



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, 25 JULY 2017 AT 6:06PM

Present:

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

Councillor B Roberts (Deputy Mayor) (East Ward)

- | | |
|--------------|---|
| North Ward | - Councillors K Neilson, L Shurey & K Smith |
| South Ward | - Councillors R Belleli & P Garcia (from 8.30pm) |
| East Ward | - Councillors T Bowen & M Matson |
| West Ward | - Councillors G Moore, S Nash (from 8.00pm) & H Stavrinou |
| Central Ward | - Councillors T Seng & G Stevenson |

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 R Quinton
Communications Manager	Mr J Hay
Manager Corporate Improvement	Ms A Warner

Prayer & Acknowledgement of Local Indigenous People

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

Apologies/Granting of Leave of Absences

An apology was received from Cr Andrews.

RESOLVED: Stavrinou/Shurey) that the apology received from Cr 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 27 JUNE 2017**

133/17

RESOLUTION: (Shurey/Stavrinos) that the Minutes of the Ordinary Council Meeting held on Tuesday 27 June 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 non-significant non pecuniary interest in Item GF26/17 as he knows the speaker who is a former Councillor.
- b) Cr Belleli declared a non-significant non pecuniary interest in Item NM50/17 as he and his wife's performing arts school have performed for free previously at the Coogee Family Fun Day.
- c) Cr Stavrinos declared a non-significant non pecuniary interest in Item CP38/17 as he knows the applicant through living in the City of Randwick.
- d) Cr Belleli declared a non-significant non pecuniary interest in Item CP36/17 as his wife teaches at various childcare centres throughout Randwick City.
- e) Cr Stavrinos declared a non-significant non pecuniary interest in Item CP37/17 as the speaker was one of his teachers at High School.
- f) Cr Smith declared a significant pecuniary interest in Item NM50/17 as he works in the alcohol industry. Cr Smith will be taking no part in the debate or voting on this matter.
- g) Cr Bowen declared a significant pecuniary interest in Item GM12/17 as he has an association with a voluntary organisation who has expressed an interest in this site. Cr Bowen will be taking no part in the debate or voting on this matter.
- h) Cr Nash declared significant non pecuniary interests in Items NM46/17, NM48/17 and NM51/17 as he does work in the field of compulsory acquisitions. Cr Nash will be taking no part in the debate or voting on these matters.
- i) Cr Garcia declared a significant pecuniary interest in Item CP39/17 as his parents live in Barker Street. Cr Garcia will be taking no part in the debate or voting on this matter.
- j) Cr Moore declared a significant non pecuniary interests in the item of urgent business in relation to his industry of employment. Cr Moore 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:

MM21/17 PETER HOFFMAN - COMMEMORATION

For Ms Marissa Ely

CP34/17 24 OCEAN STREET, CLOVELLY (DA/432/2016/A)

Applicant Mr Anthony Betros – on behalf of the applicant

CP36/17 211-215 MAROUBRA ROAD, MAROUBRA (DA/233/2017)

Objector Ms Angelina Panos

- Applicant** Mr Jarrod Lamshed – on behalf of the applicant
- CP37/17 3 SEAVIEW STREET, CLOVELLY (DA/44/2017)
- Objector** Mr John Dimopoulous
- Applicant** Ms Melissa Chapman
- CP38/17 7 SEASIDE PARADE, SOUTH COOGEE (DA/15/2017)
- Objector** Mr Charlie Albone
- Applicant** Ms Larissa Ozog – on behalf of the applicant
- GF26/17 KENSINGTON PARK COMMUNITY CENTRE BOOKINGS FEES & CHARGES
- Against** Ms Margery Whitehead
- NM46/17 NOTICE OF MOTION FROM CR MATSON - COUNCIL RESPONSE TO COMPULSORY ACQUISITION OF HOMES IN RANDWICK FOR HOSPITAL AND UNSW EXPANSION.
- For** Ms Dinah Cohen
- NM50/17 NOTICE OF MOTION FROM CR ROBERTS - TASTE OF COOGEE SPRING FESTIVAL
- For** Mr Maurice Mountain
- NM51/17 NOTICE OF MOTION FROM CR NEILSON - IN RESPONSE TO THE STATE GOVERNMENT'S RECENT ANNOUNCEMENT TO COMPULSORILY ACQUIRE PROPERTIES AT EURIMBLA AVENUE AND MAGILL AND BOTANY STREETS, RANDWICK
- For** Ms Bernadette Griffin
- NM52/17 NOTICE OF MOTION FROM CR NEILSON - GREATER DEFENSE OF TREES AND VEGETATION IN THE RANDWICK LOCAL GOVERNMENT AREA
- For** Ms Maria Bradley

The Meeting was adjourned at 7.40pm and was resumed at 7.59pm.

RESOLVED (PROCEDURAL MOTION): (Matson/Stavrinou) that the matters that were the subject of addresses to Council by members of the public be brought forward for immediate consideration and the three compulsory acquisition motions be dealt with concurrently to produce a composite resolution from the input of the three Councillors.

Mayoral Minutes

MM18/17 Mayoral Minute - NSW Police Force & International Students' Beach Soccer Day - Proposed Waiving of Fees (F2017/00096)

134/17

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

- a) Council vote \$2,130.00 to cover the fees associated with hosting the International Beach Soccer Day at Coogee Beach to be held on Sunday 24 September 2017. The funds to be allocated from the 2017-18 Contingency Fund.

- b) NSW Police be requested to appropriately and prominently acknowledge and promote Council's contribution to the International Beach Soccer Day; and
- c) The Mayor or the Mayor's representative be given the opportunity to address the event on behalf of the Council.

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

MM19/17 Mayoral Minute - Rainbow Street Public School - Fundraising Cookbook (F2017/06574)

135/17 **RESOLUTION: (Mayor, Cr N D'Souza) that:**

- a) Council sponsors Rainbow Street Public School's Cookbook in the amount of \$750.00, the amount to be funded from the 2017-18 Contingency Fund; and
- b) Council is recognised as a major sponsor in the proposed Cookbook and its logo and contact details be included in the book

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

MM20/17 Mayoral Minute - Randwick Girls' High School - Proposed Extension of Mayor's Award 2017-2021 (F2017/07396)

136/17 **RESOLUTION: (Mayor, Cr N D'Souza)** that Council agree to the continuation of the 'Mayor's Award' for Randwick Girls High School and agrees to fund the cost of the award for a period of five years at a cost of \$1,000.00 per year, to be funded from the 2017-18 to 2021-22 Council Contingency Funds.

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

MM21/17 Mayoral Minute - Peter Hoffman - Commemoration (F2009/00346)

137/17 **RESOLUTION: (Mayor, Cr N D'Souza)** that Council work with the local community to establish a permanent commemoration to Peter Hoffman in Broadarrow Reserve, near Mons Avenue, and that the cost of the commemoration be funded from the 2017-18 Contingency Fund.

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

Urgent Business

3/17 Cr Kathy Neilson - Urgent Clarification of Telecommunication Works Occurring at Dunningham Reserve Coogee (F2004/08256)

138/17 **RESOLUTION: (Neilson/Shurey)** that Council strongly request Sub Partners Pty Ltd hold an information session onsite, preferably on a Saturday, to inform residents of what is going on behind the privacy screen which isolates a compound of 800 square metres from regular park users.

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

Director City Planning Reports

CP34/17 Director City Planning Report - 24 Ocean Street, Clovelly (DA/432/2016/A) (DA/432/2016/A)

139/17

RESOLUTION: (Stavrinos/Seng) that Council, as the consent authority, grants development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/432/2016/A for the approved development by adding media and plant rooms at lower ground floor level, internal reconfigurations, extension of pantry at ground floor level, reduce the size of the front ground floor balcony at No. 24 Ocean Street, Clovelly, in the following manner:

(A) amend Condition 1 to read:

1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn by	Dated
DA-201 (Revision B)	A77 Designs Pty Ltd	11/09/2016
DA-202 (Revision B)	A77 Designs Pty Ltd	11/09/2016
DA-301 (Revision B)	A77 Designs Pty Ltd	11/09/2016
DA-302 (Revision B)	A77 Designs Pty Ltd	07/09/2016
DA-810 (Revision A)	A77 Designs Pty Ltd	08/09/2016

BASIX Certificate No.	Dated
737532S	23 June 2016

Except as amended by the **Section 96'A' plans shown below, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application:**

Plan	Drawn by	Dated
S96-815 (Revision A)	A77 Designs Pty Ltd	6/04/2017
S96-816 (Revision B)	A77 Designs Pty Ltd	7/06/2017
S96-817 (Revision B)	A77 Designs Pty Ltd	7/06/2017
S96-818 (Revision B)	A77 Designs Pty Ltd	7/06/2017
S96-819 (Revision A)	A77 Designs Pty Ltd	2/06/2017

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

CP35/17 Director City Planning Report - 1-1A Major Street, Coogee (DA/617/2012/B) (DA/617/2012/B)

140/17

RESOLUTION: (Stavrinos/Nash) that Council, as the consent authority, grants development consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development consent No. DA/617/2012/B for the section 96 modification of the approved development by altering the internal layout of the dwelling, new outdoor pizza oven, changes to the front fence including new bin enclosure and retrospective approval for excavation to the western portion of the main living and lower ground floor levels, at No. 1-1A Major Street, Coogee, in the following manner:

(A) Amend Condition 1 to read:

1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn by	Dated	Received
DA 05 Rev C	Renato D'Ettore Architects	14 May 2013	21 May 2013
DA 06 Rev B		14 May 2013	21 May 2013
DA 07 Rev C		14 May 2013	21 May 2013
DA 08 Rev D		14 May 2013	21 May 2013
DA 09 Rev C		14 May 2013	21 May 2013
DA 10 Rev D		14 May 2013	21 May 2013
DA 11 Rev D		14 May 2013	21 May 2013
DA 12 Rev D		14 May 2013	21 May 2013
DA 13 Rev C		14 May 2013	21 May 2013
DA 14 Rev C		14 May 2013	21 May 2013
DA 15 Rev E		14 May 2013	21 May 2013
DA 15A Rev E		14 May 2013	21 May 2013
DA 16 Rev C		14 May 2013	21 May 2013
DA 16A Rev C		14 May 2013	21 May 2013
DA 17 Rev D		14 May 2013	21 May 2013
DA 18 Rev C		14 May 2013	21 May 2013
DA 19 Rev C		14 May 2013	21 May 2013

BASIX Certificate	No.	Dated
Single dwelling	441815S	25 Sept 2012

Except as amended by the **Section 96 'A' plans shown below, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application:**

Plan	Drawn by	Dated
DA05 Rev F	Renato D'Ettore Architects	16 June 2015
DA10 Rev E	Renato D'Ettore Architects	7 April 2015
DA11 Rev E	Renato D'Ettore Architects	7 April 2015
DA16 Rev D	Renato D'Ettore Architects	7 April 2015
DA16A Rev D	Renato D'Ettore Architects	7 April 2015
DA17 Rev E	Renato D'Ettore Architects	7 April 2015

Except as amended by the **Section 96 'B' plans shown below, only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application:**

Plan	Drawn by	Dated
DA05 Rev G	Renato D'Ettore Architects	24 April 2017
DA09 Rev F	Renato D'Ettore Architects	24 April 2017
DA10 Rev F	Renato D'Ettore Architects	24 April 2017
DA11 Rev F	Renato D'Ettore Architects	24 April 2017
DA14 Rev E	Renato D'Ettore Architects	24 April 2017
DA16 Rev E	Renato D'Ettore Architects	24 April 2017
DA16A Rev E	Renato D'Ettore Architects	24 April 2017
DA17 Rev F	Renato D'Ettore Architects	24 April 2017

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

**CP36/17 Director City Planning Report - 211-215 Maroubra Road, Maroubra
(DA/233/2017) (DA/233/2017)**

141/17

RESOLUTION: (Stavrinou/Bowen) 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. 233/2017 for Alterations and additions to the existing building and change of use to childcare centre accommodating 110 children with 24 staff, basement parking for 19 vehicles and hours of operation being 7.00am to 7.00pm Monday to Friday, at No. 211-215 Maroubra Road, 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

Travel Plan

2. The Plan of Management of the childcare centre shall include a Workplace Travel Plan which endeavours to minimise the parking and traffic generation of the proposed development; The plan may include but not be limited to aspects such as support for walking and cycling, car sharing, effective management of workplace parking spaces, & incentives for public transport use.

The Travel Plan shall be submitted to and approved by Council's Department of Integrated Transport prior to any issuing of an occupation certificate.

Child numbers

3. The size of the proposed childcare centre shall be restricted to a maximum of 110 places.

Carpark Amendments

7. Plans submitted for the construction certificate shall demonstrate compliance with the following amendments to the carpark to improve ingress and egress;
- a) Carspace 11 on the approved plans is to be deleted to increase the area available for turning vehicles and improve access into carspaces 8-10, & 20
 - b) The length of carspaces 8-10 must be in accordance with the requirements of Figure 2.5 in AS 2890.1
 - c) Carspaces adjacent to pedestrian thoroughfare shall install wheel stops or other alternative devices to prevent encroachment of vehicles into the pedestrian zones and improve pedestrian safety.

Hours of Operation

47. The hours of the operation of the business are restricted to the following:-

Monday through to Friday inclusive, from: 7.00am to 7.00pm
No operations on Saturday, Sundays and Public Holidays

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

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

FOR

Councillor Belleli
Councillor Bowen
Councillor D'Souza
Councillor Garcia
Councillor Matson
Councillor Moore
Councillor Nash

AGAINST

Councillor Stevenson

Councillor Neilson
 Councillor Roberts
 Councillor Seng
 Councillor Shurey
 Councillor Smith
 Councillor Stavrinou

Total (13)

Total (1)

**CP37/17 Director City Planning Report - 3 Seaview Street, Clovelly
 (DA/44/2017) (DA/44/2017)**

142/17

RESOLUTION: (Roberts/Smith) that this application be deferred for mediation between the applicant and objector to reach a position on the degree of loss of privacy from the balcony whilst trying to give the applicant a usable balcony area.

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

**CP38/17 Director City Planning Report - 7 Seaside Parade, South Coogee
 (DA/15/2017) (DA/15/2017)**

143/17

RESOLUTION: (Stavrinou/Moore)

- 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 height of buildings, on the grounds that the proposed development complies with the objectives of the above clauses, and will not adversely affect the amenity of the locality, and that the Department of Planning & Environment be advised accordingly.
- B. That Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 15/2017 for amendments to approved development consents DA/822/2013, DA/924/2014 and DA/851/2015 by increase in height of lift over run, and replacement of access stairs on southern boundary with internal stairs and extension of cabana roof, at No. 7 Seaside Parade, South 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 proposed amendments including, raising of lower ground level lawn relocation of pool equipment and shower room, addition of plant room are not approved and shall be deleted from the plans referred to in condition 1 of this consent. Details showing compliance with this condition shall be submitted to Council's Manager Development Assessments prior to a Construction Certificate being issued for this development.
3. This development consent DA/15/2017 amends the development consent DA/822/2013, DA/924/2014 and DA/851/2015 only in so far as the modifications highlighted on the plans referenced in condition 1 of this consent and conditions attached to this consent.

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

CP39/17 Director City Planning Report - Voluntary Planning Agreement - 150-174 Barker Street & 181 Botany Street & 1-7, 18-21 Jane Street & 8-20, 28-42 Young Street, Randwick (DA/88/2016) (DA/88/2016)

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

144/17

RESOLUTION: (Stavrinos/Nash) that:

- a) Council agree to enter into the Voluntary Planning Agreement relating to the proposed development under DA No. 88/2016 at Nos 150-174 Barker St & 181 Botany St & 1-7, 18-21 Jane St & 8-20, 28-42 Young St, Randwick, as publicly exhibited from 13 June 2017 to 14 July 2017.
- b) the General Manager be authorised make minor drafting changes to the Voluntary Planning Agreement (VPA) as required, prior to its execution.

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

General Manager's Reports

Nil.

Director City Services Reports

Nil.

Director Governance & Financial Services Reports

GF22/17 Director Governance & Financial Services Report - Delegations of Authority (F2004/06895)

145/17

RESOLUTION: (Stavrinos/Bowen) that pursuant to section 377 of the Local Government Act, the Delegations of Authority be amended as detailed in the report.

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

GF23/17 Director Governance & Financial Services Report - Draft 2016-17 Financial Reports (F2016/00406)

146/17

RESOLUTION: (Bowen/Stavrinos) that:

- a) the 2016-17 Funding Carry Over Schedule be adopted as per Attachment 1
- b) in relation to the financial statements required in accordance with section 413(2)(c) of the *Local Government Act 1993*:
 - i) Council resolves that in its opinion the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2017:
 - a. have been properly drawn up in accordance with the provisions of the *Local Government Act 1993* and the Regulations there under, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting;

- b. to the best of the Council's knowledge and belief the statements present fairly the Council's operating result and financial position for the year and accords with the Council's accounting and other records; and
 - c. the Council is unaware of any matter that would render the financial statements false or misleading in anyway.
- ii) The Statement by Councillors and Management for both the General Purpose Financial Statements and Special Purpose Financial Statements be signed by the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer.
- c) the financial statements be referred to the Council's Auditor for audit.
 - d) arrangements be made to place copies of the audited financial statements on public exhibition and the necessary advertisements be published.
 - e) a copy of the audited financial statements be forwarded to the NSW Office of Local Government.
 - f) the audited financial statements be presented at a meeting of Council to be held in accordance with Section 418 of the *Local Government Act 1993*.

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

GF24/17 Director Governance & Financial Services Report - Update to Councillors' Expenses & Facilities Policy (F2004/06576)

147/17

RESOLUTION: (Stavrinos/Shurey) that the Councillors' Expenses & Facilities Policy be amended by the discontinuation of the provision of a fax machine to Councillors and by offering Councillors, as standard procedure, a reimbursement option for their home phone line and internet service.

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

GF25/17 Director Governance & Financial Services Report - Ongoing Engagement of Event Performers and Sustainability Educators (F2013/00200)

148/17

RESOLUTION: (Stavrinos/Nash) that:

- a) Council approve the engagement of Event Performers and Sustainability Educators for a two year period under the arrangements outlined in this report;
- b) these suppliers are only to be utilised strictly for Event Performances and Sustainability Education;
- c) on occasions where the expected cost of the service will exceed \$5,000.00, a standard three quotes will be need to be obtained or General Manager approval sought, before a supplier is engaged; and
- d) relevant Managers are responsible for ensuring the standard requirements for the engagement of such suppliers, including relevant and current insurance coverage, are always undertaken.

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

GF26/17 Director Governance & Financial Services Report - Kensington Park Community Centre Bookings Fees & Charges (F2017/00098)

149/17

RESOLUTION: (Stavrinos/Neilson) that the recommended Kensington Park Community Centre Commercial Private Hire Fees be adopted and the Charity/Not for Profit Hire Fee be set at the equivalent of the other Community Centres in Randwick City for a trial period of twelve months.

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

GF27/17 Director Governance & Financial Services Report - Investment Report - June 2017 (F2015/06527)

150/17

RESOLUTION: (Stavrinos/Nash) that the investment report for June 2017 be received and noted.

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

GF28/17 Director Governance & Financial Services Report - Withdrawal of Caveat and Affixing of the Council Seal - 4/6 Ford Road, Maroubra (F2004/06862)

151/17

RESOLUTION: (Stavrinos/Shurey) that the Council's Seal be affixed to the Withdrawal of Caveat form for the property at 4/6 Ford Road, Maroubra also known as Lots 4 & 21 in Strata Plan 2441.

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

Petitions

Nil.

Motions Pursuant to Notice

NM46/17 Motion Pursuant to Notice - Notice of Motion from Crs Matson, Neilson and Stavrinos - Council Response to Compulsory Acquisition of Homes in Randwick for Hospital and UNSW Expansion. (F2008/00375)

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

152/17

RESOLUTION: (Matson/Neilson/Stavrinos) that Randwick City Council:

- a) recognises the benefit to local residents and our local economy in supporting an expansion of the local hospitals and UNSW, but not via the recently announced program of forcibly acquiring approximately 60 privately owned households in Eurimbla Avenue, Botany and Magill Streets, Randwick as this will cause community dislocation, stress and financial hardship to effected residents;
- b) advocates that any expansion for the hospitals and UNSW be based on UNSW's previous long-term expansion program of acquiring adjacent private properties only when they become available on the open market;
- c) write to the NSW State Treasurer, the Hon. Dominic Perrottet, requesting that if any compulsory acquisitions are going to occur, due to the expansion of P.O.W hospital, that all affected property owners have independent valuations

- conducted on their properties, so that a fair and equitable value can be given to owners, based on current market valuations;
- d) as part of this request, call upon the State Government to make representations on behalf of all affected property owners, to try and source like for like housing within the City of Randwick for these owners including what additional support will these residents be given so they can purchase a home with the same or similar amenity, especially as at least 60 other households will likely be competing for the same real estate;
 - e) seek an urgent meeting with the NSW Premier, Gladys Berejiklian, and the Minister of Health, Brad Hazzard, to convey the community's concern at the wholly inadequate consultation by the State Government whereby it has decided to compulsorily acquire these households, in particular as some residents only discovered their property was to be acquired through media reports;
 - f) emphasise to the State Government the mental anguish and stress caused by this process and that the health impact should not be underestimated;
 - g) call on the State Government to explain why other sites that were available, such as the Newmarket site, were not included in the Hospital Masterplan but instead re-zoned for residential development;
 - h) requests that a delegation of Councillors urgently meet with the Premier and Minister for Health as soon as possible to seek a more appropriate and humane solution for the residents of Eurimbla Avenue, Botany and Magill Streets, Randwick; and
 - i) include in this abovementioned delegation to meet with the Minister the two speakers that addressed Council on this matter, as community representatives for all the affected residents.

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

**NM47/17 Motion Pursuant to Notice - Notice of Motion from Cr Shurey -
Elaboration of Council Response to Announced State Government
Anzac Parade Corridor Priority Precinct (F2017/00276)**

153/17

RESOLUTION: (Shurey/Matson) that, in addition to the resolution of Notice of Motion 41/2017 of 27 June 2017, Randwick Council reiterates its resolved position of opposition to the announced Anzac Parade Corridor Priority Precinct and advises the State Government of the following specific issues with the proposal;

- a) Council rejects any forced changing or overwriting of its planning controls by the State Government including the current height limits;
- b) there is a disturbing lack of detail available on the proposal and that as a prerequisite the Government should consult with Council and proceed no further without the agreement of Council;
- c) there needs to be a comprehensive review into whether infrastructure servicing the proposed area of the Priority Precinct is capable of supporting such a significant increase in population density;
- d) we should retain existing green and ecologically valuable areas while achieving a net increase in public open space, sporting facilities and passive recreation opportunities; and

- e) Council calls for the State Government to provide for the rehousing within the Randwick Council area of any public social housing residents relocated from their current homes as a result of the Priority Precinct proceeding.

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

NM48/17 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Expansion of POW Hospital & Response to any Associated Compulsory Acquisitions (F2008/00375)

Note: This motion was combined with NM46/17. See resolution number 152/17.

NM49/17 Motion Pursuant to Notice - Notice of Motion from Cr Moore - Buildings for Our Community Program Extension (F2010/00292)

154/17

RESOLUTION: (Moore/Stavrinis) that Randwick City Council identify and re-establish project priorities to underpin the allocation for the funding derived from the Buildings for Our Community Program for an additional seven years by presenting a list of targeted projects to Council for consideration.

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

NM50/17 Motion Pursuant to Notice - Notice of Motion from Cr Roberts - Taste of Coogee Spring Festival (F2017/00289)

Note: a Rescission Motion in relation to this matter was submitted by Councillors Matson, Neilson and Shurey in accordance with Council's Code of Meeting Practice and will be considered at the Extraordinary Council Meeting to be held on 8 August 2017.

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

155/17

RESOLUTION: (Roberts/Stavrinis) that Council:

- a) note the TOC event is a not-for-profit event staged by the Coogee Chamber of Commerce to promote local small businesses, provide a service to the local community, and to support local charity organisations;
- b) note the charity that will be supported in 2017 is Sophie Cotton-Smith's Running for Premature Babies;
- c) note that over \$60,000 has been raised for local charities since TOC started in 2013;
- d) note full event financials have been provided to Council for the TOC 2016 event in advance of the 2017 event;
- e) note outstanding fees remain for the 2016 event, and there's dispute between Council and the organisers as to what the outstanding fees should be;
- f) note the 2017 event has not been approved by Council due to the late submission of the TOC financials, and dispute over the amount of fees owed;
- g) resolves to provide clarity on the fees that are expected to be paid and when they need to be paid for the 2016 and 2017 events;
- h) request immediate payment from TOC for the service and labour fees incurred

- by Council for the 2016 event: \$9,062.00;
- i) waive the usage and stall registration fees associated with the 2016 event: \$17,210.50;
 - j) approve the 2017 TOC event slated for 2 and 3 September on condition that the 2016 service and labour fees of \$9,062.00 is immediately paid;
 - k) charge only service and labour fees for the 2017 event;
 - l) waive usage and stall registration fees for the 2017 event;
 - m) undertake to withhold any approvals for potential TOC events in 2018 and beyond until any and all outstanding fees from the previous event be paid;
 - n) request the organiser invite the Mayor to address the community, and undertake to appropriately and prominently acknowledge and promote Council's contribution and support to the event; and
 - o) advise Taste of Coogee event organisers that they must provide detailed financial statements, including a balance sheet and profit and loss statement, no later than three months after this and all future events taking place.

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

AMENDMENT (Stevenson/Nil) that unless a commitment to paying the entire outstanding amount from 2016 is given by organisers of this year's event and they provide a detailed request for exactly what they want Council to waive in 2017, that we do not grant approval for this year's event. **LAPSED FOR WANT OF A SECONDER.**

NM51/17 Motion Pursuant to Notice - Notice of Motion from Cr Neilson - In Response to the State Government's Recent Announcement to Compulsorily Acquire Properties at Eurimbla Avenue and Magill and Botany Streets, Randwick (F2004/06326)

Note: This motion was combined with NM46/17. See resolution number 152/17.

NM52/17 Motion Pursuant to Notice - Notice of Motion from Cr Neilson - Greater Defense of Trees and Vegetation in the Randwick Local Government Area (F2013/00263)

156/17

RESOLUTION: (Neilson/Moore) that, as a response to the increasing loss of trees and vegetation in the Randwick Local Government Area, particularly by the Light Rail and other developments:

- a) funding should urgently be allocated to set up a tree database for trees within the Randwick Local Government Area;
- b) a report be prepared in response to the draft NSW Government's State Environmental Planning Policy (Vegetation) (SEPP) specifically identifying impacts to vegetation in the Randwick LGA, notwithstanding the exhibition date has closed; and
- c) Council reaffirms the significance of trees and native vegetation in the Randwick LGA.

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

Confidential Reports

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

Closed Session

CS6/17 Confidential - Tender for Mahon Pool Amenities Building Construction Project – T2017/13 (F2016/00544)

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.

157/17

RESOLUTION: (Stavrinos/Nash) that:

- a) under Regulation 178(3)(a) of the Local Government (General) Regulation 2005 that Council reject all tenders and cancel the proposal for the contract; and
- b) all tenderers are notified.

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 Stevenson
Councillor Bowen	
Councillor D'Souza	
Councillor Garcia	
Councillor Matson	
Councillor Moore	
Councillor Nash	
Councillor Neilson	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Smith	
Councillor Stavrinos	
Total (13)	Total (1)

GF29/17 Confidential - Tender On-Board Truck Scale Systems Supply Install and Maintain Tender No. T2017-20 (F2017/00188)

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.

158/17

RESOLUTION: (Stavrinos/Bowen) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005 that Accuonboard be accepted for Tender T2017-20 to Supply Install and Maintain On-Board Truck Scales Systems, for the amount of \$195,772.50;

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

MM22/17 Confidential - Merger Challenge (F2016/04003)

This matter is considered to be confidential under Section 10A(2) (g) Of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

159/17

RESOLUTION: (Mayor, Cr N D'Souza) that the report be received and noted.

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

GM12/17 Confidential - Expression of Interest (EOI) Campaign for the Sale or Lease of 23-27 Adina Avenue, Phillip Bay (F2017/07367)

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.

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

160/17

RESOLUTION: (Stavrinos/Nash) that Council markets the operational land at 23-27 Adina Avenue, Phillip Bay (Lot 2 DP 240461) for sale or lease by way of an Expression of Interest.

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

Open Session

The meeting moved back into open session.

Notice of Rescission Motions

A Rescission Motion in relation to Item NM50/17 (Notice of Motion from Cr Roberts - Taste of Coogee Spring Festival) was submitted by Councillors Matson, Neilson and Shurey in accordance with Council's Code of Meeting Practice and will be considered at the Extraordinary Council Meeting to be held on 8 August 2017.

There being no further business, His Worship the Mayor, Cr D' Souza, declared the meeting closed at 10.45pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 22 August 2017.

.....
CHAIRPERSON