - Continuation of Community Partnership with South Sydney Football Club (F2010/00282)

16/15 **RESOLUTION: (Andrews/Stavrinos)** that:

- Council continue the "Community Partnership" with the South Sydney Football Club with the \$40,000.00 (incl GST) contribution to come from the Community Services budget;
- the General Manager be delegated authority to enter into a Memorandum of Understanding with the South Sydney Football Club; and
- a report on the success of the 2015 Community Partnership to come back

before Council.

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

GM2/15 General Manager's Report - Review of the 2014-15 Annual Operational Plan - December Quarterly Report (F2014/03001)

17/15

RESOLUTION: (Andrews/Stavrinou) that the information contained in the December 2014 Review of the 2014-15 Annual Operational Plan be received and noted.

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

GM3/15 General Manager's Report - Council's Fit for the Future Working Party - Status Report (F2007/00370)

18/15

RESOLUTION: (Andrews/Stavrinou) that:

- a) Council receives and notes the due diligence work undertaken by the Council Fit for the Future Working Party outlined in this report.
- b) this Council calls on the State Government to urgently address the shortcomings and issues identified by the United Services Union's (USU) report dated 10 February 2015 by Professor Brian Dollery and urgently rectifies the Fit For the Future Proposal to remedy the shortcomings identified in that report.

MOTION: (Stevenson/Bowen) that Council receives and notes the due diligence work undertaken by the Council Fit for the Future Working Party outlined in this report, with the exception of the minutes of the meetings contained in attachments 4, 5, 6 and 7. **RULED OUT OF ORDER BY THE MAYOR.**

Cr Bowen tabled the United Services Union (USU) report dated 10 February 2015.

AMENDMENT: (Moore/Bowen) that Council conduct a referendum under the Local Government Act to determine whether amalgamations are supported by Randwick City Council's residents. **LOST.**

PROCEDURAL MOTION: (Garcia/Smith) that the question be put.

MOTION OF DISSENT (Cr Belleli) that the Mayor's ruling that the procedural motion be put given that he had previously acknowledged that Cr Belleli could speak on the matter, be dissented to.

The Mayor asked Cr Belleli to sit down a number of times. The Mayor stood and asked Cr Belleli to sit down. Cr Belleli refused to sit down.

ACT OF DISORDER: The Mayor adjourned the meeting at 10.46pm (due to disorder). The meeting was resumed at 10.55pm.

Upon resuming the meeting, the Mayor called upon Cr Belleli to apologise for not complying with the Code of Meeting Practice, in that he brought the meeting into disorder and continued to speak even when the Mayor stood (Cl 20 of the Code of Meeting Practice).

Cr Belleli refused to apologise.

The Mayor called upon Cr Belleli, two further times, to apologise for breaching the Code of Meeting Practice and bringing the meeting into disorder.

Cr Belleli again refused to apologise.

The Mayor then expelled Cr Belleli from the meeting in accordance with CI 47(1)(g) of the Code of Meeting Practice for saying and doing things that are inconsistent with maintaining order at the meeting.

Cr Belleli left the meeting at 10.58pm and did not return.

RESOLVED: (PROCEDURAL MOTION) (Garcia/Smith) that the question be put.

AMENDMENT: (Moore/Bowen) LOST.

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

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor D'Souza	Councillor Matson
Councillor Garcia	Councillor Nash
Councillor Moore	Councillor Roberts
Councillor Neilson	Councillor Seng
Councillor Stevenson	Councillor Shurey
	Councillor Smith
	Councillor Stavrinis
Total (6)	Total (8)

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

Director City Services Reports

CS1/15 Director City Services Report - Coogee Pavilion Festival Day (F2015/00096)

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

19/15

RESOLUTION: (Neilson/Matson) that Council denies the request to suspend part of Alcohol Free Zone along Dolphin Street and Beach Street adjacent to Goldstein Reserve (outside the Coogee Pavilion) during the "Festival Day" outside the Coogee Pavilion.

MOTION: (Andrews/Stavrinis) that Council approves the request to suspend part of Alcohol Free Zone along Dolphin Street and Beach Street adjacent to Goldstein Reserve (outside the Coogee Pavilion) during the "Festival Day" outside the Coogee Pavilion, subject to the following conditions:

1. Plastic vessels to be used for the duration of the event in the designated area outside (and directly adjacent) to the licensed premises.
2. Hours of 11am – 5pm .
3. Additional 6 security guards to cover the outdoor areas of the designated area:
 - Northern stairs (1)
 - Ocean / Main steps (2)
 - Southern stalls (1)
 - Western bollards (1)
 - Roving (1)

4. Any reasonable direction given by the most senior ranking police officer on site must be adhered to by the licensee. **LOST.**

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

Cr Smith returned to the meeting at this point (8.30pm).

Director Governance & Financial Services Reports

GF1/15 Director Governance & Financial Services Report - Investment Report - November 2014 (F2014/06527)

20/15 **RESOLUTION: (Andrews/Stavrinos)** that the investment report for November 2014 be received and noted.

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

GF2/15 Director Governance & Financial Services Report - Investment Report - December 2014 (F2015/06527)

21/15 **RESOLUTION: (Andrews/Stavrinos)** that the investment report for December 2014 be received and noted.

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

GF3/15 Director Governance & Financial Services Report - Investment Report - January 2015 (F2015/06527)

22/15 **RESOLUTION: (Andrews/Stavrinos)** that the investment report for January 2015 be received and noted.

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

GF4/15 Director Governance & Financial Services Report - Quarterly Budget Review - December 2014 (F2013/00404)

23/15 **RESOLUTION: (Andrews/Stavrinos)** that:

- a) the report in relation to the December 2014 Budget Review be received and noted; and
- b) the proposed December 2014 budget variations shown in the attachment to this report be adopted.

MOTION: (Stevenson/Bowen) that the report in relation to the December 2014 Budget Review be received and noted. **LOST.**

AMENDMENT (Andrews/Stavrinos) CARRIED AND BECAME THE MOTION.

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

GF5/15 Director Governance & Financial Services Report - Long Term Financial Plan 2015-25 (F2014/00633)

24/15 **RESOLUTION: (Smith/Moore)** that Council adopt the 2015-25 Randwick City Council Long Term Financial Plan.

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

GF6/15 Director Governance & Financial Services Report - Councillors' Expenses & Facilities Policy - results of public exhibition (F2004/06576)

25/15

RESOLUTION: (Moore/Garcia) that:

- a) it be noted that there were no submissions received as a result of the November-December 2014 public exhibition of the Councillors' Expenses & Facilities Policy.
- b) the Councillors' Expenses & Facilities Policy be adopted for immediate implementation, subject to an amendment to provide delegated authority to the General Manager to approve expenditure, within the guidelines of the policy, in exceptional circumstances, such as changes in technology or the like.
- c) a copy of this report, the report to the 28 October 2014 Council meeting and the policy be forwarded to the Office of Local Government (Department of Premier and Cabinet).

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

GF7/15 Director Governance & Financial Services Report - Sponsorship Policy (F2015/00104)

26/15

RESOLUTION: (Neilson/Garcia) that the draft Sponsorship Policy be deferred for a Councillors' briefing.**MOTION: (Garcia/Matson)** that the draft Sponsorship Policy (for receiving sponsorship) be adopted, subject to the following paragraph being included under the sub-heading "Acceptable sponsors":

Council will not, under any circumstances, accept sponsorship from, or enter into a sponsorship arrangement with, any manufacturers of alcohol or tobacco or any organisation that is in the business of property development. **WITHDRAWN.**

Cr Smith left the meeting when suppliers of alcohol were mentioned.

Crs Bowen and Stevenson left the meeting when the hospitality industry (including Clubs) were mentioned.

MOTION: (Neilson/Garcia) CARRIED – SEE RESOLUTION.

Crs Bowen, Smith and Stevenson returned to the meeting at this point (11.25pm).

Petitions

- 1) The Mayor, Cr Seng, tabled a petition requesting 'more greenery, trees and traffic calming' devices for Clovelly Road (between Arden and Beach Streets).

Motion Pursuant to Notice

NM1/15 Notice of Motion from Cr Nash - Mardi Gras Festival recognition (F2006/00253)

27/15

RESOLUTION: (Nash/Stavrinos) that Council:

1. Council note that the 2015 Sydney Gay and Lesbian Mardi Gras Festival will be held over the period 20 February – 8 March;
2. Council note that the Mardi Gras Parade will be held on Saturday 7 March;

3. Council raise and fly the "Rainbow Flag" over the Randwick Town Hall (on Avoca Street) and the Council Administration Building (on Frances Street) during the week of 2 March – 8 March (the "Rainbow Flag" is widely known worldwide as the pride flag representing gay pride);
4. Council hold a small flag raising ceremony to mark this occasion (which will be the first time the "Rainbow Flag" has been raised and flown by Randwick City Council to signify the Mardi Gras Festival);
5. Council calls upon all major and minor political parties of the Federal Parliament to confirm that they will permit a conscience vote on marriage equality when a Bill is presented to the Parliament for debate.
6. this be an annual event.

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

NM2/15 Notice of Motion from Cr Stavrinos - Kingsford Noodle Market and other market events and proposed closure of Meeks Street at Anzac Parade (F2014/00568)

28/15 **RESOLUTION: (Stavrinos/Andrews)** that Council:

- a) bring back a report investigating the feasibility of holding the Kingsford Noodle Market and other market events on a more frequent basis in the Kingsford Town Centre and including a Chinese New Year event in conjunction with Botany Council.
- b) as part of this report, consult with all relevant stakeholders to consider the permanent closure of Meeks Street at Anzac Parade, in order to create a plaza for Kingsford.

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

NM3/15 Notice of Motion from Cr Stavrinos - Proposed improvement to lighting to reduce vandalism (F2014/00568)

29/15 **RESOLUTION: (Stavrinos/Andrews)** that Council bring back a report on cost-effective ways to improve lighting at our city's bus shelters, playgrounds and other community infrastructure to reduce vandalism that may occur to these amenities.

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

NM4/15 Notice of Motion from Cr Matson - Assessment of support for extending one hour parking restrictions in Coogee Beach (F2004/07236)

30/15 **RESOLUTION: (Matson/Bowen)** that Council conducts a survey of residents living in the Resident Preferred Parking Scheme in the vicinity of the Coogee Pavilion to assess support for extending the area of one hour parking restrictions.

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

NM5/15 Notice of Motion from Crs Matson, Nash & D'Souza - Advancement of a National Act of Recognition (F2004/06272)

31/15

RESOLUTION: (Matson/D'Souza) that Council resolves to support a joint venture developed by first and later Australians working together to hold *A National Act of Recognition* of the First Peoples at Botany Bay, commonly known as *Recognition at Botany Bay*, and will help prepare for it by:

- 1) noting that the Reverend Lindsay McDowell and the Recognition Team has agreed to brief Councillors on the aims and objectives of this initiative in response to a past Mayoral Minute and that preparations are underway;
- 2) working with Council's Aboriginal Advisory Committee to hold a corroboree at Coogee Beach for this year's Reconciliation Week activities with the National Act of Recognition as its central theme with an invitation to Reverend McDowell and the Recognition Team to participate in explaining the aims and objectives of the future event to the public;
- 3) boosting Council's Reconciliation Week budget from \$5,000 to \$10,000 to cover the corroboree at Coogee and consulting with the Aboriginal Advisory Committee to determine what further funding is required for individual participants; and
- 4) consulting with the Aboriginal Advisory Committee as to whether sufficient numbers could be attracted to a separate public meeting addressed by the Reverend.

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

NM6/15 Notice of Motion from Cr Matson - Proposed Randwick Rail Alignment Working Group as response to Alison Road light rail realignment (F2014/00321)

32/15

RESOLUTION:

MOTION: (Matson/Andrews) that Council responds to the negative impact of the amending CBD and South East Light Rail Project State Significant Infrastructure Approval SSI-6042 of December 2014 by;

- 1) Noting that the realignment of the Alison Road section will result in additional tree losses along with the loss of the Alison Road bike path and the very significant and unacceptable loss of accustomed parklands;
- 2) Noting that the Council initiated Randwick Light Rail Pre-Feasibility study of 2011 favored the use of High Street for the Randwick arm of the line rather than the Government choice of Alison and Wansey Roads;
- 3) Forming the Randwick Rail Alignment Working Group to report back to Council on the feasibility, requirements, cost, environmental impact and possible advantages of an alternative alignment of the Randwick arm of the CSELR away from the approved Alison and Wansey Road alignment, not excluding alternate routes including the old tram route to the racecourse, the western side of the racecourse and High Street, and prepare a submission to the State Government arguing for the feasibility of the proposed changes;
- 4) that the membership of the Randwick Light Rail Alignment Working Group shall consist of North and West Ward Councillors only;
- 5) Providing the Working Group with a budget of up to \$100,000 to employ

consultants to achieve this objective; and

- 6) Formally advising both the Minister for Transport and the State Opposition spokesperson for Transport of the creation of the Randwick Rail Alignment Working Group and request the opportunity for it to meet with both on the subject.
- 7) Calling on the Premier, Mike Baird, and the leader of the NSW Opposition, to immediately commit to protecting High Cross Park and parklands and cycleways at Alison Road, conventionally known as Centennial Parklands, from any encroachments from the South East Light Rail Project.

AMENDMENT: (Stevenson/Bowen) that Council responds to the negative impact of the amending CBD and South East Light Rail Project State Significant Infrastructure Approval SSI-6042 of December 2014 by;

- 1) Noting that the realignment of the Alison Road section will result in additional tree losses along with the loss of the Alison Road bike path and the very significant and unacceptable loss of accustomed parklands;
- 2) Noting that the Council initiated Randwick Light Rail Pre-Feasibility study of 2011 favored the use of High Street for the Randwick arm of the line rather than the Government choice of Alison and Wansey Roads;
- 3) An alternative route using the old tram route for the racecourse, the western side of the racecourse and all of High Street for the Randwick arm of the line.
- 4) Formally advising both the Minister for Transport and the State Opposition spokesperson for Transport of the creation of the Randwick Rail Alignment Working Group and request the opportunity for it to meet with both on the subject. **LOST.**

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

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

FOR	AGAINST
Councillor Belleli	Councillor Andrews
Councillor Bowen	Councillor Matson
Councillor D'Souza	Councillor Nash
Councillor Garcia	Councillor Roberts
Councillor Moore	Councillor Seng
Councillor Neilson	Councillor Shurey
Councillor Stevenson	Councillor Smith
	Councillor Stavrinou
Total (7)	Total (8)

AMENDMENT: (Stevenson/Bowen) that the membership of the Randwick Light Rail Alignment Working Group shall consist of North and West Ward Councillors only.

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

AMENDMENT: (Matson/Andrews) CARRIED UNANIMOUSLY AND BECAME THE MOTION.

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

NM7/15 Notice of Motion from Cr Bowen - Impact of electricity privatisation to Randwick Council budget (F2004/06424)

33/15

RESOLUTION: (Bowen/Moore) that Council with over 10,000 electrically powered public and street lights throughout Randwick City, at a cost of over \$1.5 million per annum for this lighting, views with concern the State Government proposal to sell the State's Electrical Transmission and Distribution Network (poles & wires). Recent studies show power costs will most likely increase under this policy and in order to protect council services and ratepayer funds:

1. Calls upon the State Government to abandon its policy to privatise the electricity network in NSW; and
2. States its opposition to the privatisation of NSW public electricity assets.

At this point in the meeting Cr Garcia declared a non-significant non pecuniary interest in this matter as the report referred to was commissioned by the Kelly Institute of which he is a Fellow.

AMENDMENT: (Roberts/Stavrinis) that Council with over 10,000 electrically powered public and street lights throughout Randwick City, at a cost of over \$1.5 million per annum for this lighting, welcomes the State Government proposal to lease 40% of the State's Electrical Transmission and Distribution Network (poles & wires) and notes that this will put downward pressure on power costs. **LOST.**

MOTION: (Bowen/Moore) CARRIED – SEE RESOLUTION.

Cr Roberts requested that his name be recorded as voting against the above motion.

RESOLVED: (PROCEDURAL MOTION) (Bowen/Matson) that the meeting be extended until 12.30am.

NM8/15 Notice of Motion from Cr Bowen - Randwick and Anzac Parade South Urban Activation Precincts now identified as Priority Precincts (F2013/00012)

34/15

RESOLUTION: (Bowen/Moore) that it be noted the State government has recently re-named the Randwick and Anzac Parade South Urban Activation Precincts (UAPs) as "Priority Precincts" and indicated plans are being developed for both precincts. Given Community concern about the UAP proposal Council immediately seek confirmation from the NSW Planning Minister that:

1. the state government commit to a full and comprehensive consultation with every property and business owner in Randwick LGA before proposing any development control changes to either the Randwick or Anzac Parade South Priority Precinct; and
2. there will be no zoning changes to permit high density development in either the Randwick or Anzac Parade Priority Precinct without a resolution of Randwick Council supporting such a change.

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

NM9/15 Notice of Motion from Cr Smith - Mayoral Election Policy (F2005/00751)

35/15

RESOLUTION: (Smith/Stavrinis) that Council write to the NSW Leader of the Opposition, Luke Foley, to express disappointment that the ALP seeks to deny the rights of residents and ratepayers to determine for themselves how their Mayor is elected. Furthermore that Council note the lack of any consultation with Council in

formulating this policy which would have a major impact on Council.

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

NM10/15 Notice of Motion from Cr Smith - Trialling synthetic sports fields surfaces (F2005/00446)

This motion was withdrawn by Cr Smith at the Council Meeting.

Confidential reports (closed session)

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

Closed Session

MM1/15 Confidential - Performance Review of General Manager 2014 (EMPO2901)

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

36/15

RESOLUTION: (Andrews/Stavrinos) that Council:

- a) receive and note the General Manager's performance review and rating as Better than Satisfactory.
- b) increase the total remuneration package of the General Manger to \$407,642.50 per annum based on the performance review and achievements of the General Manager in accordance with the standard contract of employment.
- c) delegate to the Mayor and General Manager to negotiate and finalise contract discussions with the Director City Planning and Director City Services and advise the Council accordingly.

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

GM4/15 Confidential - Reorganisation of Community Development Department (F2004/07993)

This matter is considered to be confidential under Section 10A(2) (f) Of the Local Government Act, as it deals with matters affecting the security of the Council, Councillors, Council staff or Council property.

37/15

RESOLUTION: (Smith/Andrews) that Council adopt the organisational structure for the management and activation of the Prince Henry Community Centre and Randwick Community Centre in the manner described in this report.

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

CP6/15 Confidential - Tender Report: Waste Collection and Processing Services Part B and Part C (F2013/00488)

This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

38/15

RESOLUTION: (Stavrinou/Andrews) that Council:

1. under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, accept the tender from VISY Recycling Pty Ltd for processing of recyclables for a term of six (6) years with one year optional extension with a rebate payable back to Council of approximately \$240,000.00 per year;
2. authorises the General Manager to sign the contract documents on behalf of Council for a six (6) year term with an option to extend for one further term of 12 months;
3. under clause 178(1)(b) of the *Local Government (General Regulation) 2005* (NSW), having considered the tenders submitted for the proposed food waste collection services contract, resolve to decline to accept all of the tenders and invite new tenders in future to allow adequate time to undertake educational programs that will reduce the level of potential contamination;
4. agree to staged approach to food waste collection services:
 - Phase 1 – continue food waste collection service with the existing program participants
 - Phase 2 - roll-out of food waste collection service to all multi-unit dwellings
 - Phase 3 - extend the food waste collection services to all dwellings

Prior to commencing phase 2 and 3, a report will be prepared for Council's endorsement;
5. agree to allocate \$300,000.00 in Domestic Waste Management budget for 2015-16 to cover the cost to continue food waste collection service to the existing program participants;
6. authorise the General Manager to negotiate with the Environmental Trust to change the implementation of food waste collection to all multi-unit dwellings from 1st July 2015 to 1st July 2016;
7. authorise the General Manager to negotiate a contract with a service provider for processing of food waste collected from multi-unit dwellings currently participating in the program;
8. authorise the General Manager to notify the successful tenderer for processing of recyclables and execute contract accordingly; and
9. notify all unsuccessful tenderers.

MOTION: (Stavrinou/Andrews) CARRIED UNANIMOUSLY - SEE RESOLUTION.**CP7/15 Confidential - Tender T2015/11 - Recycling Incentive Services (F2014/00560)**

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.

39/15

RESOLUTION: (Smith/Garcia) that Council:

- a) under clause 178(1)(b) of the *Local Government (General Regulation) 2005* (NSW), having considered the tenders submitted for the proposed recycling incentive service contract, resolve to decline to accept all of the tenders as the

outcome is not considered to provide value for money for Council;

- b) request the General Manager direct Green Money to notify the participants of the scheme that the Green Money Recycling Reward Scheme will come to an end after 31 March 2015;
- c) communicate and sufficiently publicise the closure of the scheme; and
- c) notify the unsuccessful tenderers.

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

CS2/15 Confidential - Tender T2015-12 - Chifley Sports Reserve Youth Skate Park (F2014/00572)

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.

40/15

RESOLUTION: (Andrews/D'Souza) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Concrete Skate Parks Pty Ltd be accepted as the successful tenderer;
- b) the General Manager, or delegated representative, be authorised to enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

Open Session

That the meeting move back into open session.

Notice of Rescission Motions

NR1/15 Notice of Rescission Motion - Notice of Rescission Motion from Councillors Neilson, Bowen and Matson - Development Application Report - 34 Milford St, Randwick (DA/505/2014)

41/15

RESOLUTION: (Matson/Neilson) that the resolution passed at the Planning Committee meeting held on Tuesday 10 February 2015 reading as follows:

"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. 505/2014 for the demolition of an existing dwelling and construction of a new three storey residential flat building containing 5 units and basement parking for seven vehicles, strata subdivision, associated site and landscaping works at No. 34 Milford Street, Randwick, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Non Standard Conditions

- 2. The approved plans and documents must be amended in accordance with the following requirements:
 - a. A privacy screen having a height of 1.6m above floor level must be

provided to the western and northern edges of the balcony at the rear of unit 201 on the second floor. On the northern edge the screen is to extend east to screen the first sliding door window as shown on the northern elevation (drawing DA11 C). The privacy screen must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.

- b. The privacy screen provided to the northern edge of the first floor rear unit 102 is to extend east to screen the first of the sliding doors shown on the western elevation (drawing DA11C). The screen is to be semi-operable to preclude opening beyond a 45 degree angle to from right to left. The privacy screen must be constructed of metal or timber and the total area of any openings within the privacy screen must not exceed 25% of the area of the screen. Alternatively, the privacy screen may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
- c. Section detail of the amendments required in 2 a. and 2 b. and all privacy screens within the development to a scale of 1:50 is to be submitted to and approved by Councils Manager of Development Assessment prior to issue of a construction certificate.
- d. The 2 air conditioning units closest to the western boundary as shown on the ground floor plan (drawing DA04 C) are to be relocated north to the inset section of wall. Details are to be included in the construction certificate.
- e. The washing line area shown at the front of unit 001 on the ground floor (drawing DA04C) is to be removed. Details are to be included in the construction certificate.
- f. The stormwater pipes shown on the western elevation (drawing DA12 C) shall be relocated to run straight down the stair wall north of the louvre screen. Details are to be included in the construction certificate.
- g. The courtyard shown as allocated to Part lot 1 (ground floor front unit) on the draft Strata plan is to be allocated as common property. An amended draft Strata Plan is to be submitted to and approved by Council's Manager of Development Assessment prior to issue of the construction certificate."

BE AND IS HEREBY RESCINDED.

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

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor D'Souza	Councillor Belleli
Councillor Matson	Councillor Nash
Councillor Moore	Councillor Roberts
Councillor Neilson	Councillor Seng
Councillor Shurey	Councillor Stavrinou
Councillor Smith	
Councillor Stevenson	
Total (8)	Total (6)

MOTION: (Neilson/Matson) that:

- a) the matter be deferred with the invitation extended to the applicant to submit amended plans to address the following matters:
- The external pathway on the western boundary be enclosed to reduce the noise impacts on the neighbour at No. 32 Milford Street.
 - The stair lobby wall be moved a further 1m from the western boundary to reduce the visual impact, loss of light and sun and sky views to the neighbouring house at No. 32 Milford Street.
 - The air conditioning unit adjacent to the boundary of No. 32 Milford Street be moved to the Judge Street frontage in order to reduce the noise impact on No. 32 Milford Street.
 - The balconies on north-western corner be redesigned to smaller Juliet balconies.
- b) the house at No. 32 Milford Street be assessed for heritage listing under the Randwick LEP because of its social and architectural significance. **LOST.**

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor D'Souza	Councillor Belleli
Councillor Matson	Councillor Moore
Councillor Neilson	Councillor Nash
Councillor Shurey	Councillor Roberts
Councillor Stevenson	Councillor Seng
	Councillor Smith
	Councillor Stavrinou
Total (6)	Total (8)

AMENDMENT: (Stevenson/-) that the matter be deferred with the invitation extended to the applicant to submit amended plans to address the following matters:

- The external pathway on the western boundary be enclosed to reduce the noise impacts on the neighbour at No. 32 Milford Street.
- The air conditioning unit adjacent to the boundary of No. 32 Milford Street be moved to the Judge Street frontage in order to reduce the noise impact on No. 32 Milford Street.
- The balconies on north-western corner be redesigned to smaller Juliet balconies. **LAPSED FOR THE WANT OF A SECONDER.**

Cr Garcia arrived at the meeting at this point (7.50pm).

42/15

RESOLUTION: (Roberts/Matson) that the matter be deferred with the invitation extended to the applicant to submit amended plans to:

- increase the setbacks on the western and northern boundaries to address amenity issues of the adjoining neighbours.
 - move the air conditioning unit adjacent to the boundary of No. 32 Milford Street to the Judge Street frontage in order to reduce the noise impact on No. 32 Milford Street.
- b) the house at No. 32 Milford Street be assessed for heritage listing under the Randwick LEP because of its social and architectural significance.

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

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor D'Souza	Councillor Belleli
Councillor Garcia	Councillor Stavrinou
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Smith	
Councillor Stevenson	
Total (12)	Total (3)

There being no further business, His Worship the Mayor, Cr T Seng, declared the meeting closed at 12:42pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 24 March 2015.

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CHAIRPERSON