



**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 AUGUST 2016 AT 6:04PM**

**Present:**

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

- |              |   |
|--------------|---|
| North Ward   | - Councillors K Neilson, L Shurey & K Smith                 |
| South Ward   | - Councillors R Belleli & P Garcia                          |
| East Ward    | - Councillors T Bowen, M Matson & B Roberts                 |
| West Ward    | - Councillors S Nash & H Stavrinou                          |
| Central Ward | - Councillors A Andrews, T Seng & G Stevenson (from 6.35pm) |

**Officers Present:**

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoules
Acting Director City Planning	Mr K Kyriacou
Director Governance & Financial Services	Mr J Smith
Manager Administrative Services	Mr D Kelly
Acting Manager Development Assessment	Mr F Ko
Communications Manager	Mr J Hay

**Prayer & Acknowledgement of Local Indigenous People**

The Council Prayer was read by Cr Nash. The Acknowledgement of Local Indigenous People was read by Cr Seng.

**Apologies/Granting of Leave of Absences**

An apology was received from Cr Moore.

**RESOLVED: (Stavrinou/Matson)** that the apology received from Cr Moore 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 JULY 2016

169/16

**RESOLUTION: (Nash/Smith)** that the Minutes of the Ordinary Council Meeting held on Tuesday 26 July 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 Matson declared a non-significant non pecuniary interest in Item MM27/16 as his daughter attends the National Arts School.
- b) Cr Belleli declared a non-significant non pecuniary interest in Item CP57/16 as he lives in the same street as the proposed development.
- c) Cr Stavrinou declared a non-significant non pecuniary interest in Item CP52 as he knows a number of board members of the Castellorizian Club.
- d) Cr Andrews declared a non-significant non pecuniary interest in Item CP52 as he knows a number of board members of the Castellorizian Club.
- e) Cr Andrews declared a non-significant non pecuniary interest in Item Cp57/16 as he lives in the vicinity of the proposed development.
- f) Cr Neilson declared a non-significant non pecuniary interest in Item CP53/16 as she knows one of the objectors to this development application.
- g) Cr Neilson declared a non-significant non pecuniary interest in Item CP55/16 as she knows one of the objectors to this development application.
- h) Cr D'Souza declared a significant non pecuniary interest in Item CP51/16 as his family home is in that street. Cr D'Souza will be taking no part in the debate or voting on this matter.
- i) Cr Garcia declared a non-significant non pecuniary interest in Item NM29/16 as he knows the speaker through the surf club.
- j) Cr Roberts declared a non-significant non pecuniary interest in Item MM29/16 as he is a member of the RSL.
- k) Cr Belleli declared a non-significant non pecuniary interest in Item MM27/16 as he and his wife own a performing art school.
- l) Cr Shurey declared a non-significant non pecuniary interest in Item MM27/16 as she works for the University of NSW.

## 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:

CP54/16 22 CLOVELLY ROAD, RANDWICK (DA/176/2016)

**Objector** Ian McLoughlin

CP55/16 27 SHAW AVENUE, KINGSFORD (DA/315/2016)

**Objector** Gene Ransom

**Applicant** Ming Ngyuen

CP55/16 27 SHAW AVENUE, KINGSFORD (DA/315/2016)

**For** Ming Ngyuen - Applicant no pp

CP56/16 83 GARDEN STREET, MAROUBRA (DA/98/2016)

**Applicant** Laurie Liskowski (representing the Applicant)

NM35/16 NOTICE OF MOTION FROM CR STAVRINOS - FINANCIAL ASSISTANCE FOR KENSINGTON CHAMBER OF COMMERCE

**Against** Rosemary McKenzie

NM39/16 NOTICE OF MOTION FROM CR MATSON - INDEPENDENT ACOUSTICS AND VIBRATION REPORT COMPLETED FOR 34 AND 36 FITZGERALD AVE, MAROUBRA

**For** Rhys Atkinson

The meeting was adjourned at 6.46pm and was resumed at 7.07pm.

**RESOLVED (PROCEDURAL MOTION): (Smith/Matson)** that all matters that were the subject of addresses to Council by members of the public be brought forward for immediate consideration.

### Mayoral Minutes

#### **MM27/16 Mayoral Minute - National Art School (NAS) (Deferred) (F2004/07085)**

170/16

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

1. Contact both the Friends of the National Art School (NAS) and the National Art School's Student Representative Council committing our support for the campaign to:
  - a) end discussions on a proposed merger of the School;
  - b) establish comparable Federal support for the NAS to that given NIDA; and
  - c) maintain the opportunities in educational diversity offered by the NAS at its current site and management model; and
2. resolves to promote the Friends of the National Art Schools online petition on Council's own web site and in eNews services.

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

#### **MM28/16 Mayoral Minute - Establishment of Kamay ParkRun (F2016/06574)**

171/16

**RESOLUTION: (Mayor, Cr N D'Souza)** that Council provides a \$5,000 donation towards the start-up costs of the Kamay Parkrun and approves the event for a one year trial, subject to Land Council agreement.

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

#### **MM29/16 Mayoral Minute - Recognition of Vietnam Veterans (F2004/06254)**

172/16

**RESOLUTION: (Mayor, Cr N D'Souza)** That Council make contact with RSL NSW to ascertain the appropriate location for a plaque to acknowledge our Vietnam Veterans, and to correctly follow any protocols in place, to facilitate progression of this matter, with a report to be brought back to Council for further consideration.

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

**Urgent Business**

Nil.

**Director City Planning Reports****CP51/16 Director City Planning Report - 14 Close Street, South Coogee  
(DA/224/2016)**

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

173/16

**RESOLUTION: (Andrews/Smith) –**

- 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 Clause 4.3 of Randwick Local Environmental Plan 2012, relating to Building Height 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. 224/2016 for a 2-storey semi-detached dwelling with double garage at No. 14 Close Street, 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. A privacy screen having a height of 1.8m above floor level must be provided to the southern side of the deck/access bridge at the rear of the 1<sup>st</sup> floor. The privacy screen must be constructed of translucent, obscured, frosted or sandblasted glazing in a suitable frame.
  - b. The garage door shall be recessed 200mm behind the front garage wall.
  - c. A construction management plan is to be provided to Council prior to the issue of a Construction Certificate. Details are to be provided in relation to the maintenance of a dividing wall and roof which extends between the subject site and the adjoining semi-detached dwelling at 16 Close Street. Such details are to be to the satisfaction of Council's Manager Development Assessment.

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

**CP52/16 Director City Planning Report - 36-38 Gardeners Road, Kingsford  
(DA/229/2016)**

174/16

**RESOLUTION: (Andrews/Stavrinos)** 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 229/2016 for alterations and additions to the existing building including new kitchen for restaurant at ground floor, new windows and doors, removal of internal walls, new entry and

exterior terrace for existing first floor dwelling plus two storey addition on Houston Road frontage for Castellorizan Club with cultural centre at ground level with meeting area, outdoor terrace and toilets on first floor, 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**

#### **Civil Works**

4. Prior to lodging a construction certificate for the proposed development the applicant must prepare design plans for construction of the proposed indented three (3) car parking area in Houston Road. The level of detail of the design plans must be to Council's satisfaction and must be sufficient for the proposal to be submitted to the Randwick Traffic Committee for the committee's consideration. The design plans must be prepared in consultation with Council's Development Engineer Coordinator. Conditional upon the proposed indented three (3) car parking area being supported by the Randwick Traffic Committee the applicant must meet all costs for its construction. Costs will include all civil construction works to Council's specification and requirements (including any alterations to signage and public utility assets such as power poles) and must be completed prior to the issuing of any occupation certificate for the development.

#### **Traffic conditions**

7. Plans submitted for the construction certificate shall demonstrate the proposed awnings complying with the following council requirements;
  - a) The minimum clear distance from the existing footpath to the underside of any new awning in Gardeners Road shall be 3.0 metres.
  - b) The minimum clear distance from the existing footpath to the underside of any new awning in Houston Road shall be 3.0 metres.
  - c) All new awnings shall be set back a minimum of 600mm from the face of kerb.

#### **Stormwater Drainage & Flood Management**

10. The floor level of all new habitable, retail, commercial and storage areas shall be at a minimum RL of 23.23 metres (AHD) or be suitably waterproofed up to this same level. Details demonstrating compliance with this condition are to be included in the construction certificate documentation.

The ground floor level located along the Houston Road site frontages shall be designed to *structurally* withstand hydrostatic pressure/stormwater inundation from floodwater during the probable maximum flood (PMF) event as defined in the Floodplain Management Manual (New South Wales Government, January 2001). Structural Engineering certification confirming that this condition has been complied with shall be submitted to the certifying authority with the construction certificate.

This requirement does not necessitate the development being flood proof/water tight up to the PMF event, rather the requirement is to ensure that the development will not be *structurally* damaged in manner that could endanger lives during the PMF event.

#### **Council's Infrastructure, Vehicular Crossings & Road Openings**

39. The owner/developer must meet the full cost for a Council approved contractor to:
  - a) Construct the proposed indented three (3) car parking area in Houston Road conditional upon the prior approval of the Randwick Traffic Committee.

- b) Remove all redundant concrete vehicular crossings and laybacks in Houston Road and to reinstate the area to Council's specification.
- c) Construct a new heavy duty vehicular crossing and layback at kerb opposite the existing 3.048 metre wide right of carriageway at the northern end of the development site.
- d) Construct kerb and gutter for the full site frontage except opposite the vehicular entrance and exit points, to Council's specifications and requirements.
- e) Re-construct kerb and gutter for the full site Houston Road frontage, to Council's specifications and requirements. Reconstruction of the kerb and gutter shall include replacement of any existing drainage lintel.
- f) Carry out a full depth, minimum 1.0 metre wide, road construction in front of the kerb and gutter along the full Houston Road site frontage, to Council's specifications and requirements.
- g) Reconstruct a full width footpath along the Gardeners Road and Houston Road site frontages, in accordance with Council's Urban Design Guidelines for the Kingsford Commercial Centre.

*The landscape design may include pavements, seat and bin installations, trees, tree guards and tree grates as required by Council's Landscape Architect – 9399 0911.*

*The applicant/owner is requested to contact Council's City Services department on 9399 0537 to arrange for the required works on Council property to be carried out.*

#### **Hours of Operation**

50. The hours of operation are restricted to the following;
  - a. The hours of operation for the Restaurant are to be: from;
    - 8:00am to 11:30pm Sunday to Thursday, and
    - 8:00am to 12:30am Friday to Saturday.
    - The operation of the kitchen exhaust is to be time switched to cease operation at 10:00pm.
  - b. The hours of operation of the Cultural Centre are to be:
    - 10:00am to 11:30pm Sunday to Thursday; and
    - 10:00am to 12:30am Friday to Saturday.
54. The proposed uses and operation of the premises must be in accordance with the Noise Impact Statement (revision 1) prepared by SLR Global Environmental Solutions dated 18th July 2016.
55. The proposed use of the premises must be implemented in accordance with the Plan of Management dated 19 July, 2016 – Revision B.
56. A report/correspondence prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to Council **3 months after occupation certificate being issued for the development**, which demonstrates that noise and vibration emissions from the development satisfies the relevant provisions of the *Protection of the Environment Operations Act 1997*, Environmental Protection Authority Noise Control Manual & Industrial Noise Policy, relevant conditions of consent (including any relevant approved acoustic report and recommendations). The assessment and report must include all relevant fixed and operational noise sources.

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

**CP53/16 Director City Planning Report - 903/1 Bruce Bennetts Place,  
Maroubra (DA/447/2016)**

175/16

**RESOLUTION: (Andrews/Garcia)** 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. 447/2016 for Use of the existing residential accommodation as a 3 bedroom unit, at No. 903/1 Bruce Bennetts Place, Maroubra, subject to the standard conditions contained in the development application compliance report.

**Non-Standard Conditions:**

2. A building certificate must be issued for the proposed development prior to its use as a bedroom.

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

**CP54/16 Director City Planning Report - 22 Clovelly Road, Randwick  
(DA/176/2016)**

176/16

**RESOLUTION: (Andrews/Stavrinou)** 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. 176/2016 for the construction of a secondary floor level addition to the approved two storey dwelling at 22 Clovelly Road, 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 roof adjoining the new upper level (attic) is not to be used for trafficable purposes.
  - b. The frosted glazing portion of the windows on the northern and southern elevations at first floor level are to be fixed up to 1600mm above floor level.
3. The works associated with this application are to be carried out in conjunction with Development Application, DA/519/2015.

**MOTION: (Matson/Shurey)** that the application be deferred for mediation between the applicant and the objector to investigate the possibility of adjusting or setting back a section of the wall height on the southern side of the development in order to maximise solar access for the neighbouring property. **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor D'Souza	Councillor Andrews
Councillor Matson	Councillor Belleli
Councillor Neilson	Councillor Bowen

Councillor Shurey	Councillor Garcia
	Councillor Nash
	Councillor Roberts
	Councillor Seng
	Councillor Smith
	Councillor Stavrinis
	Councillor Stevenson
<b>Total (4)</b>	<b>Total (10)</b>

**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 Matson
Councillor Belleli	Councillor Neilson
Councillor Bowen	Councillor Shurey
Councillor D'Souza	
Councillor Garcia	
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Smith	
Councillor Stavrinis	
Councillor Stevenson	
<b>Total (11)</b>	<b>Total (3)</b>

**CP55/16 Director City Planning Report - 27 Shaw Avenue, Kingsford  
(DA/315/2016)**

177/16

**RESOLUTION: (Stavrinis/Matson)** that this matter be deferred for mediation between the applicant and the objector to discuss the issues raised at the meeting by both parties.

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Belleli	Councillor Andrews
Councillor Bowen	
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Smith	
Councillor Stavrinis	
Councillor Stevenson	
<b>Total (13)</b>	<b>Total (1)</b>



**CP56/16 Director City Planning Report - 83 Garden Street, Maroubra  
(DA/98/2016)**

178/16

**RESOLUTION: (Andrews/Stavrinos)** 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/98/2016 for the demolition of the existing dwelling and erection of a new dwelling, including a double garage and new fencing at 83 Garden Street, 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. The highlight windows within the upper level eastern side elevation must have a minimum sill height of 1.6m above floor level.
  - b. The height of the boundary fence to the Garden Street and Gale Road frontages is limited to a maximum of 1500mm with the upper two thirds at least 30% open. The fence is to continue at this height to the northern side boundary up to the façade of the dwelling and for the remainder of the boundary may be up to 1800mm and solid.
  - c. Any screen planting across the width of the northern side boundary shall be restricted to species that will not exceed 3m in height at maturity, with the Construction Certificate plans nominating the location and quantity of plants installed that can be selected from the following;
    - *Syzygium* or *Acema* cultivars (Lilly Pillies)
    - *Murraya paniculata* (Murraya)
    - Dwarf *Callistemon* (Bottlebrush)
    - *Photonia* cultivars
    - *Pittosporum* cultivars
  - d. The proposed pergola above the al fresco area is to be a free standing structure and not attached to the dividing fence or adjoining buildings.

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

**CP57/16 Director City Planning Report - 4 Paine Street, Maroubra  
(DA/54/2016)**

179/16

**RESOLUTION: (Andrews/Garcia) –**

- 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 the Floor Area Standard as detailed in Clause 22(3)(b) of the State Environmental Planning Policy (SEPP) for Affordable Rental Housing (ARH) 2009 on the grounds that the proposed development complies with the aims of the SEPP for ARH 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/54/2016 for alterations, ground and first floor additions to the existing semi-detached dwelling including rear in ground swimming pool and use of the area above existing garage as a

secondary dwelling at No. 4 Paine Street, 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 having a height of 1.8m above the pool level must be provided flush to the eastern side boundary and must run the length of the pool. 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, consent may be obtained from the neighbouring property at no. 6 Paine Street, Maroubra for a new eastern boundary fence. The fence shall not exceed a maximum height of 2.1m from the existing ground level.
  - b. To ensure adequate privacy levels, light and ventilation are provided to the kitchen and living area of the secondary dwelling the following measures are to be implemented to the southern elevation of the secondary dwelling:
    - The kitchen window opening on the first floor level of the outbuilding shall be fixed at a sill height of 1.6m from the finished floor level and the upper portion of the window shall be operable. Alternately, the window shall be entirely operable and external privacy louvres shall be installed at a sill height of 1.6m from the finished floor level. The louvres shall be fixed at an angled to prevent overlooking.
    - The door opening within the living room on the first floor level of the outbuilding shall be retained and converted to a window opening. The window shall be operable above sill height of 1.6m from the finished floor level. Alternately, the window shall be entirely operable and external privacy louvres shall be installed at a sill height of 1.6m from the finished floor level. The louvres shall be fixed at an angled to prevent overlooking.
  - c. To ensure that occupants of secondary dwelling have access to private open space to support independent living, the garage must have an opening that allows access to the rear yard for use as private open space.
  - d. The rear timber deck attached to the dwelling shall be constructed in a manner that allows water to pass through the deck and infiltrate into the ground. This can be achieved by constructing the pool deck with 2-5mm gaps between the timber boards.
  - e. To confirm that the secondary dwelling meets the NSW government requirements for sustainability a separate BASIX certificate for the secondary dwelling shall be submitted to Councils Manager Development Assessments for approval prior to issuing a construction certificate for the development.

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

**General Manager's Reports****GM15/16 General Manager's Report - Review of the Randwick City Council  
2015-16 Operational Plan – June Quarter (F2015/03001)**

180/16 **RESOLUTION: (Smith/Stavrinos)** that the information contained in the June 2016 Review of the 2015-16 Annual Operational Plan be received and noted.

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

**Director City Services Reports**

Nil

**Director Governance & Financial Services Reports****GF26/16 Director Governance & Financial Services Report - 2016  
International Cities, Town Centres & Communities Conference  
(F2005/00646)**

181/16 **RESOLUTION: (Andrews/Stavrinos)** that any Councillors interested in attending the 2016 Conference of the ICTC in Launceston, Tasmania from 9 November to 11 November 2016, advise the General Manager as soon as possible for registration purposes.

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

**GF27/16 Director Governance & Financial Services Report - Schedule of  
Meetings for September - October 2016 (F2004/06565)**

182/16 **RESOLUTION: (Stavrinos/Andrews)** that the amended meeting schedule of September and October 2016 be adopted.

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

**GF28/16 Director Governance & Financial Services Report - Investment  
Report - July 2016 (F2015/06527)**

183/16 **RESOLUTION: (Stavrinos/Andrews)** that the investment report for July 2016 be received and noted.

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

**GF29/16 Director Governance & Financial Services Report - Withdrawal of  
Caveat and Affixing of the Council Seal - 22/75 Broome Street,  
Maroubra (F2004/06862)**

184/16 **RESOLUTION: (Andrews/Stavrinos)** that the Council's Seal be affixed to the Withdrawal of Caveat form for the property at 22/75 Broome Street, Maroubra also known as Lots 2 and 28 in Strata Plan 4195.

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

**Petitions**

Nil.

**Motion Pursuant to Notice****NM35/16 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Financial assistance for Kensington Chamber of Commerce (F2005/00494)**

185/16

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

- a) acknowledge that due to unforeseen circumstances, the Kensington Chamber of Commerce has become inactive over the last 12 months; and
- b) as an incentive and goodwill gesture to Kensington Business Operators, cover 1 years membership subscription (at a cost of \$50 per business, for businesses that are interested in being part of the Chamber) to be funded from the Light Rail Support Plan, in order to restart the Kensington Chamber of Commerce so that any concerns raised by these businesses can be addressed. This offer is be limited to a period of 12 months and be subject to a budget of \$5,000; and
- c) requests that the General Manager bring back a report to Council on ways to revitalize the Kensington Chamber of Commerce.

**MOTION: (Stavrinis/Andrews) CARRIED UNANIMOUSLY – SEE RESOLUTION.****AMENDMENT: (Bowen/Garcia)** that the General Manager bring back a report to Council on ways to revitalize the Kensington Chamber of Commerce. **LOST.**Councillors Belleli 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 D'Souza (+ casting vote)
Councillor Belleli	Councillor Matson
Councillor Bowen	Councillor Nash
Councillor Garcia	Councillor Roberts
Councillor Neilson	Councillor Seng
Councillor Shurey	Councillor Smith
Councillor Stevenson	Councillor Stavrinis
<b>Total (7)</b>	<b>Total (8)</b>

**AMENDMENT: (Stevenson/Belleli)** that Council:

- a) acknowledge that due to unforeseen circumstances, the Kensington Chamber of Commerce has become inactive over the last 12 months; and
- b) as an incentive to Kensington businesses, budget \$5,000 for a revitalization plan and a report come back from the General Manager as to how this plan could be implemented. **LOST.**

Councillors Belleli 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 D'Souza (+casting vote)
Councillor Belleli	Councillor Matson

Councillor Bowen  
 Councillor Garcia  
 Councillor Neilson  
 Councillor Shurey  
 Councillor Stevenson  
**Total (7)**

Councillor Nash  
 Councillor Roberts  
 Councillor Seng  
 Councillor Smith  
 Councillor Stavrinou  
**Total (8)**

**AMENDMENT: (Stevenson/Bowen)** that the Council refer the following to the Light Rail Support Plan Committee as a proposal and seek their feedback prior to the September ordinary Council Meeting:

- a) acknowledge that due to unforeseen circumstances, the Kensington Chamber of Commerce has become inactive over the last 12 months; and
- b) as an incentive and goodwill gesture to Kensington Business Operators, cover 1 years membership subscription (at a cost of \$50 per business, for businesses that are interested in being part of the Chamber), for a period of twelve months and to be funded from the Light Rail Support Plan, in order to restart the Kensington Chamber of Commerce so that any concerns raised by these businesses can be addressed. That this offer be limited to a period of 12 months and be subject to a budget of \$5,000.
- c) requests that the General Manager bring back a report to Council on ways to revitalize the Kensington Chamber of Commerce. **LOST.**

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

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

**FOR**

Councillor Belleli  
 Councillor Bowen  
 Councillor Stevenson

**Total (3)**

**AGAINST**

Councillor Andrews  
 Councillor D'Souza  
 Councillor Garcia  
 Councillor Matson  
 Councillor Nash  
 Councillor Neilson  
 Councillor Roberts  
 Councillor Seng  
 Councillor Shurey  
 Councillor Smith  
 Councillor Stavrinou

**Total (11)**

**NM36/16 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou -  
 Proposing a bicycle hiring program (F2016/00303)**

186/16

**RESOLUTION: (Stavrinou/Andrews)** that Council bring back a report, investigating the feasibility of operating a "Bicycle Hiring Program" in an Amalgamated Council, aimed at encouraging our residents and visitors to ride rather than using other modes of transport, so that our City can be more environmentally friendly.

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

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**NM37/16 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Flagged transference of NSW public housing management to community housing providers (F2012/00537)**

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187/16 **RESOLUTION: (Matson/ Shurey)** that Council requests that the NSW government allow it (or any Council that it is merged into) to have input as a key stakeholder into the flagged transference of public housing management to community housing providers and specifically notes its concern on behalf of our significant number of tenants that potential bidders Serco and G4S have been found by a British parliamentary inquiry to have provided substandard public housing in the UK.

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

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**NM38/16 Motion Pursuant to Notice - Notice of Motion from Cr Andrews - Proposed Clearway (western side) of Bunnerong Road (F2016/00312)**

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188/16 **RESOLUTION: (Andrews/Stavrinos)** that Randwick City Council's traffic committee consider making Bunnerong Road (western side) a clearway during the morning peak from Maroubra Road to Gardeners Road.

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

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**NM39/16 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Independent acoustics and vibration report completed for 34 and 36 Fitzgerald Ave, Maroubra (F2004/06140)**

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189/16 **RESOLUTION: (Matson/ Roberts)** at Council liaise with residents in the 34 and 36 Fitzgerald Avenue area of that road to determine whether the degree of noise and vibration that may be impacting on them from recent repair works is at an acceptable Australian standard and commission an independent acoustics and vibration report to facilitate this intent.

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

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

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

### **Closed Session**

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**CS11/16 Confidential - Tender for Randwick City Council Town Hall Upgrade Stage 1 - T2017-02 (F2016/00333)**

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*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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190/16 **RESOLUTION: (Andrews/Matson)** that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, St Hilliers Property Pty Ltd be accepted as the successful tenderer(s) for T2017-02 Randwick City Council Town Hall Upgrade Stage 1 for a lump sum of \$762,804.00 (excl GST);
- 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/Matson) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**CS12/16 Confidential - Tender for Heffron Park South Amenities Building - T2017-04 (PROJ/10703/2014/1)**

*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.*

191/16

**RESOLUTION: (Stavrinou/Nash) that:**

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, Kellyville Building Pty Ltd be accepted as the successful tenderer(s) for T2017-04 Heffron Park South Amenities Building for a lump sum of \$1,402,948.00 excluding GST;
- b) the General Manager, or his delegated representative, be authorised to enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

**MOTION: (Stavrinou/Nash) 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 D' Souza, declared the meeting closed at 8.54pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 27 September 2016.**

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**CHAIRPERSON**