

**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, 22 MAY 2018 AT 6:07PM**

**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 (arrived 6.30pm),<br>M Matson & B Roberts |
| West Ward    | - Councillors H Stavrinou & P Veitch                            |
| Central Ward | - Councillors A Andrews (arrived 7.10pm),<br>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 Performance Improvement	Ms A Warner
Communications Manager	Mr J Hay
Manager Waste & Cleaning Service	Mr M Bush
Senior Administrative Coordinator	Ms J Hartshorn
Executive Manager	Mr L Fitzgerald
Communications Coordinator	Ms Chelsea Hunter

**Prayer & Acknowledgement of Local Indigenous People**

The Council Prayer was read by Reverend Segart from St Nicolas' Anglican Church, Coogee.  
The Acknowledgement of Local Indigenous People was read by Cr D'Souza.

**Apologies/Granting of Leave of Absences**

Nil.

## Confirmation of the Minutes

### CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 24 APRIL 2018

99/18

**RESOLUTION: (Luxford/Matson)** that the Minutes of the Ordinary Council Meeting held on Tuesday 24 April 2018 (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 D'Souza declared a significant non pecuniary interest in Item NM44/18 as his children attended the school and he has served on the school board and assisted with fundraising. Cr D'Souza indicated that he would not take part in the debate or the voting on the matter.
- b) Cr Bowen declared a pecuniary interest in Item NM40/18 as he acts in a professional capacity for the company that owns Dan Murphy's. Cr Bowen indicated that he would not take part in the debate or the voting on the 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:

MM24/18 WAIVING OF FEES - CHARITY CAR SHOW AND SHINE

**For** Mr Richard Gutteridge

GM8/18 NEXT PHASE OF ROCK FISHING SAFETY ACT 2016

**Against** Mr Paul Cooper

CS14/18 NAPPER STREET, SOUTH COOGEE - CONSULTATION OUTCOME - LOCATION OF STAIRS PROPOSED FOR CONSTRUCTION IN THE 2017-18 FOOTPATH CAPITAL WORKS PROGRAM

**Against** Mr Slava Shargorodsky

**For** Mr Stephen Hogan

NM40/18 NOTICE OF MOTION FROM CR MATSON - SEEKING LEGAL ADVICE ON THE LEGAL JUDGEMENT PERMITTING OPERATION OF A DAN MURPHY'S LIQUOR STORE IN BROOK STREET, COOGEE

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

**For** Ms Marie McMahon

Cr Bowen return to the meeting at this point (6.51pm).

NM44/18 NOTICE OF MOTION FROM CR HAMILTON - PARTIAL CLOSURE - JUDGE LANE, RANDWICK

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

**Against** Ms Barbara Dougan

**For** Mr Doug Thomas (Claremont College)

Cr D'Souza returned to the meeting at this point (7.39pm).

NR1/18 NOTICE OF RESCISSION MOTION SUBMITTED BY CRS ANDREWS, SENG AND STAVRINOS - DUDLEY STREET HERITAGE CONSERVATION BOUNDARY EXTENSION AND INCLUSION OF LOCAL HERITAGE ITEMS

**Against** Mr Patrick Cunningham

**For** Mr Andrew Kidd

The Meeting was adjourned at 8.02pm and was resumed at 8.20pm.

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

### Mayoral Minutes

#### **MM21/18 Mayoral Minute - Passing of Aboriginal Advisory Committee Member - Aunty Suzanne Bryant (F2009/00285)**

100/18 **RESOLUTION: (Mayor, Cr Shurey)** that a Minutes silence be held to acknowledge the passing of this incredible La Perouse Elder, Aunty Suzanne.

**MOTION: (Mayor, Cr Shurey) CARRIED - SEE RESOLUTION.**

#### **MM22/18 Mayoral Minute - Passing of former Member for Coogee and Minister for Local Government, Mr Ernie Page (F2005/00266)**

101/18 **RESOLUTION: (Mayor, Cr Shurey)** that a Minutes silence be held to acknowledge the passing of former local member and Minister for Local Government, Ernie Page.

**MOTION: (Mayor, Cr Shurey) CARRIED - SEE RESOLUTION.**

#### **MM23/18 Mayoral Minute - Seeking Council support for Randwick Council to participate in the National Garage Sale Trail (F2008/00418)**

102/18 **RESOLUTION: (Mayor, Cr Shurey)** that Council approves participation in the National Garage Sale Trail for the next 3 years, 2018 to 2020 at a total cost of \$7,500 per annum.

**MOTION: (Mayor, Cr Shurey) CARRIED - SEE RESOLUTION.**

#### **MM24/18 Mayoral Minute - Waiving of Fees - Charity Car Show and Shine (F2018/00096)**

103/18 **RESOLUTION: (Mayor, Cr Shurey)** that:

- a) Council assist with funding the event by providing \$4,749.85 (\$3,749.85 in-kind and \$1,000 contribution) to cover the fees associated with hosting the Maroubra Charity Car Show and Shine to be held in Broadarrow Reserve on Sunday 16 September 2018;
- 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: (Mayor, Cr Shurey) CARRIED - SEE RESOLUTION.**

**MM25/18 Mayoral Minute - Celebrating 2018 International Day of Yoga  
(F2009/00346)**

104/18 **RESOLUTION: (Mayor, Cr Shurey)** that Council vote \$3,000 from the 2017-18 Contingency Fund as a one off to cover the costs of the International Day of Yoga, to be held on Thursday 21 June 2018.

**MOTION: (Mayor, Cr Shurey) CARRIED - SEE RESOLUTION.**

**MM26/18 Mayoral Minute - Deferred Commencement of the NSW  
Government's New Low Rise Medium Density Housing Code  
Requested for Randwick City Council (F2017/00530)**

105/18 **RESOLUTION: (Mayor, Cr Shurey)** that Council endorse writing to the NSW Minister for Planning, seeking support for a deferment in the commencement of the new Housing Code for Randwick City Council and a freeze on consideration of any new planning proposals until such time as Council has undertaken the Local Housing Strategy and a comprehensive review of its LEP and suitable supporting infrastructure is in place.

**MOTION: (Mayor, Cr Shurey) CARRIED - SEE RESOLUTION.**

**Urgent Business**

Nil.

**General Manager's Reports**

**GM8/18 General Manager's Report - Next phase of Rock Fishing Safety Act  
2016 (F2016/00539)**

106/18 **RESOLUTION: (Matson/Roberts)** that Council:

- a) commends the NSW Government on its proactive approach to water safety and reaffirms its commitment to support the Rock Fishing Safety Act.
- b) write to the Minister calling to the Minister's attention the submission made at this meeting regarding possible use of additional safety equipment, including floatation vests, wet suits and rock cleats.

**MOTION: (Neilson/Luxford)** that this matter be deferred, for one month, to obtain further information in relation to the use of additional safety equipment and for further consultation with the local community and local rock fishing association.

**AMENDMENT: (Matson/Roberts) CARRIED AND BECAME THE MOTION.**

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

**GM9/18 General Manager's Report - Randwick City Council March Quarterly  
Report 2018 (F2017/03001)**

107/18 **RESOLUTION: (Stavrinou/Matson)** that the information contained in the March Quarterly Review of the 2017-18 annual Operational Plan be received and noted.

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

**Director City Planning Reports****CP9/18 Director City Planning Report - Living Infrastructure Program (F2017/00467)**

108/18

**RESOLUTION: (Stavrinos/Matson)** that Council:

- a) endorse the preparation of a Living Infrastructure Strategy which prioritises initiatives and practical actions to encourage the provision of green walls, roofs and facades in Randwick City.
- b) endorse background research into the establishment of a living infrastructure co-funding grants program.
- c) commence background investigations to identify potential Council owned sites that could showcase living infrastructure demonstration projects including the UTS breathing wall pilot program.
- d) partner with the University of NSW and the University of Technology Sydney in the development and promotion of living infrastructure initiatives.
- e) approve an allocation of \$15,000 to cover printing and marketing costs for the Living Infrastructure Strategy and community education material.

**MOTION: (Stavrinos/Matson) CARRIED - SEE RESOLUTION.****CP10/18 Director City Planning Report - Report for Variation to Development Standard under SEPP No.1 and Clause 4.6 - 15 March 2018 - 4 May 2018 (F2008/00122)**

109/18

**RESOLUTION: (Stavrinos/Matson)** that the report be received and noted.**MOTION: (Stavrinos/Matson) CARRIED - SEE RESOLUTION.****CP11/18 Director City Planning Report - Seeking Council endorsement for Randwick's Carbon Neutral project (F2005/00230)**

110/18

**RESOLUTION: (Matson/D'Souza)** that Council:

1. agrees to purchase carbon offsets for this financial year at a cost of \$50,355 (excluding GST); and
2. purchases carbon offsets to the cost of \$40,000 (excluding GST) to achieve carbon neutrality in 2019 and 2020.

**MOTION: (Stavrinos/Roberts)** that Council does not proceed with the purchase of carbon offsets. **LOST.****MOTION: (Matson/D'Souza) CARRIED - SEE RESOLUTION.****CP12/18 Director City Planning Report - NSW State Design Review Panel Pilot Program (F2018/08420)**

111/18

**RESOLUTION: (Stavrinos/Matson)** that Council:

1. endorse the nomination of Mr David Chesterman as Randwick Council's panel member on the NSW State Design Review Panel.

2. submits to the Government Architect NSW Mr David Chesterman as Council's nominee for Randwick Council's panel member on the NSW State Design Review Panel.

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

**CP13/18 Director City Planning Report - Arts and Cultural Advisory Committee Terms of Reference (F2004/08008)**

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112/18

**RESOLUTION: (Stavrinos/Matson)** that Council:

- a) Endorse the new name and the Terms of Reference;
- b) Note that expressions of interest will shortly be advertised and invited from local arts practitioners and institutions for membership of the ACAC; and
- c) Note that the first meeting will be convened shortly after its membership is finalised

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

**CP14/18 Director City Planning Report - Update on Our Energy Future, the energy saving and solar campaign for Randwick residents and seeking approval to continue for an additional 12 months (F2005/00230)**

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113/18

**RESOLUTION: (Stavrinos/Matson)** that Council:

- a) notes the strong results and participation by Randwick residents in the Our Energy Future initiative; and
- b) approves \$32,750 (excluding GST) to extend Our Energy Future for an additional 12 months with funding allocated from the Climate Change budget of the environmental levy program.

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

**Director City Services Reports**

**CS14/18 Director City Services Report - Napper Street, South Coogee - Consultation Outcome - location of stairs proposed for construction in the 2017-18 Footpath Capital Works Program (F2017/01301)**

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114/18

**RESOLUTION: (Matson/Bowen)** that:

- a) the details of the submissions received from residents in relation to the concept plan for a set of new public stairs on Napper Street be noted.
- b) Council convene a street meeting of interested residents and Councillors to arrive at another viable solution.

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

**CS15/18 Director City Services Report - Waste Management Strategy - Stakeholder and Community Feedback (F2004/07280)**

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115/18

**RESOLUTION: (Matson/Veitch)** that Council adopt Randwick's Waste Management Strategy, 2017-2030, subject to there be no use of the proposed Eastern Creek

Energy from Waste Facility for any of the seven options in the table in the Executive Summary (page 4 of the Strategy).

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

### **Director Governance & Financial Services Reports**

#### **GF20/18 Director Governance & Financial Services Report - Councillor Expenses and Facilities Policy - results of public exhibition (F2004/06576)**

116/18 **RESOLUTION: (Parker/Stavrinos) that:**

- a) it be noted that six (6) submissions were received as a result of the April-May 2018 public exhibition of the Councillor Expenses and Facilities Policy.
- b) the amended Councillor Expenses and Facilities Policy be adopted for immediate implementation.

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

#### **GF21/18 Director Governance & Financial Services Report - Quarterly Budget Review - March 2018 (F2017/00402)**

117/18 **RESOLUTION: (Stavrinos/Matson) that:**

- a) the report in relation to the March 2018 Budget Review be received and noted; and
- b) the proposed March 2018 budget variations shown in the attachment to this report be adopted.

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

#### **GF22/18 Director Governance & Financial Services Report - Monthly Financial Report as at 30 April 2018 (F2017/00404)**

118/18 **RESOLUTION: (Stavrinos/Matson) that** Council acknowledges that the Responsible Accounting Officer has advised that the projected financial position of Council is satisfactory.

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

#### **GF23/18 Director Governance & Financial Services Report - Local Government NSW - 2018 Annual Conference (F2004/06645)**

119/18 **RESOLUTION: (Stavrinos/Matson) that** Councillors interested in attending the 2018 Conference of Local Government NSW advise the General Manager as soon as possible.

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

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**GF24/18 Director Governance & Financial Services Report - Investment Report - April 2018 (F2015/06527)**


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120/18 **RESOLUTION: (Stavrinos/Matson)** that the Investment Report for April 2018 be received and noted.

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

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**GF25/18 Director Governance & Financial Services Report - Business sub-category for rating 2018-19 (F2007/00367)**


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121/18 **RESOLUTION: (D'Souza/Matson)** that:

- a) the Council determine a sub-category of the Business category for rating purposes effective for rating from 1 July 2018;
- b) the sub-category be based on the centre of activity defined by the Port Botany zoning map, of the Three Ports SEPP 2013, for properties located within the 'SP1 Special Activities' zone; and
- c) the sub-category be known as 'Port Botany Business'.

**MOTION: (Roberts/Stavrinos)** that Council not proceed with the 'Port Botany Business' sub-category of the Business category for rating purposes. **LOST.**

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

### Petitions

Nil.

### Motion Pursuant to Notice

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**NM33/18 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Reduce parking competition around POW and to improve work health and safety for staff (F2012/00032)**


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122/18 **RESOLUTION: (Matson/Veitch)** that Council seek to open negotiations with State Government and Prince of Wales Hospital authorities to allow hospital staff to have free access to the complexes on-site carpark in order to reduce parking competition with residents in adjacent streets and to achieve better work, health and safety for the staff.

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

FOR	AGAINST
Councillor Bowen	Councillor Da Rocha
Councillor Luxford	Councillor D'Souza
Councillor Matson	Councillor Hamilton
Councillor Neilson	Councillor Roberts
Councillor Parker	Councillor Seng
Councillor Said	Councillor Stavrinos
Councillor Shurey	
Councillor Veitch	
<b>Total (8)</b>	<b>Total (6)</b>

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



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**NM34/18 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Provide foot washing facilities at the new Coogee amenities block on the lower beach promenade (F2004/07347)**

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123/18 **RESOLUTION: (Matson/Neilson)** that representatives of the Coogee Precinct Committee be invited to meet with Council officers at the Coogee amenities block on the lower promenade to assess options for providing readily accessible foot washing facilities at the entrance to the facility.

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

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**NM35/18 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Promote ERLGATSIF upcoming 'Living Cultures' awards in May (F2004/07650)**

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124/18 **RESOLUTION: (Matson/Neilson)** that Randwick City Council notes that Inner West Council is hosting the upcoming 'Living Cultures' awards in May on behalf of the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF) and resolves to promote the event as appropriate.

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

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**NM36/18 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Return & Earn Vending Machines in LGA (F2006/00120)**

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125/18 **RESOLUTION: (Stavrinis/Roberts)** that Council:

- a) write to the NSW Minister For Environment, the Hon. Gabrielle Upton requesting that Council be given the opportunity to have a say on the location of Return & Earn Vending Machines in our City, which are now not subject to any council approvals as they are exempt developments.
- b) as part of this letter, voice concerns in relation to Return & Earn Vending Machines being placed in Residential Areas, which are impacting on the amenity of residents.

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

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**NM37/18 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Efficient Measures in Reporting Road Maintenance (F2004/08251)**

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126/18 **RESOLUTION: (Stavrinis/Hamilton)** that Council:

- a) bring back a report on ways in which Council can enhance communication with residents, in relation to road maintenance and footpath repairs, so that potholes, irregularities and rough surfaces can be addressed more efficiently;
- b) as part of this report consider conducting more surveys and greater consultation with the community, so that residents can report matters in a more timely manner.
- c) promote through its communication channels, contact details for RMS with a list of RMS Controlled Roads and Streets in our City, so that residents can lodge concerns directly with the appropriate government agency.

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

**RESOLVED (PROCEDURAL MOTION): (D'Souza/Da Rocha)** that the meeting be extended by 30 minutes to midnight.

**NM38/18 Motion Pursuant to Notice - Notice of Motion from Cr Parker - Establishment of a Community Affairs Committee (F2007/00642)**

127/18

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

- a) Randwick establish a committee to be known as the Community Affairs Committee;
- b) The committee shall:
  - a) Report to full Council meetings recommendations arising from its deliberations;
  - b) Be chaired by Councillor Said with Councillor Veitch as the Deputy Chair;
  - c) Have a membership of 9 comprising the Mayor (ex officio) and two Councillors each from the Labor, Liberal, Greens and independent blocks to be advised to the General Manager;
  - d) Have a quorum of 4 with the chair to exercise a casting vote;
  - e) Function: to support the social and physical welfare of residents of Randwick Local Government area by fostering social cohesion and harmony in Randwick with emphasis on promoting equality, diversity and healthy lifestyles in the Randwick community to meet on an as required basis prior to the commencement of scheduled Councillor briefing sessions with no delegated authority on decision.

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Bowen	Councillor Hamilton
Councillor Da Rocha	Councillor Roberts
Councillor D'Souza	Councillor Seng
Councillor Luxford	Councillor Stavrinou
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Shurey	
Councillor Veitch	
<b>Total (10)</b>	<b>Total (4)</b>

**NM39/18 Motion Pursuant to Notice - Notice of Motion from Cr Said - Anti Social Behaviour Devices at Yarra Bay/La Perouse (F2005/00935)**

128/18

**RESOLUTION: (Said/Parker)** that:

- 1) Council officers to present a report on implementing CCTV cameras, better lighting, traffic calming devices, bollards in Yarra Rd and surrounding streets, measures to end Anti-social behaviour not just move it elsewhere in our City.
- 2) Council conducts extensive consultation programme with all stakeholders, Residents, Businesses, Local and State Politicians, Sailing Club, RMS, Randwick Tourism and Police in the Little Bay, Yarra Bay and La Perouse Area within a six week period.

- 3) once all information is collated Council will conduct a four week public exhibition, with the intention to commence implementation before the Summer months.

**MOTION: (Said/Parker) CARRIED - SEE RESOLUTION.**

**NM40/18 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Seeking legal advice on the legal judgement permitting operation of a Dan Murphy's liquor store in Brook Street, Coogee (DA/284/2015)**

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

129/18

**RESOLUTION: (Matson/Roberts)** that Council:

- 1) Notes the Land & Environment Court judgement of 17 April this year on the successful appeal against refusal of the proposed Dan Murphy's liquor store on the site of the former Randwick Rugby Club;
- 2) Further notes the following arguments presented to Councillor Matson by Coogee residents, as tabled by Councillor Matson at the meeting;
  - The judgement finds that the reference to 'small scale' in the last of seven R3 Zone objectives ie. 'enabling only small scale business uses in existing buildings' should only be considered in relation to the scale of the subject building and not the locality or neighbourhood in which the business is proposed. This interpretation unnecessarily narrows the purpose of the objective so that it is of very little value in determining whether an intended business use is appropriate.
  - The R3 zone objective refers to an 'existing building' simply because these uses are only permissible in an existing building. It is not that the small scale should necessarily be identified by the size of the existing building, otherwise the objective would have little or no purpose. This interpretation means that any commercial use that would fit within an existing building would be appropriate and therefore small scale (in relation to the subject building). It would follow that all business uses proposed within an existing building are by definition appropriate and therefore small scale, this is illogical.
  - The R3 zone objective refers exclusively to small scale business premises because other commercial premises (apart from Shops) are prohibited in that zone and it is superfluous to address objectives in respect of prohibited uses. This does not mean that large retail premises should not be compared with similar premises in the neighbourhood to determine whether the scale is appropriate, as the judgement has concluded.
  - Cl 6.13 of the Randwick LEP is very restrictive and only allows consent for a commercial use in the R3 zone if it will not inter alia affect the amenity of the surrounding locality. The judgement concludes that as the use is contained within the existing building, it must meet the test of being a neighbourhood or small scale simply because the building was designed for commercial uses (in this case a club).
  - The judgement at Cl 62 accepts uncritically that the applicant's contention that the patronage of the store will be from the neighbourhood with no evidence offered to support the conclusion that a large 980 sq m retail bottle shop will draw its patronage largely from within the neighbourhood.
- 3) Resolves to seek legal advice as to whether ground exists for a challenge against the judgement.

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

Cr Bowen returned to the meeting at this point (8.53pm).

**NM41/18 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Proposed extension of residential parking scheme - southern side of Dolphin Street between Powell and Melody Streets (F2004/07236)**

130/18 **RESOLUTION: (Matson/Roberts)** that Council survey residents for support for extending the residential parking scheme along the southern side of Dolphin Street between Powell and Melody Streets.

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

**NM42/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - West Ward Landscaping and street improvements (F2007/00396)**

131/18 **RESOLUTION: (Veitch/Stavrinos)** that Randwick City Council:

1. notes that residents of Kingsford and Kensington have expressed a desire for increased tree planting, landscaping and general street improvements to improve the amenity of the area.
2. brings back a draft report containing a timeline, locations, and recommendations regarding planting, landscaping and street improvements for Randwick City.
3. subsequent to consideration of the report referred to in point (2), places the report on public exhibition, and seeks feedback and suggestions from local residents through a six week community consultation process.

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

**NM43/18 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinos - Propose painted line markings for parking spaces (F2008/00622)**

A Rescission Motion in relation to this Item was submitted by Councillors Neilson and Matson and Mayor Shurey in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 26 June 2018.

132/18 **RESOLUTION: (Stavrinos/Hamilton)** that Council bring back a report with costings on the feasibility of painting line markings on streets/roads within the Randwick LGA where parking issues are of serious concern, in order to maximise the number of parking spaces available.

**MOTION: (Stavrinos/Hamilton) CARRIED ON THE CASTING VOTE OF THE MAYOR - SEE RESOLUTION.**

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

FOR	AGAINST
Councillor Hamilton	Councillor Bowen
Councillor Neilson	Councillor Da Rocha
Councillor Roberts	Councillor D'Souza
Councillor Said	Councillor Luxford
Councillor Seng	Councillor Matson
Councillor Stavrinos	Councillor Parker
Councillor Veitch	Councillor Shurey
Councillor Shurey (Casting vote)	

**Total (8)****Total (7)****NM44/18 Motion Pursuant to Notice - Notice of Motion from Cr Hamilton - Partial Closure - Judge Lane, Randwick (F2004/07158)**

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

**MOTION: (Hamilton/Stavrinos)** that Council:

- a) note, as per the resolution of the *Director City Services Report CS7/17 - Judge Lane, Randwick - Request for School Time Closure*; that community consultation has been undertaken and a traffic audit completed; and Section 116 of the *Roads Act* gives Roads and Maritime Services (RMS) the authority to approve council's request for the partial closure;
- b) note, the RMS representative on the Randwick Traffic Committee, and the committee itself, have raised no objections to the partial closure of Judge Lane;
- b) immediately implement the partial closure of Judge Lane, Randwick, between 8am and 4pm on school days, as has been requested by Claremont College since 2015. **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Andrews	Councillor Bowen
Councillor Hamilton	Councillor Da Rocha
Councillor Roberts	Councillor Luxford
Councillor Said	Councillor Matson
Councillor Seng	Councillor Neilson
Councillor Stavrinos	Councillor Parker
	Councillor Shurey
	Councillor Veitch
<b>Total (6)</b>	<b>Total (8)</b>

Cr D'Souza returned to the meeting at this point (9.36pm).

**Confidential reports (closed session)**

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

**Closed Session****CS16/18 Confidential - Tender report - Waste receiptal and processing/disposal services (T2018-04) (F2016/00321)**

*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.*

133/18

**RESOLUTION: (Seng/D'Souza)** that Council, under Regulation 178(1)(a) of the Local Government (General) Regulation 2005:

1. Accepts SUEZ Recycling & Recovery Pty Ltd's tender for processing of residential garbage;

2. Accepts Veolia Environmental Services' tender for processing of garden organics;
3. Accepts Veolia Environmental Services' tender for processing of food and garden organics subject to Council's implementation of food and garden organics collection in future;
4. Accepts SUEZ Recycling & Recovery Pty Ltd's tender for bulky waste processing;
5. Authorises the General Manager, under Section 377(1) of the Local Government Act 1993 and delegation RT013, to negotiate any contract conditions and sign contracts for a term of seven (7) years with three (3) possible one (1) year extensions with:
  - a) SUEZ Recycling & Recovery Pty Ltd for the contract for processing of residential garbage;
  - b) Veolia Environmental Services for the contract for garden organics processing with option for processing of food and garden organics subject to Council's implementation of food and garden organics collection in future; and
  - c) SUEZ Recycling & Recovery Pty Ltd for the contract for processing of bulky waste;
6. Unsuccessful tenderers are notified.

**MOTION: (Seng/D'Souza) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**GF26/18 Confidential - SSROC Tender T2017-09 Provision of Mattress Collection and Processing Services (F2017/00189)**

*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.*

134/18

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Community Resources Limited trading as Soft Landing ("Soft Landing") and Renewable EnergyCorp Australia Pty Ltd be accepted as the successful tenderers for the SSROC Tender T2017-09 Provision of Mattress Collection and Processing Services; 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: (Stavrinou/Hamilton) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**Open Session**

That the meeting move back into open session.

**Notice of Rescission Motions**

**NR1/18 Notice of Rescission Motion - Notice of Rescission Motion  
submitted by Crs Andrews, Seng and Stavrinis - Dudley Street  
Heritage Conservation Boundary Extension and Inclusion of Local  
Heritage Items (F2017/00174)**

**MOTION: (Andrews/Stavrinis)** that the resolution passed at the Council meeting held on 24 April 2018 reading as follows:

That Council:

1. amend the provisions under the Randwick LEP 2012 to include No 38, 42 and 44 Dudley Street, Coogee and 122 Mount Street, Coogee on the heritage schedule and that the associated heritage map of the RLEP be amended, and that the Dudley Street Heritage Conservation Area map boundary be extended to include 38, 40, 42, 44 and 46 Dudley Street, Coogee and 122 Mount Street, Coogee;
2. prepare a draft planning proposal to be forwarded to the Greater Sydney Commission or it's delegate requesting 'Gateway Determination' under section 3.34 of the *Environmental Planning and Assessment Act 1979*;
3. following 'Gateway Determination' exhibit the draft Planning Proposal in accordance with the conditions of the gateway determination and bring back a report to Council detailing the results of the community consultation for final consideration by Council; and
4. authorise the Director, City Planning to make typographical, grammatical or formatting changes to the documentation.

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Andrews	Councillor Bowen
Councillor D'Souza	Councillor Da Rocha
Councillor Roberts	Councillor Hamilton
Councillor Seng	Councillor Luxford
Councillor Stavrinis	Councillor Matson
	Councillor Neilson
	Councillor Parker
	Councillor Said
	Councillor Shurey
	Councillor Veitch
<b>Total (5)</b>	<b>Total (10)</b>

The meeting was adjourned at 10.17pm and was resumed at 10.20pm.

Cr Andrews left the meeting at 10.17pm and did not return.

A Rescission Motion in relation to this Item NM43/18 (Motion Pursuant to Notice - Notice of Motion from Cr Stavrinis - Propose painted line markings for parking spaces) was submitted by Councillors Neilson, Matson and Mayor Shurey in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 26 June 2018.

There being no further business, Her Worship the Mayor, Cr L Shurey, declared the meeting closed at 11.58pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 26 June 2018.**

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**CHAIRPERSON**