



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, 28 NOVEMBER 2017 AT 6:05PM

Present:

The Mayor, Councillor L Shurey (Chairperson) (North Ward)

Councillor A Luxford (Deputy Mayor) (West Ward)

- | | |
|--------------|--|
| North Ward | - Councillors C Hamilton & K Neilson |
| South Ward | - Councillors C Da Rocha, N D'Souza & D Said |
| East Ward | - Councillors T Bowen, M Matson |
| West Ward | - Councillors H Stavrinou & P Veitch |
| Central Ward | - Councillors A Andrews, D Parker & T Seng |

Officers Present:

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

Prayer & Acknowledgement of Local Indigenous People

The Council Prayer was read by Cr Luxford. The Acknowledgement of Local Indigenous People was read by Cr Neilson.

Apologies/Granting of Leave of Absences

An apology was received from Cr Roberts

RESOLVED: (Andrews/Said) that the apology received from Cr Roberts 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 24 OCTOBER 2017

204/17

RESOLUTION: (Stavrinos/Matson) that the Minutes of the Ordinary Council Meeting held on Tuesday 24 October 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 Stavrinos declared a significant non pecuniary interest in Item CP71/17 as he is a regular customer at the subject café. Cr Stavrinos will not be taking part in the debate or voting on this matter.
- b) Cr Parker declared a non-significant non pecuniary interest in Item CP71/17 as he is an occasional customer at the subject cafe.
- c) Cr Andrews declared a non-significant non pecuniary interest in Item CP71/17 as he knows the applicant and some of the objectors through living in the City of Randwick.
- d) Cr Veitch declared a non-significant non pecuniary interest in Item CP71/17 as she knows one of the people who made a submission on this matter.
- e) Cr Said declared a non-significant non pecuniary interest in Item CP71/17 as his children attend the same school as the applicant's children.
- f) Cr Matson declared a non-significant non pecuniary interest in Item GM38/17 as he knows an architect involved in one of the projects.
- g) Cr Parker declared a non-significant non pecuniary interest in Item CP73/17 as he knows two tenants who live next door to the proposed development.
- h) Cr Parker declared a non-significant non pecuniary interest in Item CP77/17 as he knows nearby residents.
- i) Cr Neilson declared a non-significant non pecuniary interest in Item CP71/17 as she knows some of the residents who made submissions on this matter.
- j) Cr Andrews declared a non-significant non pecuniary interest in Item GM20/17 as he is a member of the South Sydney Football Club.
- k) Cr Shurey declared a significant pecuniary interest in Item GM24/17 as her husband's firm developed the Masterplan for the site. Cr Shurey will not be taking part in the debate or voting on this matter.
- l) Cr Matson declared a non-significant non pecuniary interest in Items GM25/17 and GM26/17 as he knows the ex Councillor who is addressing Council on this matter.
- m) Cr Bowen declared a non-significant non pecuniary interest in Item GM20/17 as he is a member of the South Sydney Football Club.
- n) Cr Bowen declared a significant non pecuniary interest in Item NM69/17 as he has in the past acted professionally for some of the organisations mentioned in the motion. Cr Bowen will not be taking 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:

CP70/17 213 BUNNERONG ROAD, MAROUBRA (DA/237/2017) - DEFERRED

- Objector** Ms Caroline Hamilton
- Applicant** Mr David Gray
- CP71/17 4/199-203A MALABAR ROAD, SOUTH COOGEE (DA/153/2015/A) - DEFERRED
- Objector** Ms Dianne Lawrence
- Applicant** Ms Anna Allison
- CP72/17 22 CLIFFBROOK PARADE, CLOVELLY (DA/885/2016)
- Objector** Mr Philip Allen
- Applicant** Mr Justin Long
- CP73/17 908-910 ANZAC PARADE, MAROUBRA (DA/792/2016)
- Objector** Mr Xavier Brennan
- Applicant** Mr John Horiatopolos on behalf of applicant
- CP76/17 4 NEPTUNE STREET, COOGEE (DA/107/2016/A)
- Objector** Mrs Rebecca Findlay- Debeck
- Applicant** Mr Scott Barwick on behalf of applicant
- CP77/17 44 DAUNT AVENUE, MATRAVILLE (DA/477/2017)
- Applicant** Mr Warwick Krigstein
- CP78/17 9 DENNING STREET, SOUTH COOGEE (DA/487/2017)
- Objector** Ms Liezel Kaiser
- Applicant** Mr Ian Bennett
- CP79/17 8 NORTON STREET, KINGSFORD (DA/703/2016)
- Objector** Mr Philip North on behalf of applicant
- GM25/17 THE RANDWICK CITY PLAN 2017
- For** Ms Margery Whitehead
- NM71/17 NOTICE OF MOTION FROM CR MATSON - RESPONSE TO DEPT OF DEFENCE FORCE APPLICATION FOR CDC AT JOONGAH ST, RANDWICK
- For** Mr Lex Davidson
- NM74/17 NOTICE OF MOTION FROM CR STAVRINOS - GRASS CUTTING PROGRAM FOR THE ELDERLY
- For** Mr Jayasooriah
- NM83/17 NOTICE OF MOTION FROM CR D'SOUZA - MINIMUM LOT SIZES
- For** Mr Brad Parkes

For Ms Nadia Vucetic

GM26/17 ONGOING ADMINISTRATION OF KENSINGTON WEST KINGSFORD PRECINCT COMMITTEE

Ms Margery Whitehead

The Meeting was adjourned at 8.11pm and was resumed at 8.30pm.

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

Mayoral Minutes

MM37/17 Mayoral Minute - Waiving of Fees - Carols by Candlelight St Nicolas Anglican Church (F2017/00096)

205/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that:

- a) The fees for the "Carols by the Sea" event in Grant Reserve on Saturday 9 December 2017 be waived and \$2,189.00 be allocated from the 2017-18 Contingency Fund;
- b) The organisers undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.
- c) The Mayor or her representative is given the opportunity to address the event on behalf of Council.
- d) The event organisers provide Council with information following the event on the number of attendees.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

MM38/17 Mayoral Minute - Surfing NSW - Request for Financial Assistance (F2017/00096)

206/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that:

- a) Council approves \$7,500.00 cash sponsorship to Surfing NSW for the World Tour Surfing Event scheduled for 18-21 January 2018 at Maroubra Beach with funds to be sourced from the 2017-18 Contingency Fund;
- b) Surfing NSW be requested to appropriately and prominently acknowledge and promote Council's contribution to the production of the event.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

MM39/17 Mayoral Minute - In-Kind Use of Hall 2 at Kensington Park Community Centre by Local Resident Group to Conduct own Drop-in Activities (F2017/00098)

207/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that:

- a) Randwick Council continue to offer in-kind use of the Kensington Park Community Centre Hall 2 on Tuesdays from 10am - 12pm, to the local residents' group, renewable on a financial yearly basis through standard

procedures applicable to other regular Community Hall Hirers;

- b) the residents' group be recognised as an external regular Community Hall Hirer, in accordance with the Council's standard policy and procedures;
- c) the residents' group to be issued with their own building access card, and
- d) Council to provide public liability insurance coverage for the resident group during the drop-in sessions.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

**MM40/17 Mayoral Minute - Waiving of Fees - Greek Epiphany Festival 2017
(F2017/00096)**

208/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that:

- a) Council vote \$12,350 to cover the fees associated with the Greek Epiphany Festival to be held Sunday 7 January, 2018 and funds be allocated from the 2017-18 Contingency Fund;
- b) the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
- c) the Mayor or the Mayor's representative be given the opportunity to address the event on behalf of Council.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

**MM41/17 Mayoral Minute - 2018 Sydney Film Festival Sponsorship
Partnership (F2014/00608)**

209/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that Council enter into a sponsorship agreement with the Sydney Film Festival for the 2018 event as outlined in the Sponsorship Proposal to the value of \$5,000 and that the General Manager be delegated to enter into partnerships of the same value and benefit for the 2019 and 2020 seasons.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

**MM42/17 Mayoral Minute - Planning Institute Australia Awards for
Excellence 2017 - Innovation in Development Assessment
(F2004/07882)**

210/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that council congratulate staff on winning the 'Award for Innovation in Development Assessment' at the PIA Awards (NSW) and recognise the effort of all staff involved in developing, launching and refining our online lodgement portal.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

**MM43/17 Mayoral Minute - Planning Institute of Australia Awards 2017
(F2015/00419)**

211/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that Council congratulate staff on winning the 'Award for Planning Excellence - Best Planning Ideas- Small Project' at the PIA Awards (NSW) and recognise the effort of all staff involved in

undertaking the Kensington and Kingsford Town Centres Planning Review.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

MM44/17 Mayoral Minute - Coast Centre for Seniors - Request for Financial Assistance (F2004/07690)

212/17 **RESOLUTION: (Her Worship the Mayor, Cr L Shurey)** that Council approve the donation of \$1,000.00 to the Coast Centre for Seniors, from the 2017-18 Contingency Fund, to facilitate the purchase of additional chairs to meet the expanding needs of the Centre.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

MM45/17 Mayoral Minute - Passing of Former Mayor of Randwick City Council - William (Bill) Haigh (F2005/00266)

213/17 **RESOLUTION: (Her Worship the Mayor, Cr L Shurey)** that Council sends its condolences to the Haigh family on the passing of one of its favourite sons, former Mayor William (Bill) Haigh.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

MM46/17 Mayoral Minute - Opposition to Privatisation of Sydney Buses (F2011/00220)

214/17 **RESOLUTION: (Her Worship the Mayor, Cr L Shurey)** that Council voice its opposition to the privatisation of Sydney buses, and its support for the STA bus drivers, on Council's website and Facebook page, as well as in the Mayoral Column. Further, Council write to the Transport Minister for NSW, stating our opposition to the privatisation of Sydney buses.

MOTION: (Her Worship the Mayor, Cr L Shurey) CARRIED - SEE RESOLUTION.

Urgent Business

Nil.

Director City Planning Reports

CP70/17 Director City Planning Report - 213 Bunnerong Road, Maroubra (DA/237/2017) - Deferred

215/17 **RESOLUTION: (Andrews/Parker)** 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/237/2017 for retention of portion of structure of existing dwelling and incorporation into construction of 3part two part three storey boarding house containing 11 boarding rooms, communal facilities, parking for 3 cars, motorcycle and bicycle parking, landscaping and associated works. at No. 213 Bunnerong Road, Kingsford, 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. All privacy screens shall be designed so that the total area of any openings within the privacy screens must not exceed 25% of the area of the screens.
- b. The rear boundary fence located on the eastern boundary shall be installed at a height of 2100mm, measured above the finished ground level within the subject site.

The applicant and owner is advised that the relevant provisions of the Dividing Fences Act 1991 are to be satisfied accordingly and any necessary approvals or agreements should be obtained from the owner/s of the adjoining land beforehand.

- c. A Plan of Management Plan governing the use and operation boarding house shall be submitted to Council for approval having regard to (but not limited by) the following aspects of the development:
 - Management of the boarding rooms
 - Operational details
 - Amenity
 - Safety and security
 - Waste management
 - Fire safety
 - Deliveries and loading/unloading
 - Complaint management
 - Booking, Reception and access provisions

The plan of management shall be provided to Council's Manager Development Assessment for approval prior to an occupation certificate being issued. The plan of management shall be reviewed by a qualified acoustic consultant and include relevant recommended acoustic measures by an acoustic expert. Once approved the plan of management shall be complied with at all times subject to conditions of consent.

- d. The Landscape plan LA01 Rev A dated 13/04/2017 shall be amended to reflect the amended layout of the development. Additional landscaping shall be provided to the secondary street frontage opposite LG BR.1, LC BR.2 & LG BR.3. The additional landscape shall include trees and plants to provide an additional privacy buffer opposite the dwelling opposite located at No. 211 Bunnerong Road and No. 215 Bunnerong Road. Details shall be submitted to Council's Landscape Development Officer for approval prior to a Construction Certificate being issued for the development.

82. The boarding house accommodation must be managed by an on-site manager residing on site and they must be a responsible person over the age of 18 years. Details of the allocated room for the Manager must be submitted to Council within one month of any occupation certificate being issued for the development.

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

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

FOR	AGAINST
Councillor Andrews	Councillor Said
Councillor Bowen	Councillor Stavrinou
Councillor Da Rocha	
Councillor D'Souza	

Councillor Hamilton
 Councillor Luxford
 Councillor Matson
 Councillor Neilson
 Councillor Parker
 Councillor Seng
 Councillor Shurey
 Councillor Veitch

Total (12)

Total (2)

CP71/17 Director City Planning Report - 4/199-203A Malabar Road, South Coogee (DA/153/2015/A) - Deferred

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 Ordinary Council Meeting to be held on 12th December, 2017.

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

216/17

RESOLUTION: (Andrews/Da Rocha) that Council, as the consent authority, amends development consent under Section 80 (10B & 10D) of the Environmental Planning and Assessment Act 1979, as amended to the operation for the food premises, at No. 4/199-201 Malabar Road, South Coogee, by amending DA/153/2015 in the following manner:

- **Delete Condition No. 33**
- **Amend Condition No. 35 to read:**

Operational Hours

35. The operating hours of the café including the footpath dining area must be restricted to the following:

- Sunday to Thursday: 7:00am – 8.30pm
- Friday & Saturday: 7:00am – 9:30pm

All food services to customers in footway dining area shall only be provided within the abovementioned hours of operation and all patrons must vacate the area and all outdoor furniture is to be removed within 30 minutes of the specified hours.

- **Condition 73 is amended to read:**

73. The plan of management dated February 2016 shall be amended and submitted to and approved by the Manager of Development Assessment within one week of the commencement of operations associated with this consent. The plan of Management shall detail the measures to be implemented to:

- ensure compliance with the relevant conditions of approval (hours of operation, deliveries, and waste management); ,
- ensure compliance with relevant noise criteria and minimise noise emissions and associated nuisances,
- minimise the potential environmental and amenity impacts upon nearby residents,
- effectively minimise and manage anti-social behaviour,
- effectively manage and respond to resident complaints and Council directions,
- ensure responsible service of alcohol and harm minimisation,
- ensure that the maximum number of patrons within the premises and footpath

seating does not exceed the authorised capacity, in accordance with Council's consent.

MOTION: (Andrews/Da Rocha) CARRIED – SEE RESOLUTION.

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

FOR	AGAINST
Councillor Andrews	Councillor Bowen
Councillor Da Rocha	Councillor Matson
Councillor D'Souza	
Councillor Hamilton	
Councillor Luxford	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Seng	
Councillor Shurey	
Councillor Veitch	
Total (11)	Total (2)

AMENDMENT: (Matson/Veitch) that Council adopt the recommendation in the business paper subject to the amendment of the first line of condition 33 to read "an acoustic report from a suitably qualified and experienced consultant chosen by council officers." **LOST.**

AMENDMENT: (Matson/Bowen) that this matter be deferred to allow Councillors to consult with Council officers on the degree of requirements of applying appropriate acoustic testings to these sort of developments. **LOST.**

CP72/17 Director City Planning Report - 22 Cliffbrook Parade, Clovelly (DA/885/2016)

217/17

RESOLUTION: (Neilson/Matson)

- A That Council supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 in respect to non-compliance with Clauses 4.3 and 4.4 of Randwick Local Environmental Plan 2012, relating to Height of buildings and floor space ratio respectively, on the grounds that the proposed development complies with the objectives of the above clauses, and will not adversely affect the amenity of the locality, and that the Department of Planning & Environment be advised accordingly.
- B That Council, as the consent authority, pursuant to Section 80 (3) of the Environmental Planning & Assessment Act 1979, gives notice that Development Application No. DA/885/2016 for alterations and additions to existing residential flat building including new upper level containing 2 bedroom dwelling, demolition of existing garage, construction of new triple garage with terrace above, internal configuration, new lift shaft, changes to openings, landscaping and associated work at 22 Cliffbrook Parade, CLOVELLY has been determined by granting of **deferred commencement** consent subject to the condition below:-
- **The architectural plans be amended to show a 500mm reduction to the pop up roof form with highlight window (to RL47.98).**

Evidence required to satisfy this conditions must be submitted to Council within 12 months of the date of this consent.

Subject to compliance with the deferred commencement condition, to the satisfaction of the Director of City Planning, development consent is granted under Section 80 & 80A of the Environmental Planning and Assessment Act 1979 subject to the standard conditions contained in the development application compliance report attached to this report as amended by the amendment required pursuant to the deferred commencement condition:

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

**CP73/17 Director City Planning Report - 908-910 Anzac Parade, Maroubra
(DA/792/2016)**

218/17

RESOLUTION: (Hamilton/Andrews) 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/792/2016 for demolition of all structures on site and construction of a shop top housing development providing 2 x commercial units to ground floor & 16 residential apartments comprising of 8 x studio apartments, 4 x 1, bedroom apartments and 4 x 2 bedroom apartments at No. 908-910 Anzac Parade, 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 an effective height of 1.8m above podium floor level must be provided to the southern side of the 1st floor podium level whereby the privacy screen shall be designed such that it rises vertically 1.4m above the podium level to RL34.16 and return diagonally at 45 degrees within the site to achieve an effective screen height of 1.8m above the podium level. The privacy screen must be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
 - b. The privacy screen along the southern sides of the upper level balconies must be constructed of metal or timber and the total area of any openings within the privacy screens must not exceed 25% of the area of the screen. Alternatively, the privacy screens may be constructed with translucent, obscured, frosted or sandblasted glazing in a suitable frame.
 - c. The floor to ceiling heights of the proposed development shall be amended as follows:
 - Increase the floor to ceiling height of the ground level by 133mm.
 - Increase the floor to ceiling height of the first floor level of the rear building by 150mm incorporating the mezzanine, and studio units 1 & 2 to achieve a floor to ceiling height of 2.7m. A commensurate decrease is required for floor to ceiling heights for the third floor level which is greater than 2.7m. This condition allows for consistency of fenestration between the rear building and the building at the corner of Garden lane and Byng Lane.
 - d. Window sills and headers along the Garden Lane frontage for the rear building shall be generally consistent with the fenestration of the neighbouring development to the east at the corner of Garden and Byng Lanes. Details shall be submitted to Councils Manager of Development Assessment for approval prior a construction certificate being issued for

the development.

MOTION: (Veitch/Matson) that the application be deferred for mediation between the applicant and objectors. **LOST.**

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

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

FOR	AGAINST
Councillor Andrews	Councillor Veitch
Councillor Bowen	
Councillor Da Rocha	
Councillor D'Souza	
Councillor Hamilton	
Councillor Luxford	
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinou	
Total (13)	Total (1)

**CP74/17 Director City Planning Report - 36 Arden Street, Clovelly
(DA/352/2017/A)**

219/17

RESOLUTION: (Andrews/Stavrinou) that Council, as the consent authority, grants consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to modify Development Consent No. DA/352/2017 for permission to delete the requirement for a 30 minute break between classes and alter the maximum number of attendees to maximum number of six students and three teachers in the pool at any time at No. 36 Arden Street, Clovelly, in the following manner:

A) Amend Condition 36 to read as follows:

Home Business Use

36. The approved 'home business' for swimming lessons within the existing swimming pool must comply with the following:

- Hours of Operation: 9:00am till 3:30pm Mondays to Friday.
- All students and parents/guardians attending the premises when not participating in a class shall be within the approved waiting room.
- Students must be accompanied by an adult at all times
- The maximum number of students in the pool during classes (other than the employee) must be limited to six (6).
- Running around the pool area and waiting room is not permitted.
- The maximum number of teachers in each class must be limited to three (3).
- No elevated diving podiums/platforms are to be installed and used.

B) Add Condition 36(a) to read as follows:

36. a) The operation of the home business specified under Condition 36 of the Development Consent No. 352/2017/A is subject to a 12 month trial period from the date of this consent. Prior to the expiry of the trial period, an

application must be lodged with Council for approval. The operator of the premises must provide Council with appropriate supporting evidence (this may include Council requesting an acoustic validation assessment undertaken by a suitably qualified person) to demonstrate compliance with all conditions of this consent. Should an application not be received by Council prior to the expiry of the trial period, the operation of the home business must revert to the previous approval subject to the following conditions:

- Hours of Operation: 9:00am till 3:30pm Mondays to Friday.
- Each classes shall not extend for more than a duration of 30 minutes.
- Each subsequent class shall be allocated at least 30 minutes after the end of the previous class.
- The maximum number of attendees during classes (other than the employee and existing residents) must be limited to six (6). This includes the number of students and any family members.
- The maximum number of employees during classes is limited to three persons.
- No elevated diving podiums/platforms are to be installed and used.

C) Delete Condition 40 of the consent

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

**CP75/17 Director City Planning Report - 20 Dundas Street, Coogee
(DA/150/2017)**

220/17

RESOLUTION: (Matson/Stavrinos) that this application be deferred to allow the applicant sufficient time to submit a clause 4.6 exception.

**CP76/17 Director City Planning Report - 4 Neptune Street, Coogee
(DA/107/2016/A)**

221/17

RESOLUTION: (Andrews/Stavrinos) that Council, as the consent authority, grants consent under Section 96 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/107/2008/A for a Section 96 modification of the approved development by alteration to some windows, the addition of a door on the south side, changes to the front door, layout changes to bedrooms 2 and 3, the building line altered to allow for the deletion of condition 2(a), screening changes requiring amendments to conditions 2(b) and 2(d) and a rear first floor level balcony requiring the deletion of condition 2f. **The consent is modified in the following manner:**

- **Amend Condition No. 1 to read:**
Approved Plans & Supporting Documentation
 1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp:

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
DA00 Rev B	MCK Architects	16/6/16	20 June 2016
DA10 Rev B		16/6/16	20 June 2016
DA11 Rev B		16/6/16	20 June 2016
DA12 Rev B		16/6/16	20 June 2016
DA13 Rev B		16/6/16	20 June 2016
DA20 Rev B		16/6/16	20 June 2016
DA21 Rev B		16/6/16	20 June 2016
DA22 Rev B		16/6/16	20 June 2016

DA23 Rev B		16/6/16	20 June 2016
DA30 Rev B		16/6/16	20 June 2016
DA31 Rev B		16/6/16	20 June 2016
DA32 Rev B		16/6/16	20 June 2016
L01 Issue E	Amber Road	03.02.2016	25 February 2016
L02 Issue C		03.02.2016	25 February 2016
L03 Issue C		03.02.2016	25 February 2016

<i>BASIX Certificate No.</i>	<i>Dated</i>	<i>Received by Council</i>
697226S	01 February 2016	25 February 2016

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

<i>Plan</i>	<i>Drawn by</i>	<i>Dated</i>
DA00 Rev D	MCK Architects	30 May 2017
DA10 Rev D		30 May 2017
DA11 Rev D		30 May 2017
DA12 Rev D		30 May 2017
DA13 Rev D		30 May 2017
DA20 Rev D		30 May 2017
DA21 Rev D		30 May 2017
DA22 Rev D		30 May 2017
DA23 Rev D		30 May 2017
DA30 Rev D		30 May 2017
DA31 Rev D		30 May 2017
DA32 Rev D		30 May 2017

Only in so far as they relate to the modifications highlighted on the Section 96 plans and detailed in the Section 96 application, except as may be amended by the following conditions and as may be shown in red on the attached plans:."

- **Delete Condition 2a**
- **Amend Condition 2b to read:**
An external privacy screen to a height of 1m above the internal floor level shall be installed across the east facing living/dining room window at lower ground floor level. The external screen shall be fixed to an angle and spaced appropriately to prevent a sitting view into the rear yards of Nos. 188 & 190 Beach Street. The external privacy screen must be installed prior to the issue of an occupation certificate.
- **Amend Condition 2d to read:**
Only low lying shrub planting (at maturity) maintained to balustrade height shall be installed within the planter to the ground floor level balcony to ensure no appreciable impact on views from the living room window of No. 2-2A Neptune Street.
- **Delete Condition 2f**
- **Add Condition 60 to read:**
A privacy screen having a height of 1.6m (measured above the finished level of the balcony) shall be provided to the full length of the western side of the first

floor level balcony.

The privacy screen must be constructed with either:

- Translucent or obscured glazing (The use of film applied to the clear glass pane is unacceptable) ;
- Fixed lattice/slats with individual openings not more than 30mm wide;
- Fixed vertical or horizontal louvres with the individual blades angled and spaced appropriately to prevent overlooking into the private open space or windows of the adjacent dwellings.

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

**CP77/17 Director City Planning Report - 44 Daunt Avenue, Matraville
(DA/477/2017)**

222/17

RESOLUTION: (Andrews/Hamilton) 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/477/2017 for demolition of existing structures, construction of 3 level attached dual occupancy with garages to front, spa pool to rear of unit A and associated works, at No. 44 Daunt Avenue, Matraville, subject to the following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:
 - a. The Torrens Title subdivision into 2 lots is not supported and shall be deleted for the following reasons:
 - The proposed development is inconsistent with aims of the Randwick Local Environmental Plan 2012 in that it discourages the provision of affordable housing options.
 - The proposed subdivision does not comply with Clause 4.1 minimum allotment size standard under Randwick Local Environmental Plan 2012 in that the proposed lots will fragment the subdivision pattern, is inconsistent with the objectives and the Clause 4.6 variation to the development standard is not well founded.
 - 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.
 - The proposed subdivision is inconsistent with the objective under Section 2.1 of the Randwick Comprehensive Development Control Plan 2013 in that the proposed subdivision does not respect the predominant subdivision pattern of the locality.
 - The proposal is not in the public interest and does not satisfy Section 79C(i)(e) of the Environmental Planning and Assessment Act 1979.
 - b. The solid balustrades to the front terraces above the garages shall be replaced with clear glass balustrades.
 - c. All privacy screens must be constructed with either:

- Fixed lattice/slats with individual openings not more than 30mm wide;
 - Fixed vertical or horizontal louvres with the individual blades angled and spaced appropriately to prevent overlooking into the private open space or windows of the adjacent dwellings.
- d. The finished floor level of the spa pool to the rear of Unit A shall not exceed RL 38.35.
- e. The front entry stairs including associated vertical louvres and garbage bin storage areas along the eastern and western side boundaries shall be deleted and the existing ground levels along the eastern and western side boundaries of the site up to the southern side of the ground floor recessed garden area shall be retained and new balustrades to be provided to both sides of the front terraces. New front entry stairs shall be provided in the centre of the site and the driveways to be adjusted to allow adequate vehicular access to the basement garages. Details of new front entry stairs and driveways are to be submitted to and approved by Council's Director of City Planning prior to a construction certificate being issued for the relevant building works.

MOTION: (D'Souza/Da Rocha) that, as the proposal is in the public interest, Council accepts the validity of the clause 4.6 exception to set aside the relevant development standard and grants its consent to this application with the removal of the clause deleting the proposed subdivision. **LOST.**

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

FOR

Councillor Da Rocha
Councillor D'Souza
Councillor Said

Total (3)

AGAINST

Councillor Andrews
Councillor Bowen
Councillor Hamilton
Councillor Luxford
Councillor Matson
Councillor Neilson
Councillor Parker
Councillor Seng
Councillor Shurey
Councillor Stavrinou
Councillor Veitch

Total (11)

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

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

FOR

Councillor Andrews
Councillor Bowen
Councillor Da Rocha
Councillor Hamilton
Councillor Luxford
Councillor Matson
Councillor Neilson
Councillor Parker
Councillor Said

AGAINST

Councillor D'Souza

Councillor Seng
 Councillor Shurey
 Councillor Stavrinou
 Councillor Veitch

Total (13)

Total (1)

**CP78/17 Director City Planning Report - 9 Denning Street, South Coogee
 (DA/487/2017)**

223/17

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. 487/2017 for demolition of the existing dwelling, construction of a 3 level dwelling with double garage to front, swimming pool to the rear and associated works, at No. 9 Denning Street, 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 condition

2. The approved plans and documents must be amended in accordance with the following requirements:
 - a. The sill height of the following windows are to be increased to be a minimum height of 1.6m above floor level, or alternatively, the windows are to be fixed and provided with translucent, obscured, frosted or sandblasted glazing below 1.6m above floor level.
 - Window 7;
 - Window 8;
 - Window 9;
 - Window 10

MOTION: (Bowen/Matson) that this matter be deferred for mediation between the applicant and objector to consider the view corridor to the north and modifying the design to preserve the views of the objector and in relation to the location of the pool wall. **LOST.**

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor Matson	Councillor Da Rocha
Councillor Neilson	Councillor D'Souza
Councillor Parker	Councillor Hamilton
Councillor Shurey	Councillor Luxford
Councillor Veitch	Councillor Said
	Councillor Seng
	Councillor Stavrinou
Total (6)	Total (8)

MOTION: (Neilson/Matson) that this matter be deferred for amended plans to address the issues of view loss and the setback of the pool. **LOST.**

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor Matson	Councillor Da Rocha
Councillor Neilson	Councillor D'Souza
Councillor Shurey	Councillor Hamilton
Councillor Veitch	Councillor Luxford
	Councillor Parker
	Councillor Said
	Councillor Seng
	Councillor Stavrinou
Total (5)	Total (9)

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

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

FOR	AGAINST
Councillor Andrews	Councillor Bowen
Councillor Da Rocha	Councillor D'Souza
Councillor Hamilton	Councillor Matson
Councillor Luxford	Councillor Neilson
Councillor Parker	Councillor Shurey
Councillor Said	
Councillor Seng	
Councillor Stavrinou	
Councillor Veitch	
Total (9)	Total (5)

**CP79/17 Director City Planning Report - 8 Norton Street, Kingsford
(DA/703/2016)**

224/17

RESOLUTION: (Stavrinou/Veitch) that this matter be deferred for mediation between the applicant and the objector and their respective planners.

MOTION: (Stavrinou/Veitch) 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 Andrews
Councillor D'Souza	Councillor Da Rocha
Councillor Hamilton	Councillor Seng
Councillor Luxford	
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Shurey	
Councillor Stavrinou	
Councillor Veitch	
Total (11)	Total (3)

CP80/17 Director City Planning Report - Report for Variation to Development Standard under SEPP No. 1 and Clause 4.6 - 26 to 9 November 2017 (F2008/00122)

225/17 **RESOLUTION: (Andrews/Stavrinos)** that the report be received and noted.

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

CP81/17 Director City Planning Report - Queens Baton Relay and Community Celebration (F2017/00447)

226/17 **RESOLUTION: (Andrews/Stavrinos)** that Council supports the 2018 Queens Baton Relay and community celebration at La Perouse and approve a budget allocation of \$107,000 cash and \$5000 in-kind support, to be sourced in the December quarterly budget review.

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

CP82/17 Director City Planning Report - Draft Randwick Disability Inclusion Action Plan (F2017/00218)

227/17 **RESOLUTION: (Veitch/Neilson)** that:

- a) Council endorse the Randwick Disability Inclusion Action Plan 2017-18 to 2020-21, and
- b) The Director City Planning be given the authority to make minor editorial amendments to the document in preparation for publication.

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

General Manager's Reports

GM19/17 General Manager's Report - Police Request for Temporary Alcohol Restrictions (F2005/00873)

228/17 **RESOLUTION: (Parker/Matson)** that:

- a) Pursuant to s. 632A (4) of the *Local Government Act 1993*, the Randwick City Council hereby **declares** that each of the parks and reserves contained in the Schedule of Parks and Reserves that attaches to this Report to be an **alcohol prohibited area** at which no alcohol is to be consumed, and will operate this year from:
 - i) Midnight on the 24 December, ceasing at 6.00am on the 27 December, and
 - ii) From Midnight on the 30 December 2017, ceasing at 6.00am on the 2 January 2018, and
 - iii) From 8.00pm on the 25 January, ceasing at 6.00am on the 27 January.
- b) Pursuant to s. 632A (7) of the *Local Government Act 1993*, the General Manager install temporary notices at each of the parks and reserves, contained in the Schedule of Parks and Reserves that attaches to this Report, sufficient to give effect to the declaration of the Council at "1."
- c) A public awareness advertising campaign be implemented to advise that the consumption of alcohol at all beachside parks and reserves is prohibited as provided for by the declaration contained at "1."

- d) a report to come back to Council on the operation of 2017/18 measures considering the merits of this approach compared to previous approaches undertaken to the issue. This report would be prepared in close consultation with police.

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

GM20/17 General Manager's Report - Continuation of Community Partnership with South Sydney Rugby League Football Club in 2018 (F2010/00282)

229/17

RESOLUTION: (Andrews/Stavrinou) that:

- a) Council continue the "Community Partnership" with the South Sydney Football Club and Souths Cares with the \$40,000.00 (incl GST) contribution to come from the Community Services budget;
- b) the General Manager be delegated authority to enter into a Memorandum of Understanding with the South Sydney Football Club and Souths Cares; and
- c) a report on the success of the 2018 Community Partnership to come back before Council.

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

GM21/17 General Manager's Report - Rock Fishing Safety Act - Implementation & Communication Update (F2016/00539)

230/17

RESOLUTION: (Andrews/Stavrinou) that Randwick City Council commends the NSW State Government for supporting and funding the rock fishing safety workshops and writes to the Minister for Emergency Services recommending that future consideration be given to:

- a) Holding more workshops, particularly in other areas of Sydney with a high non-English speaking background population;
- b) Using the structure of the Randwick Council Communications Strategy as a guide to implement in other areas that are declared high risk in the future;
- c) Expanding the Rock Fishing Safety Act to include other dangerous rock fishing areas;
- d) Expanding the rock fishing 'shock signs' to other coastal areas; and
- e) Giving people found rock fishing without a lifejacket the opportunity to attend a rock fishing safety workshop as an alternative to paying the \$100 fine.

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

GM22/17 General Manager's Report - Review of the Randwick City Council 2017-18 Operational Plan – September Quarter (F2017/03001)

231/17

RESOLUTION: (Andrews/Stavrinou) that the information contained in the September Quarterly Review of the 2017-18 annual Operational Plan be received and noted.

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

**GM23/17 General Manager's Report - State of the City Report 2017
(F2017/03005)**

232/17

RESOLUTION: (Andrews/Stavrinos) that:

- a) the Randwick City Council State of the City Report 2017, and its appendices be received and noted;
- b) the General Manager be authorised to make any minor changes if required; and
- c) a copy of the Report be submitted to the Chief Executive, Office of Local Government, Department of Premier and Cabinet.

MOTION: (Andrews/Stavrinos) CARRIED - SEE RESOLUTION.**GM24/17 General Manager's Report - 2018-21 Financial Strategy
(F2006/00588)**

233/17

RESOLUTION: (Parker/Da Rocha) that:

- a) Randwick City Council commit to funding its obligations under the Federal Governments "*Australia's Strategy for Protecting Crowded Places from Terrorism*";
- b) Council notes that the anticipated IPART 2018-19 rate peg will not exceed 2.50%;
- c) Council initiate community consultation regarding its intent to apply to IPART for a 3 Year Special Rate Variation of 3.52% to fund the existing service levels and required infrastructure renewals outlined in its 2018-21 Delivery Program;
- d) in addition to the 3.52% Special Rate Variation in c), Council initiate community consultation regarding its intent to apply for a three year 2.00% increase to fund its obligations under the Federal Governments "*Australia's Strategy for Protecting Crowded Places from Terrorism*", Councils Digital Strategy and the listed Future Major Projects;
- e) Council create a Port Botany Business Rate category within its rating structure which is consistent with the rate applied to other properties in the adjoining Port Botany precinct;
- f) in addition to the Special Rate Variations listed in c) and d), Council initiate community consultation regarding its intent to apply for a one year Special Rate Variation of 2.12% that captures the additional revenue created by the implementation of the Port Botany business rate category;
- g) subject to IPART's approval of Council's proposed special rate variation, borrow \$27,000,000 to expedite the funding and delivery of the anti-terrorism obligations, Digital Strategy and the listed Future Major Projects; and
- h) undertake a comprehensive community consultation and engagement program in accordance with Councils' Community Engagement Strategy from December 2017 to the end of February 2018.

MOTION: (Parker/Da Rocha) CARRIED - SEE RESOLUTION.

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

FOR	AGAINST
Councillor Andrews	Councillor Hamilton
Councillor Bowen	Councillor Seng
Councillor Da Rocha	Councillor Stavrinou
Councillor D'Souza	
Councillor Luxford	
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Veitch	
Total (10)	Total (3)

AMENDMENT: (Stavrinou/Hamilton) that:

- a) Randwick City Council commit to funding its obligations under the Federal Governments "*Australia's Strategy for Protecting Crowded Places from Terrorism*";
- b) Council notes that the anticipated IPART 2018-19 rate peg will not exceed 2.50%;
- c) Council initiate community consultation regarding its intent to apply to IPART for a 3 Year Special Rate Variation of 3.52% to fund the existing service levels and required infrastructure renewals outlined in its 2018-21 Delivery Program;
- d) Council create a Port Botany Business Rate category within its rating structure which is consistent with the rate applied to other properties in the adjoining Port Botany precinct;
- e) in addition to the Special Rate Variations listed in c) and d), Council initiate community consultation regarding its intent to apply for a one year Special Rate Variation of 2.12% that captures the additional revenue created by the implementation of the Port Botany business rate category. **LOST.**

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

FOR	AGAINST
Councillor Hamilton	Councillor Andrews
Councillor Seng	Councillor Bowen
Councillor Stavrinou	Councillor Da Rocha
	Councillor D'Souza
	Councillor Luxford
	Councillor Matson
	Councillor Neilson
	Councillor Parker
	Councillor Said
	Councillor Veitch
Total (3)	Total (10)

**GM25/17 General Manager's Report - The Randwick City Plan 2017
(F2017/00503)**

RESOLUTION: (Andrews/Stavrinou) that:

- a) the Draft Randwick City Plan 2017, and the Draft Resourcing Strategy suite be placed on public exhibition for not less than eight weeks, during December 2017, January 2018 and February 2018, inviting submissions from the public;
- b) the General Manager be authorised to make any minor changes to the Draft Randwick City Plan and the Draft Resourcing Strategy suite if required;
- c) at the conclusion of the period of public exhibition any submissions made concerning the Draft Plan and Draft Resourcing Strategy be considered at a meeting of Council, and after taking into consideration such matters, as it considers relevant, Council adopt the Randwick City Plan 2017; and
- d) as part of consultation process we seek the views of the Greater Sydney Planning Panel chairperson to address the issue of the inadequate tree canopy cover in the Randwick City area.

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

Director City Services Reports

CS12/17 Director City Services Report - Streetscape and Cycleway Improvement Project - Kingsford to Centennial Park, and South Coogee to Kingsford Light Rail Terminus (PROJ/10180/1527784/6)

235/17

RESOLUTION: (Bowen/Said) that:

- (a) Council Officers report back to Council with the final concept design and the results of the community consultation;
- (b) further routes be considered to service the south of the Randwick city area; and
- (c) the General Manager have discussions with the light rail construction company with the intent of integrating the bike path concepts we are generating with the unfolding design of the light rail.

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

RESOLVED: (Procedural Motion) (Matson/Stavrinou) that the meeting be extended to 12.30am.

Director Governance & Financial Services Reports

GF42/17 Director Governance & Financial Services Report - Operating Hours - Christmas and New Year 2017-18 (F2006/00304)

236/17

RESOLUTION: (Andrews/Stavrinou) that the proposed 2017-18 Christmas and New Year opening hours for the Administration Building, Depot, Libraries and Leisure Centre, be endorsed.

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

GF43/17 Director Governance & Financial Services Report - 2018 Meeting Schedule and Arrangements for Decision Making over the Christmas/New Year Period (F2004/06565)

237/17

RESOLUTION: (Andrews/Stavrinou) that:

- a) the Council Meeting recess commence following the ordinary Council Meeting scheduled to be held on Tuesday 12 December 2017 and meetings be resumed on Tuesday 13 February 2018 (with Committee meetings being held on that night) and during the recess period the 'Council in Recess Procedure' be utilised, subject to the need for any extraordinary Council Meetings, which may be called in extenuating circumstances; and
- b) the Meeting Schedule for the 2018 calendar year be adopted.

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

GF44/17 Director Governance & Financial Services Report - Code of Conduct Complaint Statistics (F2004/06569)

238/17

RESOLUTION: (Andrews/Stavrinos) that the Code of Conduct statistics for the period September 2016 to September 2017 be forwarded to the Office of Local Government (Department of Premier and Cabinet) in accordance with part 12 of the Procedures for the Administration of the Model Code of Conduct.

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

GF45/17 Director Governance & Financial Services Report - Quarterly Budget Review - September 2017 (F2017/00402)

239/17

RESOLUTION: (Andrews/Stavrinos) that:

- a) the report in relation to the September 2017 Budget Review be received and noted; and
- b) the proposed September 2017 budget variations shown in the attachment to this report be adopted.

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

GF46/17 Director Governance & Financial Services Report - Investment Report - October 2017 (F2015/06527)

240/17

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

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

Petitions

- (a) A petition was submitted by Councillor Andrews with approximately 500 signatures of support for the Lion & Buffalo Café extension of trading hours and increase in seating numbers.
- (b) A petition was submitted by Councillor Stavrinos from local Kingsford residents calling for parking time restrictions in their local area to address the parking problems they are facing.

Motions Pursuant to Notice**NM67/17 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Safety Audit of Traffic Signage (F2004/07249)**

241/17

RESOLUTION: (D'Souza/Stavrinou) that, given the number of shift workers in our City who are driving home when they are tired, and the large number of construction projects necessitating variable speed limits in our local government area, Council undertake an immediate safety audit of all traffic signage to ensure clear visibility and ease of understanding in order to protect our motorists and to avoid the expensive fines that result from exceeding the various speed limits imposed across our City.

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

NM68/17 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Council's Sense of Community (F2004/07976)

MOTION: (D'Souza/Da Rocha) that:

- a) Randwick Council recommit in its desire to build a strong 'Sense of Community', by making decisions that are 'equitable, socially just, respectful and fair' for all the residents of Randwick City; and
- b) the Council regain the path to building a more inclusive and accepting Randwick City for all, with emphasis on our indigenous past and the major contribution that multi-culturalism and diversity has made to building a great local government area. **LOST.**

RESOLVED: (Procedural Motion) (Andrews/Matson) that the meeting be extended to 1.00am.

NM69/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Call for NSW Emulation of SA, ACT, NT, Victoria and Tasmania's State Wide Plastic Bag Bans (F2004/07333)

242/17

RESOLUTION: (Matson/Parker) given that South Australia, ACT, the Northern Territory, Victoria and Tasmania have already either implemented or announced state wide bans on plastic bags and retail giants Woolworths, Coles & Harris Farm are introducing their own bans, Local Government NSW calls on the NSW State Government to pass legislation to implement a state wide plastic bag ban in NSW as soon as possible.

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

NM70/17 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Transport for NSW Review and Respite Package for Randwick LGA Residents Affected by South East Light Rail out of Hours Construction Noise (F2015/00095)

243/17

RESOLUTION: (Veitch/Andrews) that Randwick City Council:

- a) notes the receipt of a letter dated 13 November 2017 from the Hon Andrew Constance, Minister for Transport and Infrastructure, advising Randwick Council that:
 - Transport for NSW will be providing a respite accommodation package for residents in the Randwick LGA affected by noise from out of hours construction work on the South East Light Rail line.

- Transport for NSW will conduct a review of works programs to endeavour to do more high intensity work during daytime or early evening where possible.
- b) will bring back a report to a Council meeting as soon as practicable with details of the review of works, the budget allocated for the package, as well as the process and timeline by which residents can access the respite accommodation that has been offered by Transport for NSW.

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

**NM71/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson -
Response to Department of Defence Force Application for CDC at
Joongah St, Randwick (F2017/00246)**

244/17

RESOLUTION: (Matson/Said) that Council responds to the recent announcement from Department of Defence that it is seeking a complying development certificate to construct 26 dwellings on lots 1 to 36 Joongah Street, Randwick by:

- 1) seeking clarification from Defence as to whether it also has further unannounced development plans for its land on the south side of Bundock Street stretching from opposite 101 Bundock Street to its intersection with Canberra Street;
- 2) delegating the General Manager to bring back a report to Councillors assessing the full extent of possible contamination risks posed to residents as a result of past military waste disposal practices on land owned or previously owned by Defence at Randwick between Bundock and Holmes Streets, Randwick; and
- 3) resolving not proceed with the planting of any fruit trees at the Randwick Community Centre at Munda Street, Randwick and reviews the use of bore water in the area.

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

AMENDMENT: (Hamilton/Andrews) that Council responds to the recent announcement from Department of Defence that it is seeking a complying development certificate to construct 26 dwellings on lots 1 to 36 Joongah Street, Randwick by delegating the General Manager to bring back a report to Councillors assessing the full extent of possible contamination risks posed to residents as a result of past military waste disposal practices on land owned or previously owned by Defence at Randwick between Bundock and Holmes Streets, Randwick. **LOST.**

**NM72/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson -
Review of State Environmental Planning Policy (Affordable Rental
Housing) 2009 (F2004/07991)**

245/17

RESOLUTION: (Matson/Veitch) that Council support a review of State Environmental Planning Policy (Affordable Rental Housing) 2009 as being timely, seeks feedback on previous issues raised with the Government, and will prepare a submission on options for further addressing issues with how the instrument is currently achieving its objectives.

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

**NM73/17 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou -
Adopt a Verge Program (F2004/07515)**

246/17

RESOLUTION: (Stavrinou/Andrews) that Council bring back a report investigating the possibility of operating an "Adopt a Verge" program similar to the one operating in the Inner West Council to improve the greenery in our City

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

**NM74/17 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou -
Grass Cutting Program for the Elderly (F2018/07689)**

247/17

RESOLUTION: (Stavrinou/Parker) that Council

- a) bring back a report, with costings, investigating the feasibility of operating a grass-cutting program for disabled residents and elderly residents who are unable to maintain their verges and garden maintenance due to unforeseen circumstances.
- b) as part of this report, contact local community groups, clubs and other organisations to determine if they are interested in volunteering their time to be part of such a program; and
- c) set out criteria for the program and investigate what legalities may arise by having a grass-cutting program in place.

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

**NM75/17 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou -
Australian Turf Club Parking for UNSW Students (F2006/00681)**

248/17

RESOLUTION: (Stavrinou/Hamilton) that:

- a) Council arrange a meeting with representatives of the ATC, the University of NSW, West Ward Councillors, Kensington Public School representatives & Councils Manager of Integrated Transport (Mr Tony Lehmann) in order to work out ways to alleviate parking issues in residential streets, throughout Kingsford & Kensington, occurring due to parking demands created by students during semester times; and
- b) as part of this meeting, raise the issue of opening the ATC parking to university students during the semester times.

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

**NM76/17 Motion Pursuant to Notice - Notice of Motion from Cr Andrews -
Dockless Bike Share Scheme (F2016/00303)**

This matter was withdrawn with the consent of council and was incorporated into NM79/17.

**NM77/17 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Call
for Report on the Impact of Cost-Shifting Measures on Randwick
Council's Long Term Financial Plan (F2006/00588)**

249/17

RESOLUTION: (Veitch/Matson) that Randwick City Council:

- a) notes that its 2015-25 Long term Financial Plan (LTFP) identified financial sustainability as one of the key issues facing local government.
- b) recognises that cost shifting is one of the key factors affecting council's ability to meet the objectives of the LTFP.
- c) will bring back a report to the council meeting in December 2017 that identifies:
 - The details of the cost shifting expenses contained in the 2017 -18 budget.
 - The details of the cost shifting expenses anticipated to be in the 2018-19 and 2019-20 budgets.

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

NM78/17 Motion Pursuant to Notice - Notice of Motion from Cr Parker - Proposed Drink Re-fill Stations along the Coastal Walkway (F2004/07523)

250/17

RESOLUTION: (Parker/Andrews) that the General Manager report on the feasibility of the instillation of water refill drinking stations along the coastal walkway.

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

NM79/17 Motion Pursuant to Notice - Notice of Motion from Cr Parker - Bike Sharing (F2016/00303)

251/17

RESOLUTION: (Parker/Andrews) that:

- a) Randwick Council re-states its support for a joint MOU with SSROC and bike-share operators;
- b) further that Randwick Council re-states its support for encouraging cycling across our City;
- c) in the event that agreement cannot be met amongst SSROC members or between SSROC and bike-share operators, that Randwick Council continue to negotiate individually with a view towards:
 - i. requiring bike-share operators to provide travel data collected from users to Council as a condition of operation within the LGA. This data would be confidentially held by Council and not provided to competitors;
 - ii. implementing a commercially viable permit system that requires operators to pay Council a fee in order to operate within the LGA. Council in conjunction with operators agree on the number of permits to be issued;
 - iii. the revenue raised by this permit would be hypothecated towards the provision of general cycling-related infrastructure such as bike-racks and lanes;
- d) in the event that an agreement cannot be found with bike-share operators individually and Randwick City Council, that Council notify the relevant companies of its intention to impound the vehicles until such a time as an agreement can be found; and
- e) that with respect to the introduction of a Dockless Bike share scheme that Council adopt guidelines in identical terms as those implemented by Waverley Council until such time that a consistent approach can be agreed to by SSROC.

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

**NM83/17 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza -
Minimum Lot Sizes (F2004/07483)**

252/17

RESOLUTION: (Parker/Matson) that:

- (a) Council commence a review of the minimum subdivision lot size standard in the R2 zone and bring back a report detailing the implications of reducing the minimum lot size and the process required to amend the Randwick LEP 2012;
- (b) Council establish a register of existing attached dual occupancies under company title;
- (c) Council conduct a forum chaired by either the Mayor or Deputy Mayor and invite the State Members Ron Hoenig, Bruce Notley-Smith and Michael Daley as well as the Federal Member Matt Thistlethwaite, to hear from the community on this significant issue;
- (d) the review consider the directions and planning priorities in the Greater Sydney Commission Eastern City District Plan;
- (e) the review also consider the objectives and strategies of the Greater Sydney Plan and its potential relationship and integration with a new Randwick LEP.

MOTION: (D'Souza/Stavrinos) that Council commence a review of the minimum subdivision lot size standard in the R2 zone and bring back a report detailing the implications of reducing the minimum lot size and the process required to amend the Randwick LEP 2012.

**AMENDMENT: (Parker/Matson) CARRIED AND BECAME THE MOTION.
MOTION CARRIED UNANIMOUSLY- SEE RESOLUTION.**

RESOLVED: (Procedural Motion) (Bowen/Seng) that the meeting be extended to 1.30am.

Confidential Reports

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

Closed Session

**GM26/17 Confidential - Ongoing Administration of Kensington West
Kingsford Precinct Committee (F2017/00283)**

This matter is considered to be confidential under Section 10A(2) (i) Of the Local Government Act, as it deals with the report contains alleged contraventions of any code of conduct requirements applicable under section 440.

253/17

RESOLUTION: (Matson/Stavrinos) that:

- a) Council endorse the General Manager's decision in accordance with Section 5.6 of the Procedures for the Administration of the Model Code of Conduct in relation to the conduct of the Secretary of the Kensington West Kingsford Precinct Committee as follows:
 - (i) the Council inform the Kensington West Kingsford Precinct Committee that

- Rosemary Mackenzie is no longer acceptable to the Council to hold a precinct executive or leadership position;
- (ii) the Council inform the Kensington West Kingsford Precinct Committee that it will no longer communicate with the precinct through Rosemary Mackenzie, or accept communications from the precinct through Rosemary Mackenzie;
 - (iii) the Council inform the Kensington West Kingsford Precinct Committee of the need to hold elections to replace Rosemary Mackenzie as a member of the Precinct Executive;
 - (iv) the General Manager takes steps to ensure that the Kensington West Kingsford Precinct Committee meetings are monitored for the next twelve months to ensure that Rosemary Mackenzie does not exercise an executive or leadership role in precinct meetings; and
 - (v) a future report be provided to the Council on the precinct compliance with these requirements.
- b) Code of Conduct training be provided to all Precinct Committee Executives; and
- c) a copy of the Code of Conduct be sent to all Precinct Committee Executives (Secretaries and Chairpersons) and they be requested to sign and acknowledge that they understand that they are Council officials and therefore required to adhere to the Council Code of Conduct and that they have read and understood their obligations under the Council Code of Conduct.

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

GM27/17 Confidential - Multifunction Devices Tender - Rejection and Retender - T2018-19 (F2017/00415)

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. (Tenderer information is included in the report concerning their technical response.)

254/17

RESOLUTION: (Stavrinos/Da Rocha) that:

- a) Under Regulation 178(3)(b) of the Local Government (General) Regulation 2005 that Council reject all tenders and invite, in accordance with clause 167, fresh tenders based on different details; and
- b) all tenderers are notified.

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

CS13/17 Confidential - Tender for Kensington Oval Moving Cricket Sight Screen Replacement - T2018-17 (F2017/00396)

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.

255/17

RESOLUTION: (Stavrinos/Neilson) that:

- a) under Regulation 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with Gabba Sporting Products Pty Ltd and Play Hard Sports Equipment as a renewed invitation to tender would most likely result in the same outcome;
- 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: (Stavrinos/Neilson) CARRIED UNANIMOUSLY - SEE RESOLUTION.

GF47/17 Confidential - SSROC Tender for Supply and Delivery of Hardware and Associated Products T2017-06 (F2017/00242)

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.

256/17

RESOLUTION: (Hamilton/Said) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005;

WINC Australia Pty Ltd formerly Staples Australia;
L&H Group Pty Ltd; and
J Blackwood & Sons Pty Ltd

be accepted as the successful tenderers for the Supply and Delivery of Hardware and Associated Products; and

- b) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager is authorised to enter into preferred supplier agreements for a period of three (3) years, with two (2) optional one (1) year extensions.

MOTION: (Hamilton/Said) CARRIED UNANIMOUSLY - SEE RESOLUTION.

Open Session

The meeting moved back into open session.

Notice of Rescission Motions

A Rescission Motion in relation to Item CP71/17 (Director City Planning Report - 4/199-203A Malabar Road, South Coogee) was submitted by Councillors Matson, Neilson and Shurey in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 12th December, 2017.

There being no further business, Her Worship the Mayor, Cr L Shurey, declared the meeting closed at 1.21am.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 12 December 2017.

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CHAIRPERSON