

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, 27 JUNE 2017 AT 6:02 P.M.

Present:

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

Councillor B Roberts (Deputy Mayor) (East Ward)

North Ward

- Councillors K Neilson & L Shurey

South Ward

- Councillors R Belleli & P Garcia

East Ward

- Councillors T Bowen & M Matson

West Ward

- Councillors G Moore, S Nash (from 7.20pm) & H Stavrinou

Central Ward

- Councillors T Seng & G Stevenson

Officers Present:

General Manager

Mr R Brownlee

Director City Services

Mr J Frangoules

Director City Planning

Ms S Truvert

Director Governance & Financial Services

Mr J Smith

Manager Administrative Services

Mr D Kelly

Manager Development Assessment

Mr K Kyriacou

Communications Manager

Mr J Hay

Manager Corporate and Financial Planning

Mr M Woods

Prayer & Acknowledgement of Local Indigenous People

The Council Prayer was read by Cr Stavrinou. The Acknowledgement of Local Indigenous People was read by Cr Roberts.

Apologies/Granting of Leave of Absences

Apologies were received from Councillors Smith and Andrews.

RESOLVED: (Stavrinou/Neilson) that the apologies received from Councillors Smith and Andrews 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 MAY 2017**

105/17

RESOLUTION: (Stavrinos/Shurey) that the Minutes of the Ordinary Council Meeting held on Tuesday 23 May 2017 (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 significant non pecuniary interest in Item CP30/17 as he is a delegate on the Central Sydney Planning Panel. Cr Matson will be taking no part in the debate or voting on this matter.
- b) Cr Garcia declared a pecuniary interest in Item CP30/17 as his parents live in close proximity to this proposed development. Cr Garcia will be taking no part in the debate or voting on this matter.
- c) Cr Moore declared a significant non pecuniary interest in Item CP30/17 as he is an alternate delegate on the Central Sydney Planning Panel. Cr Moore will be taking no part in the debate or voting on this matter.
- d) Cr D'Souza declared a pecuniary interest in Items CP26/17 and CP29/17 as his family home is in close proximity to both proposed developments. Cr D'Souza will be taking no part in the debate or voting on these matters.
- e) Cr Nash declared a significant non pecuniary interest in Item CP30/17 as he is a delegate on the Central Sydney Planning Panel. Cr Nash will be taking no part in the debate or voting on this matter.
- f) Cr Nash declared a significant non pecuniary interest in Item NM41/17 as he is a delegate on the Central Sydney Planning Panel. Cr Nash will be taking no part in the debate or voting on this matter.
- g) Cr Nash declared a significant non pecuniary interest in Item NM39/17 as he is involved in court cases against WestConnex. Cr Nash will be taking no part in the debate or voting on this matter.
- h) Cr Stavrinos declared a significant non pecuniary interest in Item CS5/17 as one of his clients is the father of a Director of one of the tendering organisations. Cr Stavrinos will be taking no part in the debate or voting on this matter.

Address of Council by Members of the Public

Prior to consideration of the Agenda by the Council, deputations were received in respect of the following matters:

CP26/17 4 PALMER STREET, SOUTH COOGEE (DA/831/2016)

Objector Mr Vladimir Roubine

Applicant Mr Alec Pappas on behalf of the applicant

CP27/17 3 MEARS AVENUE, RANDWICK (DA/494/2015/B)

Applicant Mr Giuseppe Lombardo

CP28/17 275 BEAUCHAMP ROAD, MATRAVILLE (DA/163/2017)

Applicant Mr Anthony Betros on behalf of applicant

CP30/17 PLANNING PROPOSAL - 148 BARKER STREET, RANDWICK

Against Mr Andrew Roydhouse

For Mr Scott Barwick

NM35/17 NOTICE OF MOTION FROM CR MATSON - INVESTIGATION OF EMAIL OF 5 JUNE 2017 FROM COUNCIL OFFICIAL ROSEMARY MACKENZIE

Against Ms Rosemary McKenzie

NM41/17 NOTICE OF MOTION FROM CR MATSON – URGENT REQUEST FOR MPS TO FACILITATE A MEETING WITH THE PLANNING MINISTER TO LOBBY FOR EXHIBITION OF DRAFT KENSINGTON AND KINGSFORD PLANNING STRATEGY

Against Ms Rosemary McKenzie

NM42/17 NOTICE OF MOTION FROM CR SHUREY - URBAN DESIGN OPTIONS FOR CLOVELLY ROAD

For Mr Phil Stubbs

NM43/17 NOTICE OF MOTION FROM CR MATSON - CONSIDERATION OF A GARDEN LANE PROGRAM

For Ms Heidi Dokulil

The Meeting was adjourned at 6.58pm and was resumed at 7.20pm.

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

Mayoral Minutes

MM15/17 Mayoral Minute - Financial Contribution - Souths Cares NAIDOC Festival 2017 (F2004/07684)

106/17

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

- a) Council supports the South Cares 2017 NAIDOC Festival by making a financial contribution (cash and in-kind) of \$6,700 to be funded from the 2017-18 Contingency Fund.
- b) Council's contribution towards this event will be acknowledged in all promotional material and all Councillors be extended an invitation to attend the event.

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

MM16/17 Mayoral Minute - Kensington Park Community Centre Council Activities (PROJ/10686/2013)

107/17

RESOLUTION: (Mayor, Cr N D'Souza) that Council use existing staff to open the Kensington Park Community Centre for a period of two hours per week for information sessions, activities and seminars on Council programs, consultation and events, for a trial period of six months to commence after the opening of the Community Centre.

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

MM17/17 Mayoral Minute - Surfing NSW - Request for Financial Assistance for NSW Grommet Surfing Titles. (F2017/00427)

108/17

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

- a) Council approve \$8,250.00 cash sponsorship and \$7,351.00 in-kind support to Surfing NSW for the production of the 2017 Junior State Surfing Title scheduled at Maroubra Beach with funds through the Council's Contingency Fund;
- b) a \$16,000.00 donation towards this event be added to the annual donations in future years budget;
- c) Surfing NSW be advised to appropriately and prominently acknowledge and promote Council's contribution to the production of the NSW Surfing Titles; and
- d) the Mayor or their representative be given the opportunity to present the winners of the Junior Titles Surfing Contest with their trophies on behalf of Council.

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

Nil.

Director City Planning Reports**CP25/17 Director City Planning Report - 23 Meehan Street, Matraville (DA/51/2017) (DA/51/2017)**

109/17

RESOLUTION: (Shurey/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. 51/2017 for Demolition of existing dwelling and swimming pool and construction of attached dual occupancy dwellings and in-ground swimming pools, at No. 23 Meehan Street, Matraville, 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

To maintain privacy for neighbouring properties the following design changes are to be incorporated into the development and indicated on plans submitted with the Construction Certificate to the satisfaction of the PCA:

- a. A privacy screen having a height of 1.8m above floor level must be provided to the northern edge of the ground floor rear terrace adjacent to the living room of 23 Meehan Street, for a length of 2.5m from the eastern edge of the terrace towards the external wall of the dwelling. 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. A privacy screen having a height of 1.8m above floor level must be provided to the southern edge of the ground floor rear terrace adjacent to the living room of 23a Meehan Street, for a length of 2.5m from the eastern edge of the terrace towards the external wall of the dwelling.

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. Translucent, obscured, frosted or sandblasted glazing to all the feature windows to the bathroom and stairwell and rumpus rooms in the northern and southern facades to at least a height of 1.6m from finished floor level;
- d. The depth of the balcony to both master bedrooms is to be reduced to 1m and the balustrades to both these balconies is to be provided as translucent, obscured, frosted or sandblasted glazing; and
- e. The steps and paths within the side setbacks are to be constructed with a finished surface level that does not exceed 600mm above the ground level along the boundary line in order to reduce overlooking to the neighbouring properties.

The following additional information is required to be submitted with the Construction Certificate to the satisfaction of the PCA as detailed below:

- a. details of the internal walls and openings surrounding the void space within each dwelling to demonstrate the space can be used for natural ventilation and light and the space can be regularly maintained. The access to the space shall not compromise weather proofing of the dwelling interior;
- b. details of side and rear boundary fencing to demonstrate fencing will not exceed 1.8m and will provide adequate privacy and amenity for neighbouring properties;
- c. details of all retaining walls throughout the site including retaining walls to be incorporated in the layout and design of steps and pathways; and
- d. the location of rainwater storage tanks to be indicated in the landscape plan and stormwater management plans.

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

**CP26/17 Director City Planning Report - 4 Palmer Street, South Coogee
(DA/831/2016) (DA/831/2016)**

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

110/17

RESOLUTION: (Stavrinos/Nash) 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. 831/2016 for demolition of the existing dwelling house, retention of the existing swimming pool and construction of a new dwelling house with associated landscaping, at No. 4 Palmer Street, subject to the following non standard condition 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 staircase and kitchen splash back windows proposed on the western elevation must be constructed of either fixed obscure or translucent

glazing to minimise potential overlooking onto No. 2 Palmer Street.

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

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

FOR	AGAINST
Councillor Belleli	Councillor Matson
Councillor Bowen	Councillor Neilson
Councillor Garcia	Councillor Shurey
Councillor Moore	
Councillor Nash	
Councillor Roberts	
Councillor Seng	
Councillor Stavrinos	
Councillor Stevenson	
Total (9)	Total (3)

AMENDMENT: (Matson/Shurey) that this matter be deferred to allow for mediation on the setback and potential view loss to neighbouring properties. **LOST ON CASTING VOTE OF DEPUTY MAYOR.**

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

FOR	AGAINST
Councillor Belleli	Councillor Moore
Councillor Bowen	Councillor Nash
Councillor Garcia	Councillor Roberts
Councillor Matson	Councillor Seng
Councillor Neilson	Councillor Stavrinos
Councillor Shurey	Councillor Stevenson
Total (6)	Total (6)

CP27/17 Director City Planning Report - 3 Mears Avenue, Randwick (DA/494/2015/B) (DA/494/2015/B)

111/17

RESOLUTION: (Stavrinos/Bowen) that Council, as the consent authority, modifies Development Consent No. 494/2015/B under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, by altering the internal layout, increase height of parapet walls, replace rear garage with 2 hardstand car spaces , relocation of garbage storage to the rear and changes to the design of eastern elevation (Heritage Conservation Area) at No. 3 Mears Avenue, Randwick in the following manner:

a) Amend Condition 1 as follows:

Approved Plans & Supporting Documentation

- 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:

Plan	Drawn by	Dated	Received
101 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015

102 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015
103 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015
104 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015
201 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015
202 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015
203 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015
301 (Revision B)	Lombardo Design Studio	15 October 2015	18 October 2015

BASIX Certificate	No.	Dated	Received
	627216M	27 April 2015	23 July 2015

As amended by the Section 96 plans listed below:

Plan	Drawn by	Dated	Received by Council
101 issue f	Lombardo Design	30/3/2017	4/4/2017
102 issue f		30/3/2017	4/4/2017
103 issue f		30/3/2017	4/4/2017
200 issue f		30/3/2017	4/4/2017
201 issue f		30/3/2017	4/4/2017
401 issue f		30/3/2017	21/3/2017
202 issue f		30/3/2017	4/4/2017
203 issue f		30/3/2017	4/4/2017

b) Add Condition 2 (w) as follows

2. w). The paved area in the southwestern portion of the site beneath the clothes drying area shall be constructed of permeable pavers.

c) Add A18 to Advisory Conditions

- A18. Consideration should be given to retention of herringbone tiled landings and decorative metal handrails, at ground and first floor level of the entry stair, if possible.

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

CP28/17 Director City Planning Report - 275 Beauchamp Road, Matraville (DA/163/2017) (DA/163/2017)

RESOLUTION: (Neilson/Shurey)

- A. That Council does not support the exception to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clause 4.1(4) of Randwick Local Environmental Plan 2012, relating to Minimum subdivision lot size for strata plan schemes in Zone R2, on the grounds that the proposed development does not comply with the objectives of the above clause, and will adversely affect the amenity of the locality, and that the Department of Planning & Environment be advised accordingly.
- B. That Council, as the consent authority, refuses development consent under Sections 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 14/2015 for torrens title subdivision, at No. 275 Beauchamp Road, Matraville, for the following reasons:

1. The proposed development is inconsistent with aims of the Randwick Local Environmental Plan 2012 in that it discourages the provision of affordable housing options.
2. The proposed subdivision does not comply with Clause 4.1(A) minimum allotment size standard under Randwick Local Environmental Plan 2012 in that the proposed Lot 1 will fragment the subdivision pattern and the Clause 4.6 variation to the development standard is not well founded.
3. The proposed development is inconsistent with the objectives of the R2 zone under RLEP 2012 in that it will not protect the amenity of residents.
4. The proposed subdivision is inconsistent with the objective under Section 2.1 of the Randwick Comprehensive Development Control Plan 2013 in that the proposed torrens title subdivision does not respect the predominant subdivision pattern of the locality.
5. The proposal is not in the public interest and does not satisfy Section 79C(i)(e) of the Environmental Planning and Assessment Act 1979.

MOTION: (Stavrinos/Seng) that:

- (a) Council supports the exception to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clause 4.1(4) of Randwick Local Environmental Plan 2012, relating to Minimum subdivision lot size for strata plan schemes in Zone R2; and
- (b) 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. 14/2015 for torrens title subdivision, at No. 275 Beauchamp Road, Matrville as Council needs to address the serious problem of housing affordability in Randwick City. **LOST.**

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

FOR	AGAINST
Councillor Belleli	Councillor Bowen
Councillor Nash	Councillor D'Souza
Councillor Roberts	Councillor Garcia
Councillor Seng	Councillor Matson
Councillor Stavrinos	Councillor Moore
	Councillor Neilson
	Councillor Shurey
	Councillor Stevenson
Total (5)	Total (8)

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

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

FOR	AGAINST
Councillor Bowen	Councillor Belleli
Councillor D'Souza	Councillor Nash
Councillor Garcia	Councillor Roberts
Councillor Matson	Councillor Seng
Councillor Moore	Councillor Stavrinos

Councillor Neilson
Councillor Shurey
Councillor Stevenson

Total (8)

Total (5)

**CP29/17 Director City Planning Report - 6 Pearce Street, South Coogee
(DA/30/2017) (DA/30/2017)**

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

113/17

RESOLUTION: (Nash/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/30/2-17 for the demolition of existing dwelling, construction of a new 3 level dwelling with garage, swimming pool to rear and associated works, at No. 6 Pearce Street, South Coogee, subject to the standard conditions contained in the Development Application Compliance Report.

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

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

FOR	AGAINST
Councillor Belleli	Councillor Bowen
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinos	
Councillor Stevenson	
Total (12)	Total (1)

CP30/17 Director City Planning Report - Planning Proposal - 148 Barker Street, Randwick (RZ/1/2016)

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

114/17

RESOLUTION: (Stavrinos/Neilson) That Council NOT support the Planning Proposal for 148 Barker Street which proposes to amend the *Randwick Local Environmental Plan 2012* by rezoning the site from R2 Low Density to B1 Neighbourhood Centre, amending the maximum height from 9.5m to 18m and removing the applicable FSR, on the basis that:

- a) The proposal represents a spot rezoning which is not a strategic approach to the review of zoning and planning controls under the LEP and DCP;
- b) The existing building at 148 Barker Street contributes to the streetscape, amenity and heritage values of the Struggletown Heritage Conservation Area; and

- c) A traffic study examining future impacts of the City to South East Light Rail on Barker Street and the wider precinct has not been undertaken by the State Government.

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

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

FOR	AGAINST
Councillor Belleli	Councillor Roberts
Councillor Bowen	
Councillor D'Souza	
Councillor Neilson	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinos	
Councillor Stevenson	
Total (8)	Total (1)

CP31/17 Director City Planning Report - La Perouse and Kurnell Ferry Wharves Feasibility Study 2016 Final Report (F2015/00288)

115/17

RESOLUTION: (Roberts/Stavrinos) that Council receive and note the report and calls on the state government to fund a project development framework that has, as its core, further community consultation.

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

Note: Cr Belleli requested that his name be recorded as opposed to the resolution.

CP32/17 Director City Planning Report - Smart Cities and Suburbs Program Grants (F2017/01230)

116/17

RESOLUTION: (Stavrinos/Matson) that Council endorse the:

- submission of a grant application for an integrated data platform;
- submission of a grant application for a congestion and mobility tool;
- submission of a joint grant application with Nous Technology for a pedestrian and cycling wayfinding app; and
- allocation of matched funding for the above projects, should they be successful in receiving a grant from the Smart Cities and Suburbs Program.

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

CP33/17 Director City Planning Report - 2017-18 Community Partnerships Funding Program Recommended Allocations (F2008/00139)

117/17

RESOLUTION: (Bowen/Moore) that Council approve funds totaling \$45,000.00 to be allocated to the organisations listed in Attachment One of this report.

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

General Manager's Reports

GM10/17 General Manager's Report - Randwick City Council Operational Plan and Budget 2017-18 (F2017/03000)

118/17

RESOLUTION: (Roberts/Stavrinou) that:

- a) the Recommended Operational Plan 2017-18 be adopted as per the attached, and that the General Manager be authorised to make any minor changes as requested by the Council or the NSW Office of Local Government;
- b) the Recommended Annual Budget 2017-18 be adopted as per the attached;
- c) the Recommended General Fees and Charges be adopted for 2017-18 as per the attached;
- d) Council make and levy the ordinary Residential Rate for 2017-18, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.12525 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Residential;
- e) Council make and levy the ordinary Business Rate for 2017-18, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.47079 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Business;
- f) Council make and levy the Environmental Levy Rate for 2017-18 under s.495 and s.498(1)(b) and (2) of the Local Government Act 1993, as a rate of 0.010314 cents in the dollar on the land value of all rateable land within the City of Randwick;
- g) Council make and levy the ordinary Residential minimum rate for 2017-18 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$763.53;
- h) Council make and levy the ordinary Business minimum rate for 2017-18 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,230.40;
- i) Council make and levy the Domestic Waste Management Charge for 2017-18 under s.496 of the Local Government Act 1993, as \$554.00;
- j) Council make and levy a Domestic Waste Management Charge for an additional 140 litre bin for 2017-18 under s.496 of the Local Government Act 1993, as \$266.60;
- k) Council make and levy the Stormwater Management Service Charge for residential properties for 2017-18 under s.496A of the Local Government Act 1993, as \$25.00;
- l) Council make and levy the Stormwater Management Service Charge for residential strata properties for 2017-18 under s.496A of the Local Government Act 1993, as \$12.50;
- m) Council make and levy the Stormwater Management Service Charge for business properties for 2017-18 under s.496A of the Local Government Act 1993, as \$25.00 plus an additional \$25.00 for each 350m² or part thereof by which the parcel of land exceeds 350m²;
- n) Council make and levy the Stormwater Management Service Charge for business strata properties for 2017-18 under s.496A of the Local Government Act 1993,

calculated in accordance with the land area as per business properties in 'm' above and then apportioned by unit entitlement subject to a minimum charge of \$5.00 per business strata lot.

- o) Council make and levy the Stormwater Management Service Charge for company title properties for 2017-18 under s.496A of the Local Government Act 1993, calculated in accordance with the rating category of the land and then apportioned according to the number of shares held by each shareholder for each respective lot.
- p) the interest rate on overdue rates for 2017-18 be set at 7.5 per cent which is the maximum rate as determined by the Minister for Local Government; under s.566(3) of the Local Government Act 1993; and
- q) the Responsible Accounting Officer be delegated to make changes as adopted by Council.

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

GM11/17 General Manager's Report - Augmenting Existing Consultation Strategies (F2012/00372)

119/17

RESOLUTION: (Matson/Stavrinis) that Council will continue to work with the Precincts to promote the system to residents and support the Precinct Executives as per the Precinct Policy.

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

Director City Services Reports

Nil.

Director Governance & Financial Services Reports

GF19/17 Director Governance & Financial Services Report - Investment Report - May 2017 (F2015/06527)

120/17

RESOLUTION: (Stavrinis/Shurey) that the investment report for May 2017 be received and noted.

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

Petitions

- a) Cr Stavrinis tabled a petition on behalf of Randwick shopkeepers who are struggling with the closure of high street due to construction of the light rail.

Motions Pursuant to Notice

NM35/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Investigation of Email of 5 June 2017 from Council Official Rosemary Mackenzie (F2012/00372)

MOTION: (Matson/Shurey) that the General Manager bring forward a report to a Council meeting assessing the impact on Randwick Councils credibility and reputation by Council Officer Rosemary Mackenzie's assertions in her email of 5 June 2017 to multiple residents that six of their Councillors received payments to sit on the local transition working group. **LOST.**

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

FOR	AGAINST
Councillor D'Souza	Councillor Belleli
Councillor Matson	Councillor Bowen
Councillor Nash	Councillor Garcia
Councillor Seng	Councillor Moore
Councillor Shurey	Councillor Neilson
Councillor Stavrinou	Councillor Roberts
	Councillor Stevenson
Total (6)	Total (7)

PROCEDURAL MOTION: (Stevenson/Bowen) that this matter be dealt with in closed committee as a confidential matter. **LOST.**

Note: The meeting was adjourned at 8.20pm and was resumed at 8.28pm.

AMENDMENT: (Nash/Garcia) that:

- (a) the General Manager bring forward a report to a Council meeting assessing the impact, if any, on Randwick Councils credibility and reputation as a consequence of the content of an email received by Council on 5th June 2017 in relation to the receipt of payments to sit on the local transition working group; and
- (b) that no remuneration was ever received by Councillors and no access to information (GIPA) request has ever been received on this matter. **LOST.**

NM36/17 Motion Pursuant to Notice - Notice of Motion from Cr Moore - War on Waste (F2004/07280)

121/17

RESOLUTION: (Moore/Stavrinou) that Council request a report to consider a program that seeks to reduce overall waste and increase recycling for the local university students, residents and businesses of Randwick City through education, encouragement, support and advocacy with the report to include:

- a) Review of key waste metrics such as land fill targets, waste per household, recycling ratios etc;
- b) Recycling education and motivation campaigns for households and businesses;
- c) Obstacles to recycling;
- d) Waste contract specifications aligned to support reduced waste and increased recycling initiatives;
- e) Role other Randwick City targeted waste programs play such as graffiti removal, mattresses, e-waste, chemicals and pre-booked household services;
- f) Local awareness campaign to encourage, at point of sale, an overall reduction in packaging and a shift to recyclable packaging materials; and
- g) Financial incentives for reducing household and business waste.

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

**NM37/17 Motion Pursuant to Notice - Notice of Motion from Cr Moore -
Today's Packaging is Tomorrow's Landfill (F2004/07279)**

122/17

RESOLUTION: (Moore/Stavrinos) that Council,

- a) being responsible to meet land fill reduction targets set by the State Government, is concerned the additional challenge posed through increased packaging coming into the City:
 - i) a trend towards increased packaging;
 - ii) greater single use packaging; and
 - iii) increase in non-recyclable materials;
- b) calls on the State Government to support households and businesses through establishing packaging guidelines that support reduced waste to land fill, increased opportunities to recycle; and
- c) forward the substantive resolution to the Local Government Association NSW for consideration at LGNSW 2017 Annual Conference.

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

**NM38/17 Motion Pursuant to Notice - Notice of Motion from Cr Stevenson -
Popularly Elected Mayor in the Future (F2017/00165)**

MOTION: (Stevenson/Moore) that Randwick Council takes the appropriate steps to enable a referendum at the September 2017 local Government elections regarding election of a popularly elected Mayor for the city in the future. **LOST.**

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

FOR	AGAINST
Councillor D'Souza	Councillor Belleli
Councillor Moore	Councillor Bowen
Councillor Stevenson	Councillor Garcia
	Councillor Matson
	Councillor Nash
	Councillor Neilson
	Councillor Roberts
	Councillor Seng
	Councillor Shurey
	Councillor Stavrinos
Total (3)	Total (10)

**NM39/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson -
Support for City of Sydney Alternative Strategy on the WestConnex
Motorway (F2017/00106)**

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

123/17

RESOLUTION: (Matson/Shurey) that the General Manager:

1. convenes as a priority a briefing for Councillors on the City of Sydney's alternate proposal for the NSW Government's WestConnex motorway in order to assess its

potential to reduce vehicles 'rat running' through Kensington and Kingsford from a completed St Peters interchange; and

2. brings forward an update to a Council meeting on issues preventing the implementation of the Local Area Traffic Management Plan for West Ward as a response to current rat running pressures in residential streets.

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

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

FOR	AGAINST
Councillor Belleli	Councillor D'Souza
Councillor Matson	Councillor Roberts
Councillor Moore	Councillor Seng
Councillor Neilson	Councillor Stavrinou
Councillor Shurey	
Councillor Stevenson	
Total (6)	Total (4)

NM40/17 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou - Promoting Shop Local Program (F2004/06377)

124/17

RESOLUTION: (Stavrinou/Moore) that Council bring back a report investigating the feasibility of undertaking a program of regularly promoting local town centres within Randwick City to encourage residents to shop locally.

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

NM41/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Urgent Request for MPs to Facilitate a Meeting with the Planning Minister to Lobby for Exhibition of Draft Kensington and Kingsford Planning Strategy (F2016/00596)

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

125/17

RESOLUTION: (Bowen/Moore) that:

- (a) Council urgently requests MPs Michael Daley, Ron Hoenig and Bruce Notley-Smith to help Council facilitate a meeting between the NSW Planning Minister and concerned Councillors & residents;
 - (i) concerning the announced Anzac Parade corridor priority precinct which is proposing a wholesale rezoning of the Randwick LGA;
 - (ii) concerning the announced and then withdrawn proposal for the Randwick priority precinct which included development on the Randwick racecourse;
 - (iii) calling for the suspension of spot rezoning proposals going to the independent Sydney Central Planning Panel until after this meeting has taken place; and
- (b) advise the State Government that the position of this Council is that it is opposed to priority precincts and Council wishes to retain its LEP as it is.

MOTION: (Matson/Shurey) that Council urgently requests MPs Michael Daley, Ron Hoenig and Bruce Notley-Smith to help Council facilitate a meeting between the NSW Planning Minister and concerned Councillors to remove issues preventing the exhibition of

the Draft Kensington and Kingsford Planning Strategy and for the suspension of spot rezoning proposals going to the independent Sydney Central Planning Panel until after the strategy is adopted as an amendment to the Randwick Local Environmental Plan (LEP).

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

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

FOR	AGAINST
Councillor Belleli	Councillor Matson
Councillor Bowen	Councillor Roberts
Councillor D'Souza	Councillor Seng
Councillor Garcia	Councillor Shurey
Councillor Moore	Councillor Stavrinis
Councillor Neilson	
Councillor Stevenson	
Total (7)	Total (5)

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

NM42/17 Motion Pursuant to Notice - Notice of Motion from Cr Shurey - Urban Design Options for Clovelly Road (F2010/00241)

126/17

RESOLUTION: (Shurey/Stavrinis) that Council invites local community activists, business representatives, residents and precinct committees to participate in a dialogue via the Greening Randwick Committee on strategies to achieve the possible urban redesign, beautification and greening of sections of Clovelly Road.

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

NM43/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Consideration of a Garden Lane Program (F2013/00164)

127/17

RESOLUTION: (Matson/Shurey) that Council notes the interest of local resident Ms Heidi Dokulil in promoting more garden beds on Council land and invites her to submit her proposal for a 'Garden Lane program' to the Greening Randwick Committee.

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

NM44/17 Motion Pursuant to Notice - Notice of Motion from Cr Neilson - Blenheim House and Captain Cook Statue be Added to State Register and any Other Relevant Heritage Lists (F2004/06755)

128/17

RESOLUTION: (Neilson/Shurey) that:

(a) note that two significant heritage items in the city of Randwick need greater heritage status:

- **BLENHEIM HOUSE**, 17 Blenheim St, Randwick is listed as a heritage item under Randwick Local Environmental Plan 2012 (Consolidation), is classified by the National Trust of Australia (NSW) and is on the Register of the National Estate. However, it is not on the State Register and legislative changes have meant the Register of the National Estate is no longer relevant but unfortunately the necessary changes were not made to address this.

- **Blenheim House was built by Simeon Henry Pearce, later the first Mayor of Randwick, in early 1848. It is the oldest residence in Randwick, built and occupied by "the Father of Randwick," Simeon Henry Pearce and his family up to the First World War.*
 - Statue of Captain James Cook R.N., Avoca Street & Belmore Road, Randwick, This was the first statue erected in New South Wales to Cook. It represents the Colonial wish to commemorate Cook in the 1870s and was erected by Captain Thomas Watson in the grounds of his residence *Cooks Lodge* on the 27th October 1874 on the anniversary of Cook's birthday. Unveiled in 1874, the statue was presented to the Municipal Council of Randwick by H.S. Gibson in 1910. The figure and pedestal are both composed of Pyrmont freestone, and are the work of a colonial artist, Walter McGill, of Sydney.
- (b) Council staff commence relevant actions to ensure Blenheim House and Captain Cook Statue are listed on all relevant heritage lists to ensure the appropriate recognition of their importance to the city of Randwick and NSW.

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

**NM45/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson -
Appropriate Local Responses to London's High Rise Fire at the
Grenfell Tower Building (F2006/00220)**

129/17

RESOLUTION: (Matson/Stavrinou) that, as a response to the recent high rise fire in London's Grenfell Tower building,:

- a) a report be brought back to Councillors assessing the risk of fire to local properties from past building practices in the LGA;
- b) an assurance is sought from the State and Federal Governments that present regulatory controls are sufficient to prevent the use of dangerous or substandard construction materials in the LGA;
- c) an appraisal of issues involving the role and performance of NSW Accredited Certifiers in the prevention of building fires be undertaken and reported back to Councillors;
- d) an assessment be conducted into the appropriateness of Council's standard conditions of consent and the building controls contained in Council's Development Control Plan; and
- e) options are brought forward for the drafting of an appropriate motion on these issues to be submitted to the next Local Government NSW Annual Conference later this year.

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

Confidential Reports

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

Closed Session

CS5/17 Confidential - Joint Tender for Lift Maintenance and Repair Services - Tender T2017-16 (F2016/00608)

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.

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

130/17

RESOLUTION: (Garcia/Moore) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005 that Electra Lift Company Pty Ltd. be accepted for Tender T2017-16 for the provision of Lift Maintenance and Repair Services, for an annual amount of \$100,460.00 for repairs and emergency servicing at their tendered rates;
- b) the General Manager, or delegated representative, be authorised to enter into contract on behalf of Council for a period of three (3) years, with two (2) optional one (1) year extensions;
- c) entering into this contractual arrangement is in accordance with the "Guidelines for Council Decision making During Merger Proposal Periods" under Section 23A of the Local Government Act, in that the contract is necessary for the purposes of meeting Council's ongoing service delivery commitments to our community; and
- d) unsuccessful tenderers are notified.

MOTION: (Garcia/Moore) CARRIED UNANIMOUSLY - SEE RESOLUTION.**GF20/17 Confidential - Operational Plan and Budget 2017-18: Confidential Fees and Charges (F2016/00403)**

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.

131/17

RESOLUTION: (Roberts/Stavrinis) that the Draft Confidential Fees and Charges 2017-18 be adopted.**MOTION: (Roberts/Stavrinis) CARRIED UNANIMOUSLY - SEE RESOLUTION.****GF21/17 Confidential - SSROC Tender for Council Owned Lighting (Public Lighting) for Category 3 - Tender No. T2016-09 (F2016/00261)**

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.

132/17

RESOLUTION: (Garcia/Stavrinis) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Form and Light, Gerard Lighting, HUB Australasia Pty Ltd, Baker &

McAuliffe Holdings Pty Ltd T/A JSB Lighting, Light Culture, Orangetek, Pecan Lighting and Philips Lighting be accepted as the successful tenderers for category 3 LED Luminaires for Council Owned Lighting (Public Lighting);

- b) entering into this contractual arrangement is in accordance with the "Guidelines for Council Decision making During Merger Proposal Periods" under Section 23A of the Local Government Act, in that the contract is necessary for the purposes of meeting Council's ongoing service delivery commitments to our community; and
- c) the General Manager, or delegated representative, be authorised to enter into preferred supplier agreements for a period of two (2) years.

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

Open Session

The meeting moved 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 10.20pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 25 July 2017.

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CHAIRPERSON