

**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, 22 MARCH 2016 AT 6:09PM**

**Present:**

The Mayor, Councillor N D'Souza (Chairperson) (South Ward)

Councillor G Moore (Deputy Mayor) (West Ward)

North Ward	- Councillors K Neilson, L Shurey & K Smith
South Ward	- Councillors R Belleli & P Garcia
East Ward	- Councillors T Bowen (from 7.02pm) & B Roberts (from 8.29pm)
West Ward	- Councillors S Nash & H Stavrinou
Central Ward	- Councillors A Andrews, T Seng & G Stevenson

**Officers Present:**

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoplos
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr J Smith
Manager Administrative Services	Mr D Kelly
Manager Development Assessment	Mr K Kyriacou
Manager Strategic Planning	Mr A Bright
Communications Manager	Mr J Hay
Manager Health, Building & Regulatory Services	Mr R Wereszczynski

**Prayer & Acknowledgement of Local Indigenous People**

The Council Prayer was read by Cr Belleli. The Acknowledgement of Local Indigenous People was read by Cr Shurey.

**Apologies/Granting of Leave of Absences**

An apology was received from Cr Matson.

**RESOLVED: (Stavrinou/Shurey)** that the apology received from Cr Matson 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 23 FEBRUARY 2016

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37/16

**RESOLUTION: (Belleli/Stavrinos)** that the Minutes of the Ordinary Council Meeting held on Tuesday 23 February 2016 (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 Smith declared a pecuniary interest in Item CP11/16 as his parents own the subject premises. Cr Smith will be taking no part in the debate or voting on this matter.
- b) Cr Smith declared a significant non pecuniary interest in Item NM11/16 as his employer is part of the alcohol industry. Cr Smith will be taking no part in the debate or voting on this matter.
- c) Cr Neilson declared a non-significant non pecuniary interest in Item NM18/16 as she knows some of the objectors to this matter and she is a member of the Randwick Rugby Club.
- d) Cr Belleli declared a significant non pecuniary interest in Item CP19/16 as one of the recipients in this program performs for his wife's dance school. Cr Belleli will be taking no part in the debate or voting on this matter.
- e) Cr Andrews declared a non-significant non pecuniary interest in Item CP7/16 as he knows the applicant and some of the objectors in this matter.
- f) Cr Andrews declared a non-significant non pecuniary interest in Item CP10/16 as he knows the applicant and some of the objectors in this matter.
- g) Cr Andrews declared a non-significant non pecuniary interest in Item CP13/16 as he knows the applicant and some of the objectors in this matter.
- h) Cr Stavrinos declared a non-significant non pecuniary interest in Item CP13/16 as he knows the applicant in this matter.
- i) Cr Stavrinos declared a non-significant non pecuniary interest in Item CP10/16 as one of the objectors contacted him in relation to this matter.
- j) Cr Nash declared a significant non pecuniary interest in Items CP14/16 and CP15/16 as they both potentially involve the JRPP, of which Cr Nash is a delegate. Cr Nash will be taking no part in the debate or voting on these matters.
- k) Cr Moore declared a significant non pecuniary interest in Items CP14/16 and CP15/16 as they both potentially involve the JRPP, of which Cr Moore is an alternate delegate. Cr Moore will be taking no part in the debate or voting on these matters.
- l) Cr Smith declared a significant non pecuniary interest in Items CP14/16 and CP15/16 as they both potentially involve the JRPP, of which Cr Smith is a delegate. Cr Smith will be taking no part in the debate or voting on these matters.
- m) Cr Roberts declared a non-significant non pecuniary interest in Item NM9/16 as he has just joined the Maroubra RSL Sub Branch.

### 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:

- CP7/16 23 MERMAID AVE, MAROUBRA (DA/372/2015)
- Objector** Stuart Harding on behalf of objectors
- Applicant** James Lidis on behalf of applicant
- CP8/16 18 MCGOWEN AVENUE, MALABAR (DA/26/2015/A)
- Applicant** Mark Swain on behalf of applicant
- CP10/16 325-327 ARDEN STREET, COOGEE (DA/695/2015)
- Objector** Michael Michalandos on behalf of the objectors
- Applicant** Alec Pappas on behalf of applicant
- CP12/16 58 PAULING AVENUE, COOGEE (DA/781/2015)
- Objector** Jacky Gruszka on behalf of the objectors
- Applicant** Chris Mirkas on behalf of the applicant
- CP13/16 68 FRENCHMANS ROAD, RANDWICK (DA/600/2015)
- Applicant** Anthony Betros on behalf of the applicant
- CP17/16 KINGSFORD AND KENSINGTON TOWN CENTRES ISSUES PAPER AND INTERNATIONAL DESIGN COMPETITION
- For** Margery Whitehead
- NM18/16 NOTICE OF MOTION BY CR ANDREWS - PROPOSED AMENDMENT TO COUNCIL'S HALL HIRE POLICY
- Against** Marie McMahon (Coogee Precinct)
- For** Simon Poidevin

The meeting was adjourned at 7.20pm and was resumed at 7.39pm.

**RESOLVED (PROCEDURAL MOTION): (Seng/Andrews)** that Item NM18/16 (Notice of Motion from Cr Andrews – Proposed Amendment to Council's Hall Hire Policy) be brought forward for immediate consideration.

### Mayoral Minutes

#### MM10/16 Mayoral Minute - Waiving the Fees - Fundraising Walk (F2016/00096)

38/16

**RESOLUTION: (Mayor, Cr N D'Souza)** that:

- a) the fees for the "Walk of Hope" event hosted by the Children's Tumour Foundation starting at Maroubra Beach and finishing at Bondi Beach on Sunday 29 May 2016 be waived and \$170.00 be allocated from the 2016-17 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; and
- d) the event organisers provide Council with information following the event on the number of attendees.

**MOTION: (Mayor, Cr N D'Souza) CARRIED - SEE RESOLUTION.**

**MM11/16 Mayoral Minute - Prince of Wales Hospital Foundation - Request for Financial Support (F2005/00401)**

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39/16 **RESOLUTION: (Mayor, Cr N D'Souza) that:**

- a) Council take up Standard Handicap Race sponsorship for the Bledisloe Cup Festival Race Day being held on Saturday 6 August 2016 as a show of support for the Prince of Wales Hospital Foundation with the funds being allocated from the 2016-17 Contingency Fund; and
- b) interested Councilors be authorised to accept a Member guest pass to this very worthwhile fundraiser to support the Prince of Wales Hospital Foundation in its mission to build healthier communities.

**MOTION: (Mayor, Cr N D'Souza) CARRIED - SEE RESOLUTION.**

**MM12/16 Mayoral Minute - Randwick Boys and Girls High Schools - Request for Financial Assistance (F2004/07396)**

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40/16 **RESOLUTION: (Mayor, Cr N D'Souza) 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 2016, such funds to come from the 2016-17 Contingency Fund budget; and
- b) the Schools undertake to appropriately and prominently promote Council's sponsorship of the event.

**MOTION: (Mayor, Cr N D'Souza) CARRIED - SEE RESOLUTION.**

**Urgent Business**

An item of urgent business was considered in closed committee. See resolution number 65/16.

**Director City Planning Reports**

**CP7/16 Director City Planning Report - 23 Mermaid Ave, Maroubra (DA/372/2015)**

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41/16 **RESOLUTION: (Smith/Seng) –**

- 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 and 4.4 of Randwick Local Environmental Plan 2012, relating to 'height of buildings' and 'floor space ratio' 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 & Infrastructure 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. DA/372/2015 for the demolition of existing structures and construction of a new dwelling house and swimming pool (variation to FSR and height controls), at 23 Mermaid Avenue, Maroubra, 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**

#### **Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. A privacy screen shall be installed in the opening on the southern external wall adjacent to the deck on level 1. 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. Reduce the depth of the level 1 deck by 1.4m to achieve a subsequent 1.4m increase in the rear setback of the development. That is, the eastern external wall of the development is to be moved 1.4m in a westward direction.

**MOTION: (Andrews/Stavrinou)** that Council grants development consent as per the officer's report subject to the reduction in the depth of the level 1 deck by 2.5m to achieve a subsequent 2.5m increase in the rear setback of the development. That is, the eastern external wall of the development is to be moved 2.5m in a westward direction.

**AMENDMENT: (Smith/Seng) CARRIED AND BECAME THE MOTION.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Belleli	Councillor Andrews
Councillor Bowen	Councillor Shurey
Councillor D'Souza	Councillor Stavrinou
Councillor Garcia	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Smith	
Councillor Stevenson	
<b>Total (11)</b>	<b>Total (3)</b>

**MOTION: (Smith/Seng) CARRIED – SEE RESOLUTION.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Belleli	Councillor Andrews
Councillor Bowen	

Councillor D'Souza  
 Councillor Garcia  
 Councillor Moore  
 Councillor Nash  
 Councillor Neilson  
 Councillor Roberts  
 Councillor Seng  
 Councillor Shurey  
 Councillor Smith  
 Councillor Stavrinou  
 Councillor Stevenson

**Total (13)**

**Total (1)**

**CP8/16 Director City Planning Report - 18 McGowen Avenue, Malabar  
 (DA/26/2015/A)**

42/16

**RESOLUTION: (Andrews/Stavrinou)** that Council, as the consent authority, grants consent under Sections 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/26/2015 in the manner:

2b. The use of the outbuilding is authorised under this consent

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

**CP9/16 Director City Planning Report - 68 Coogee Bay Road, Randwick  
 (DA/610/2015)**

43/16

**RESOLUTION: (Andrews/Stavrinou)**

- 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 4.4 of Randwick Local Environmental Plan 2012, relating to Floor Space Ratios, 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 & Infrastructure 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. DA/610/2015 for alterations and additions to existing building including construction of additional dwelling at basement level, alterations and additions to units 1 and 2 at ground and first floor level, demolition of existing carport fronting Queen Street, construction of new double garage with home office, bathroom and bar at first floor, landscaping and associated works (variation to floor space ratio control) at No. 68 Coogee Bay Road, COOGEE, 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**

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
- a. The privacy screening at the ground and lower ground floor levels on the eastern edge of the balcony shall have a height of 1.6 metres as measured

from the finished floor level of the balcony. 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. All habitable rooms to the ground floor unit and the home office/retreat above the rear double garage must have a minimum floor to ceiling height of 2.7 metres above the finished floor level.
- c. The new fence on the northern and western edge of the courtyard shall be a maximum height of 1.6 metres from the finished floor level of the courtyard area.

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

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

FOR	AGAINST
Councillor Andrews	Councillor Neilson
Councillor Belleli	Councillor Shurey
Councillor Bowen	
Councillor D'Souza	
Councillor Garcia	
Councillor Moore	
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Smith	
Councillor Stavrinou	
Councillor Stevenson	
<b>Total (12)</b>	<b>Total (2)</b>

**CP10/16 Director City Planning Report - 325-327 Arden Street, Coogee (DA/695/2015)**

44/16

**RESOLUTION: (Andrews/Stavrinou) -**

- A. That Council does not support the exception to the development standard under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clauses 4.3 and Clause 4.4 of Randwick Local Environmental Plan 2012, relating to building height and floor space ratio on the grounds that the proposed development does not comply with the objectives of the floor space ratio and height standards and will adversely affect the amenity of the locality.
- B. That Council, as the consent authority, refuse development consent under Sections 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 695/2015 for the demolition of all existing structures, consolidation of two lots, construction of a 4 storey residential flat building in two building forms containing 17 dwellings, basement car parking for 29 vehicles, landscaping, strata subdivision and associated works (variation to F.S.R and height control) at 325-327 Arden Street, Coogee for the following reasons:
  1. The proposal does not satisfy the objectives of the R3 Medium Density zone related to recognising the desirable elements of the existing streetscape and

- built form, contributing to the desired future character of the area, and protecting the amenity of surrounding residents, which are specified in the Randwick Local Environmental Plan 2012.
2. The proposal exceeds the maximum building height of 12m specified in Clause 4.3 of Randwick Local Environmental Plan 2012 and the Clause 4.6 variation to the development standard is not well founded.
  3. The proposal exceeds the maximum F.S.R of 0.9:1 specified in Clause 4.4 of Randwick Local Environmental Plan 2012 and the Clause 4.6 variation to the development standard is not well founded.
  4. The proposal does not satisfy the relevant objectives of Clause 6.7 – Foreshore Scenic Protection Area in that the proposed development dominates and detracts from the scenic qualities within the foreshore scenic protection area.
  5. The proposal does not satisfy the relevant controls and objectives in relation to side setbacks contained within Randwick DCP 2013 Part C2, Clause 3.4.2.
  6. The proposal does not satisfy the relevant controls and objectives in relation to roof design contained within Randwick DCP 2013 Part C2, Clause 4.2.
  7. The proposal does not satisfy the relevant controls and objectives in relation to external wall height contained within Randwick DCP 2013 Part C2, Clause 4.4.
  8. The proposal does not satisfy the relevant controls and objectives in relation to Visual Privacy contained within Randwick DCP 2013 Part C2, Clause 5.3.
  9. The proposal does not satisfy the relevant controls and objectives in relation to View Sharing contained within Randwick DCP 2013 Part C2, Clause 5.5.
  10. The proposal does not satisfy the design principle for Built Form and Scale, and Aesthetics specified in Schedule 1 of State Environmental Planning Policy No 65 –Design Quality of Residential Flat Buildings.
  11. The proposal does not satisfy the design criteria and design guidance set-out in Part 3F-1 Visual Privacy of the Apartment Design Guide as per SEPP 65.
  12. The proposal does not satisfy the design criteria and design guidance set-out in Part 4D Apartment Size and Layout of the Apartment Design Guide as per SEPP 65.
  13. The proposal does not satisfy the design criteria and design guidance set-out in Part 4G Storage of the Apartment Design Guide as per SEPP 65.
  14. The proposal fails to satisfy the relevant considerations under Section 79C(1) (b),(c) and (e) Environmental Planning and Assessment Act 1979 for natural and built environmental impacts, suitability of the site, and the public interest.

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

**CP11/16 Director City Planning Report - 14 Clifton Road, Clovelly  
(DA/636/2014/A)**

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Note: Having previously declared an interest, Cr Smith left the chamber during the debate and voting on this matter.

45/16

**RESOLUTION: (Stavrinou/Andrews)** that Council, as the consent authority, grants consent under Section 96 of the Environmental Planning and Assessment Act 1979, as



amended, to Development No. DA/636/2014/A for the reconstruction of the ground level front portion of the dwelling, at No. 14 Clifton Road, Clovelly, in the following manner:

- **Amend Condition No. 1 to read:**

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>Dated</i>	<i>Received by Council</i>
DA-00	Chapman Architecture	16.09.2014	16 Sep 2014
DA-01	Chapman Architecture	16.09.2014	16 Sep 2014
DA-02	Chapman Architecture	16.09.2014	16 Sep 2014
DA-03	Chapman Architecture	16.09.2014	16 Sep 2014
N-01	Chapman Architecture	16.09.2014	16 Sep 2014
N-02	Chapman Architecture	16.09.2014	16 Sep 2014

As amended by the **s96 A plans as detailed below**, only in so far as they relate to modification highlighted in the plans:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
DA-00	Chapman Architecture	16.09.2014	29 Feb 2016
DA-01	Chapman Architecture	16.09.2014	29 Feb 2016
DA-03	Chapman Architecture	16.09.2014	29 Feb 2016

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

**CP12/16 Director City Planning Report - 58 Pauling Avenue, Coogee (DA/781/2015)**

46/16

**RESOLUTION: (Andrews/Stavrinos) -**

- A. 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. 781/2015 for alterations and additions to the existing dwelling at 58 Pauling Avenue Coogee, 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**

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. The sill height of the study room window on the northern elevation at first floor level is to be increased to be a minimum height of 1.6m above floor level, or alternatively, the window is to be fixed and provided with obscured glazing below 1.6m above the floor level.
  - b. The northern external wall of the kitchen at ground floor level must be setback from the northern side boundary in line with the existing dwelling.

- c. The privacy screens on the northern and southern sides of the rear courtyard must be constructed of fixed and obscured glazing in a suitable frame having a height of 1600mm above the level of the courtyard.

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

**CP13/16 Director City Planning Report - 68 Frenchmans Road, Randwick (DA/600/2015)**

47/16

**RESOLUTION: (Andrews/Stavrinos)** that Council, as the consent authority, grants development consent under Sections 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/600/2015 for alterations and additions to the existing vehicle body repair workshop to include a new mansard roof addition to enclose the upper level parking area and new storage room fronting Frenchmans Road including associated fencing and landscaping, at No. 68 Frenchmans Road, RANDWICK, 2031 subject to standard conditions.

**MOTION: (Andrews/Stavrinos)** approval subject to standard conditions. CARRIED

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 Garcia
Councillor Belleli	Councillor Moore
Councillor Bowen	Councillor Neilson
Councillor D'Souza	Councillor Shurey
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Smith	
Councillor Stavrinos	
Councillor Stevenson	
<b>Total (10)</b>	<b>Total (4)</b>

**CP14/16 Director City Planning Report - Planning Proposal - 111-125 Anzac Parade and 112 Todman Avenue, Kensington (F2015/00419)**

Note: Having previously declared an interest, Councillors Nash, Moore and Smith left the chamber during the debate and voting on this matter.

48/16

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

1. not support the Planning Proposal submitted by JBA Urban Planning Consultants Pty Ltd on behalf of developer TOGA Kensington Pty Ltd to amend Randwick LEP 2012 to increase the Height of Buildings Map from 12m, 21m, and 25m to 85m and introduce a 7:1 ratio on the FSR Map on the land located at 111-125 Anzac Parade and 112 Todman Avenue, Kensington; and
2. advise the applicant of Council's decision.

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

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**CP15/16 Director City Planning Report - Planning Proposal – 137-151 Anzac Parade, Kensington (F2015/00419)**

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Note: Having previously declared an interest, Councillors Nash, Moore and Smith left the chamber during the debate and voting on this matter.

49/16 **RESOLUTION: (Stavrinos/Shurey)** that Council:

1. not support the Planning Proposal submitted by JBA Urban Planning Consultants Pty Ltd on behalf of developer TOGA Addison Pty Ltd to amend Randwick LEP 2012 to increase the Height of Buildings Map from 25m to 83m and introduce a 7:1 ratio on the FSR Map on the land located at 137-151 Anzac Parade, Kensington; and
2. advise the applicant of Council's decision.

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

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**CP16/16 Director City Planning Report - Randwick City Council Enforcement Policy & Guidelines (F2004/06770)**

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50/16 **RESOLUTION: (Stavrinos/Andrews)** that:

- a) Randwick City Council adopt the *Randwick City Council Enforcement Policy & Guidelines 2016*, and
- b) the *Randwick City Council Enforcement Policy & Guidelines* be published on Council's website.

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

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**CP17/16 Director City Planning Report - Kingsford and Kensington Town Centres' Issues Paper and International Design Competition (F2016/04019)**

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51/16 **RESOLUTION: (Stavrinos/Andrews)** that Council:

- a) endorse the attached draft *Issues Paper: Kingsford & Kensington Town Centre Review 2016*; and
- b) endorse the Community Engagement Framework.

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

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

FOR	AGAINST
Councillor Andrews	Councillor Belleli
Councillor D'Souza	Councillor Bowen
Councillor Garcia	Councillor Neilson
Councillor Moore	Councillor Stevenson
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Smith	

Councillor Stavrinou

**Total (10)**

**Total (4)**

**CP18/16 Director City Planning Report - Report Variation to Development Standard under State Environmental Planning Policy No. 1 (SEPP 1) and Clause 4.6 between 19 November, 2015 to 10 March, 2016 (F2008/00122)**

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52/16 **RESOLUTION: (Stavrinou/Andrews)** that the report be received and noted.

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

**CP19/16 Director City Planning Report - Cultural and Community Grant Program - Recommended Allocations - March 2016 (F2009/00182)**

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Note: Having previously declared an interest, Cr Belleli left the chamber during the debate and voting on this matter.

53/16 **RESOLUTION: (Andrews/Stavrinou)** that Council approves the remaining allocation of Cultural and Community Program funds totalling \$43,927.33 being allocated to the recommended grant applicants as listed in attachment one.

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

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

Nil.

### **Director City Services Reports**

Nil.

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

**GF8/16 Director Governance & Financial Services Report - Investment Report - February 2016 (F2015/06527)**

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54/16 **RESOLUTION: (Stavrinou/Andrews)** that the investment report for February 2016 be received and noted.

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

**GF9/16 Director Governance & Financial Services Report - Model Code of Conduct for Local Councils in NSW - November 2015 - Office of Local Government Publication (F2004/06569)**

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55/16 **RESOLUTION: (Smith/Andrews)** that the revised Code of Conduct (incorporating the Model Code of Conduct for Local Councils in NSW – November 2015) be adopted.

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

### **Petitions**

Nil.

**Motions Pursuant to Notice****NM9/16 Motion Pursuant to Notice - Notice of Motion from Cr Shurey – Sealing the Maroubra Bowling Club site for Community Use in Perpetuity (F2004/06325)**

56/16

**RESOLUTION: (Shurey/Andrews)** that Randwick Council builds on its submission to the Boundaries Commission Inquiry concerning preserving the Maroubra Bowling Club site for the community by:

- a) seeking assurances from the State Government that it will not allow any gateway approval under the Environmental Planning and Assessment Act 1979 that allows for residential or commercial rezoning;
- b) urging the State Government to enter into negotiations with the RSL to acquire the site at fair and reasonable cost to maintain it as a community asset managed by Randwick City Council or its successor; and
- c) advising the Government that it is willing to seek expressions of interest from the community for membership on a Trust to carry out the delegated responsibility of the Council similar to the successful Wylies Baths Trust model.

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

**NM10/16 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Compulsory "Scores on Doors" (F2010/00253)**

57/16

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

- (a) write to the NSW Minister for Primary Industries, the Hon. Niall Blair requesting that the "Scores on Doors" Hygiene and Food Safety program be made mandatory for all food handling outlets in all LGA's across NSW; and
- b) requests that the individual "Scores on Doors" hygiene rating be made compulsory to be clearly and visibly displayed in all food handling outlets in all LGA's across NSW.

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

**NM11/16 Motion Pursuant to Notice - Notice of Motion by Cr Andrews - Proposed Amendment to Council's Hall Hire Policy (F2016/00098)**

Note: A rescission motion on this item was submitted by Councillors Belleli, Neilson and Shurey in accordance with Council's Code of Meeting Practice and will be considered at the ordinary Council Meeting to be held on 26 April 2016

Note: Having previously declared an interest, Cr Smith left the chamber during the debate and voting on this matter.

58/16

**RESOLUTION: (Andrews/Stavrinis)** that Council remove the prohibition on the consumption of alcohol at the Coogee Eastward Senior Citizens Centre from its Hall Hire Policy effective immediately.

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

Cr Roberts arrived at the meeting at this point (8.29pm) straight after the division on the amendment was taken. He was therefore present for the vote on the following motion.

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

FOR	AGAINST
Councillor Andrews	Councillor Belleli
Councillor D'Souza	Councillor Bowen
Councillor Garcia	Councillor Moore
Councillor Nash	Councillor Neilson
Councillor Roberts	Councillor Shurey
Councillor Seng	Councillor Stevenson
Councillor Stavrinis	
<b>Total (7)</b>	<b>Total (6)</b>

**AMENDMENT: (Belleli/Shurey)** that this matter be deferred to allow the local East Ward Councillor Murray Matson to participate in the debate on this important community matter and to allow for consultation with the local community with a report to be brought back to Council on the use of alcohol on this site. **LOST.**

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

FOR	AGAINST
Councillor Belleli	Councillor Andrews
Councillor Bowen	Councillor D'Souza
Councillor Moore	Councillor Garcia
Councillor Neilson	Councillor Nash
Councillor Shurey	Councillor Seng
	Councillor Stavrinis
	Councillor Stevenson
<b>Total (5)</b>	<b>Total (7)</b>

### Confidential Reports

The meeting moved into closed session in order to consider confidential items.

Note: Councillor Stevenson was not present during consideration of the following items in closed committee.

### Closed Session

#### **CS1/16 Confidential - Quotation for the Purchase of a Street Sweeper and Gully Eductor - No. Q2016-19 (F2007/00634)**

*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.*

59/16

**RESOLUTION: (Smith/Stavrinis)** that Council:

- a) notes the acceptance, under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, of the quotation from Bucher Municipal for a Mechanical Street Sweeper Hino FE 1426 to the value of \$306,099.45 (ex GST) and a Gully Eductor Hino 1628 to the value of \$302,233.92 (ex GST) in accordance with the terms and conditions set out under Local Government Procurement contract LGP1608-2; and
- b) notifies all unsuccessful organisations who submitted quotations.

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

**GF9/16 Confidential - Tender for the Supply and Delivery of Print, Associated Products and Services - No 8/2015 SSROC (F2015/00422)**

*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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60/16

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Advertising Printing Australia Pty Ltd; Anchorage Media Pty Ltd; Cliff Lewis Printing; ecoDesign ecoPrint (Universal Graphics & Printing Australia); Embellish Creative Pty Ltd; Focus Print Group (Trustee for Print Warehouse ; Australia Trust); Graphitype Printing Services; Masterprint Pty Ltd; Oxford Printing and Promotions; Print Media Group; Print Media (The Trustee for Daniel Sawan Family Trust and the Trustee for Derar Sawan Family Trust and the Trustee for Petrovic Investment Trust); Sema Operations Pty Ltd; Staples Australia Pty Ltd; The Camerons Group; The Flagstaff Group Limited; TMA Group of Companies Pty Ltd; and Worldwide Printing Solutions Kogarah (Trustee for Breakaway Imaging Trust) be accepted as the successful tenderers for supply in all categories for the Supply and Delivery of Print, Associated Products and Services; and
- b) the General Manager, or delegated representative, be authorised to enter into a preferred supplier agreement for a period of 3 years, with 2 optional 1 year extensions.

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

**GF10/16 Confidential - Proposal for Extension of Street Banner Printing and Installation Contract (Tender T06/11) (F2007/00519)**

*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.*

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61/16

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

- (a) due to extenuating circumstances in accordance with Section 55(3)(i) of the Local Government Act, Council enter into a month-to-month agreement with Council's existing street banner printing and installation contractors consistent with existing terms and fees for a period of up to twelve months from the expiry of the contract on 24 May 2016; and
- (b) authorises the General Manager, or delegated representative, to sign the contract documents on behalf of Council.

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

**GF11/16 Confidential - Business Systems Project Resourcing - Requirement**

**to Engage Consultant (F2015/00554)**

*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.*

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62/16

**RESOLUTION: (Stavrinou/Andrews)** that, due to extenuating circumstances in accordance with Section 55(3)(i) of the Local Government Act, it is recommended that:

- a) DWS Australia be engaged to provide services to the Human Resources Information Systems project at a fee of \$64,000.00 for project management and \$19,200.00 for testing and data analysis;
- b) DWS Australia be engaged to provide software development services at a fee of \$46,000.00 for the Integrated Management of Works (IMOWS) Mobility Redevelopment project;
- c) DWS Australia be engaged to provide Sharepoint Implementation, Intranet & Transition Project Site Development Services for a total of \$38,400.00 for the intranet and transition project sites; and
- d) the General Manager, or delegated representative, be authorised to sign the contract documents on behalf of Council.

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

**GF12/16 Confidential - Proposal to Extend Civic Signage Contract (F2010/00367)**

*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.*

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63/16

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

- (a) due to extenuating circumstances in accordance with Section 55(3)(i) of the Local Government Act, Council extend the current contract for Council's existing civic signage, consistent with existing terms and fees, for a period of six months to the end of December 2016; and
- (b) authorises the General Manager, or delegated representative, to sign the contract documents on behalf of Council.

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

**GM4/16 Confidential - Maroubra Sports Club - Expressions of Interest (F2004/06325)**

*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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64/16

**RESOLUTION: (Andrews/Stavrinou)** that Council resolves a preferred position in regard to the Expression of Interest process as detailed in options (f) of the officer's



report to ensure the club remains a part of our community.

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

### **Confidential Urgent Business**

#### **UB5/16 Cr Tony Bowen - Light Rail - Notice Required for Tree Removals (F2004/08175)**

65/16

**RESOLUTION: (Bowen/Moore)** that Council calls on Transport for NSW to give twenty one day's notice of any tree removal to occur pursuant to the independent arborist report process and that Randwick City Council be given a role to consult with the independent arborist as part of the removal of any tree pursuant to the independent arborist process.

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

### **Open Session**

The meeting moved back into open session.

### **Notice of Rescission Motions**

A rescission motion on item NM18/16 (Notice of Motion by Cr Andrews - Proposed Amendment to Council's Hall Hire Policy) was submitted by Councillors Belleli, Neilson and Shurey in accordance with Council's Code of Meeting Practice and will be considered at the ordinary Council Meeting to be held on 26<sup>th</sup> April 2016.

There being no further business, His Worship the Mayor, Cr D' Souza, declared the meeting closed at 9.45pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 26 April 2016.**

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**CHAIRPERSON**