



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, 12 DECEMBER 2017 AT 6:07 P.M.

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
Director Governance & Financial Services	Mr J Smith
Manager Administrative Services	Mr D Kelly
Manager Strategic Planning	Mr A Bright
Communications Manager	Mr J Hay

Prayer & Acknowledgement of Local Indigenous People

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

Apologies/Granting of Leave of Absences

An apology was received from Cr Roberts.

RESOLVED: (Andrews/Matson) 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 28 NOVEMBER 2017

257/17

RESOLUTION: (Stavrinos/Matson) that the Minutes of the Ordinary Council Meeting held on Tuesday 28 November 2017 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

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

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Stavrinos declared a significant non pecuniary interest in Item NR9/17 as he is a regular customer at the subject premises. Cr Stavrinos will be taking no part in the debate or voting on this matter.
- b) Cr Veitch declared a non-significant non pecuniary interest in Item NR9/17 as she knows two people who made submissions on this matter.
- c) Cr Parker declared a non-significant non pecuniary interest in Item NR9/17 as he is an occasional customer at the subject premises.
- d) Cr Andrews declared a non-significant non pecuniary interest in Item NR9/17 as he knows the applicant and some of the objectors through living in the Randwick City area.
- e) Cr Neilson declared a non-significant non pecuniary interest in Item NR9/17 as she knows people who made submissions on this matter.
- f) Cr Matson declared a non-significant non pecuniary interest in Item NR9/17 as he knows people who made submissions on this matter.
- g) Cr Said declared a non-significant non pecuniary interest in Item NR9/17 as he knows people who made submissions 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:

NM81/17 NOTICE OF MOTION FROM CR MATSON - TRANSITION FROM FOSSIL FUELS TO RENEWABLE ENERGY

For Ms Dorothee Babeck

NR9/17 NOTICE OF RESCISSION MOTION SUBMITTED BY CRS MATSON, SHUREY (MAYOR) AND NEILSON - DEVELOPMENT APPLICATION REPORT - 4/199-203A MALABAR RD, SOUTH COOGEE (DA/153/2015/A)

For Mr Peter Douroudis

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.

The Meeting was adjourned at 7.22pm and was resumed at 7.37pm.

Mayoral Minutes

MM47/17 Mayoral Minute - 2017 Institute of Public Works Engineering Australia Awards (F2013/00332)

258/17

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

- a) Council notes receipt of these three awards from The Institute of Public Works and Engineering Australia 2017; and
- b) Council congratulates the staff involved.

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

**MM48/17 Mayoral Minute - Waiving of Fees - Surf Life Saving Sydney
(F2017/00096)**

259/17

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

- a) Council vote \$1,268.00 to cover the fees associated with hosting the Surf Life Saving Branch Carnival to be held at Maroubra Beach on 10 and 11 February, 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.

**MM49/17 Mayoral Minute - Request for financial assistance - Digging Deep
for Myanmar (F2017/07396)**

260/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that Council approves a \$2000.00 cash donation to "Digging Deep for Myanmar" to help build better sanitary conditions for people in disadvantaged communities and these funds be allocated from the 2017-2018 Contingency Fund.

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

**MM50/17 Mayoral Minute - A Maroubra Speedway Scrapbook - Book Launch
at Coral Sea Park - Funding Assistance. (F2017/00096)**

261/17

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

1. Randwick Council offer a one-off grant of \$1,200 to the Vintage Sports Car Club of Australia to hold a book launch about the Maroubra Speedway at Coral Sea Park on 24 March 2018;
2. the funds be voted from the 2017-18 Council Contingency Fund;
3. the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and
4. 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.

**MM51/17 Mayoral Minute - Jarrah House - Request for Financial Assistance
(F2017/07396)**

262/17

RESOLUTION: (Her Worship the Mayor, Cr L Shurey) that Council approve the donation of \$1,500.00 to facilitate the purchase of an outdoor table tennis table for Jarrah House, Malabar.

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

Urgent Business

Nil.

Director City Planning Reports

CP83/17 Director City Planning Report - Randwick Health and Education Precinct - Collaboration Area and Stakeholder Agreement (F2010/00346)

263/17

RESOLUTION: (Matson/Seng) that Council endorses:

1. the participation by Council in a stakeholder agreement for the Randwick Health and Education precinct, and associated Memorandum of Understanding, and
2. the establishment of a Council Steering Committee comprising the Mayor and one Labor, Liberal, Green and Independent Councillor to provide input and direction to Council staff in relation to the stakeholder agreement.

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

AMENDMENT: (Stavrinos/Veitch) that the Council Steering Committee comprise the Mayor and the three West ward Councillors. **LOST.**

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

FOR	AGAINST
Councillor Hamilton	Councillor Andrews
Councillor Stavrinos	Councillor Bowen
Councillor Veitch	Councillor Da Rocha
	Councillor D'Souza
	Councillor Luxford
	Councillor Matson
	Councillor Neilson
	Councillor Parker
	Councillor Said
	Councillor Seng
	Councillor Shurey
Total (3)	Total (11)

CP84/17 Director City Planning Report - Draft Greater Sydney Region Plan and Eastern City District Plan, and Draft Future Transport Strategy 2056 (F2017/00475)

264/17

RESOLUTION: (Andrews/Stavrinos) that the Council endorse the attached submissions on the draft Greater Sydney Region Plan, the revised draft Eastern City District Plan and the draft Future Transport Strategy 2056 for forwarding to the Greater Sydney Commission and Transport for NSW for their consideration in finalising these plans, subject to the following amendments:-

Draft Submission on Draft Greater Sydney Region Plan (Main Submission)

Housing Affordability – Business Paper Page 13 - Paragraph 3: We support the attainment of a 15% target wherever possible.

Urban Tree Canopy Cover – Business Paper Page 15 - Paragraph 3: Thus we propose the application of two distinct metrics to measure both tree canopy from conventional tree plantings and heat mitigation measures provided by green architecture (i.e green walls and roofs).

Theme 4 Sustainability: Direction 8 - A city in its landscape: Metrics - 12. Proportional increase in Greater Sydney covered by urban tree canopy - We reiterate our suggestion made elsewhere in this submission that two distinct metrics distinguishing between tree canopy by traditional tree plantings, with that of heat mitigation measures provided by green architectural measures such as green roofs and green walls.

Draft Revised Eastern City District Plan (Randwick City Council draft Submission table)

Priority Precincts Attachment 3 Page 29 - In the third bullet point down, add Randwick Council urges the attainment of a 15% target wherever possible.

Planning Priority E17: Increasing urban tree canopy cover and delivering Green Grid connections - Point_64. Supported. Insert the following wording at front of paragraph "However, the Council suggests that in addition to the increased tree canopy,"

MOTION: (Veitch/Said) that the Council endorse the attached submissions on the draft Greater Sydney Region Plan, the revised draft Eastern City District Plan and the draft Future Transport Strategy 2056 for forwarding to the Greater Sydney Commission and Transport for NSW for their consideration in finalising these plans, subject to amendments tabled at the meeting on the following issues:-

1. Draft Submission on Draft Greater Sydney Region Plan (Main Submission)

- Housing Affordability
- Urban Tree Canopy Cover
- Theme 4 Sustainability / Direction 8 A city in its landscape/Metrics

2. Draft Revised Eastern City District Plan (Randwick City Council draft Submission table)

- Priority Precincts Attachment 3
- Planning Priority E10 Delivering integrated land use and transport planning
- Planning Priority E17 Increasing urban tree canopy cover and delivering Green Grid connections
- Planning Priority E19 Reducing Carbon emissions and managing energy

3. That Council's submission clearly articulate that Council does not support the inclusion in the submission of the collaboration area, the light rail extension to Anzac Parade South or the Priority Precinct. **LOST.**

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

FOR

Councillor Bowen
Councillor Luxford
Councillor Neilson
Councillor Said
Councillor Shurey
Councillor Veitch

AGAINST

Councillor Andrews
Councillor Da Rocha
Councillor D'Souza
Councillor Hamilton
Councillor Matson
Councillor Parker
Councillor Seng

Councillor Stavrinou

Total (6)**Total (8)**

AMENDMENT: (Matson/Andrews) that the motion by Councillor Veitch be adopted with an amendment that Council does not withdraw its support for the extension of the light rail. **LOST.**

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

FOR

Councillor Andrews
Councillor Matson
Councillor Seng
Councillor Shurey

Total (4)**AGAINST**

Councillor Bowen
Councillor Da Rocha
Councillor D'Souza
Councillor Hamilton
Councillor Luxford
Councillor Neilson
Councillor Parker
Councillor Said
Councillor Stavrinou
Councillor Veitch

Total (10)

AMENDMENT: (Matson/Nil) that Council's submission include a strong argument that Randwick City Council supports a feasibility study for the extension of the light rail. **LAPSED FOR WANT OF A SECONDER.**

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

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

FOR

Councillor Andrews
Councillor Da Rocha
Councillor D'Souza
Councillor Hamilton
Councillor Matson
Councillor Neilson
Councillor Parker
Councillor Seng
Councillor Shurey
Councillor Stavrinou
Councillor Veitch

Total (11)**AGAINST**

Councillor Bowen
Councillor Luxford
Councillor Said

Total (3)

General Manager's Reports

GM28/17 General Manager's Report - Continuation of Community Partnership with Eastern Suburbs District Rugby League Football Club (F2014/00414)

RESOLUTION: (Andrews/Hamilton) that:

- a) Council continues with the "Community Partnership" with the Eastern Suburbs District Rugby League Football Club with the \$33,000.00 plus GST contribution

to come from Council's Community Development budget;

- b) the General Manager be delegated authority to enter into a Memorandum of Understanding with Eastern Suburbs District Rugby League Football Club; and
- c) a report on the success of the 2018 Community Partnership to come back before Council.

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

Director City Services Reports

Nil.

Director Governance & Financial Services Reports

GF48/17 Director Governance & Financial Services Report - 1-11 Rainbow Street, Kingsford. Classification of land under the Local Government Act 1993 (F2004/06326)

266/17

RESOLUTION: (Andrews/Hamilton) that Council resolve to classify the land at 1-11 Rainbow Street, Kingsford as 'operational' land in accordance with the provisions of the Local Government Act 1993.

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

GF49/17 Director Governance & Financial Services Report - Monthly Financial Report as at 31 October 2017 (F2017/00404)

267/17

RESOLUTION: (Andrews/Hamilton) that the Administration and Finance Committee acknowledges that the Responsible Accounting Officer has advised that the projected financial position of Council is satisfactory.

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

GF50/17 Director Governance & Financial Services Report - Cost Shifting: Impact on Current and Future Budgets (F2006/00588)

268/17

RESOLUTION: (Veitch/Neilson) that the report be received and noted.

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

Petitions

Nil.

Motion Pursuant to Notice

NM80/17 Motion Pursuant to Notice - Notice of Motion from Crs Bowen, Neilson, Parker, Luxford and Said - Moore Park Stadium and Westconnex Alison Road and Anzac Parade Intersection (F2017/00106)

269/17

RESOLUTION: (Bowen/Luxford) that Council:

1. notes the State Government's failure to engage in meaningful community consultation and its unwillingness to commission and/or release the relevant

- strategic business cases;
2. agrees to collaborate with neighboring councils as well as State and Federal representatives to work together in order to effect an immediate moratorium on progression of the following proposals ("Proposals"):
 - a. the rebuilding of the Allianz Stadium at Moore Park and encroachment and expansion into Moore Park open and green space at an anticipated cost to taxpayers of \$705 million;
 - b. the Alexandria to Moore Park road widening - The Roads and Maritime Services' (RMS) 'preliminary concept design' for the Alexandria to Moore Park Connectivity Upgrade includes the redesign of the Anzac Pde, Dacey Ave and Alison Road intersection. Estimated to cost \$500 million, the continuous flow intersection will be largest non-motorway intersection in NSW, bringing thousands of more cars into the area and likely resulting in more compulsory parkland acquisitions and the loss of a further 100 trees and greater traffic congestion into our municipality;
 3. calls for a moratorium on the Proposals to remain in place until, in consultation with the affected councils and the community, each of the above proposals are fully and adequately assessed for their impact on:
 - open public green space, trees and heritage;
 - the implications on Driver Ave and Kippax Lake and the implications on our ANZAC memorial;
 - local traffic congestion and carparking facilities and flow on impact into our municipally and on the Waverley local community;
 - public transport capacity;
 - community amenities, especially those located in the surrounding parklands of Moore Park and Centennial Park parklands;
 - the long-term effect of further commercialisation of public land;
 - any other issues that may impact on the area's character, amenity and sustainability;
 4. calls on the NSW Upper House to hold an Inquiry into the Proposals, specifically focusing on the appropriateness of the NSW Department of Planning decision-making processes with regard to long-held community standards of transparency and accountability of the use of public monies.
 5. calls on the newly elected LGNSW leadership team to campaign for the funds set aside for the stadium rebuild to instead be used for public community infrastructure including hospitals, education, community, sport and other public assets and to do this in partnership with Councils, community groups and local sporting clubs across New South Wales.

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

AMENDMENT: (Hamilton/Stavrinou) that Council agrees to collaborate with neighboring Councils as well as State and Federal representatives to work together in order to effect an immediate moratorium on the progression of the rebuilding of the Allianz Stadium at Moore Park and encroachment and expansion into Moore Park open and green space at an anticipated cost to taxpayers of \$705 million. **LOST.**

**NM81/17 Motion Pursuant to Notice - Notice of Motion from Cr Matson -
Transition from Fossil Fuels to Renewable Energy (F2009/00291)**

RESOLUTION: (Matson/Neilson) that Council:

270/17

- a) supports and recognises an urgent need for a transition from fossil fuels to renewable energy as soon as possible, and that government support and funding for new coal mines such as the Carmichael Mine and others render farcical any sensible discussion about a transition to renewable energy;
- b) objects in the strongest terms possible to government support and funding for any new coal mines as well as the extensions of existing coal mines;
- c) will support other Councils communicating objections to government support and funding for new coal mines; and
- d) resolves to prepare and send a letter to the Federal MP's for Kingsford Smith and Wentworth detailing this resolution.

MOTION: (Matson/Neilson) 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 Hamilton
Councillor Bowen	Councillor Stavrinou
Councillor Da Rocha	
Councillor D'Souza	
Councillor Luxford	
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Seng	
Councillor Shurey	
Councillor Veitch	
Total (12)	Total (2)

AMENDMENT: (Hamilton/Stavrinou) that a new clause (e) be added which states "that Council writes to the Construction, Forestry, Mining and Energy Union detailing Councils anti-mining position and calls on the union to abandon its representation of workers working and profiting from mining activities in NSW. **LOST.**

Confidential Reports

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

GF51/17 Confidential - Tender T2018-13 Mechanical Repairs (F2017/00340)

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.

271/17

RESOLUTION: (Andrews/Matson) that:

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

Andrews Lawnmowers Pty Ltd;

Acclaim Hydraulics Pty Ltd t/a Enzed Mascot;
 Hako Australia Pty Ltd;
 Coulton and Sons Pty Ltd;
 GYC Pty Ltd;
 Aquaclean Services Pty Ltd;
 Dal-Trans Pty Ltd;
 Lucan Engineering Pty Ltd; and
 Farm City Pty Ltd

be accepted as the successful tenderers for Mechanical Services and

- b) the General Manager is authorised to enter into contracts on behalf of Council for a period of three (3) years, with two (2) optional one (1) year extensions.
- c) the unsuccessful tenderer is notified.

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

GF52/17 Confidential - Tender T2018-14 Catering Services (F2017/00341)

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.

272/17

RESOLUTION: (Andrews/Hamilton) that:

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

Hestelow James Catering;
 Keechfood Holdings Pty Ltd trading as PB Catering;
 Matthew Sullivan Constructions Pty Ltd T/A Flavours Catering and Events;
 One Pot Catering; and
 Rockwall Catering Sydney Pty Ltd

be accepted as the successful tenderers for Catering Services and

- b) the General Manager is authorised to enter into contracts on behalf of Council for a period of three (3) years, with two (2) optional one (1) year extensions.

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

Open Session

The meeting moved back into open session.

Notice of Rescission Motions

NR9/17 Notice of Rescission Motion - Notice of Rescission Motion submitted by Crs Matson, Shurey (Mayor) and Neilson - Development Application report - 4/199-203A Malabar Rd, South Coogee (DA/153/2015/A) (DA/153/2015/A)

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

MOTION: (Matson/Veitch) that the resolution passed at the Ordinary Council

meeting held on Tuesday 28 November 2017 reading as follows:

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.

BE AND IS HEREBY RESCINDED. **LOST.**

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

FOR	AGAINST
Councillor Matson	Councillor Andrews
Councillor Neilson	Councillor Bowen
Councillor Shurey	Councillor Da Rocha
Councillor Veitch	Councillor D'Souza
	Councillor Hamilton
	Councillor Luxford
	Councillor Parker
	Councillor Said
	Councillor Seng
Total (4)	Total (9)

There being no further business, Her Worship the Mayor, Cr L Shurey, declared the meeting closed at 8.50pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 27 February 2018.

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CHAIRPERSON