

THESE MINUTES ARE DRAFT UNTIL CONFIRMED
AT THE NEXT MEETING OF THIS COUNCIL

**MINUTES OF ORDINARY COUNCIL MEETING OF THE
COUNCIL OF THE CITY OF RANDWICK HELD ON
TUESDAY, 27 NOVEMBER 2018 AT 6:03PM**

Present:

The Mayor, Councillor K Neilson (Chairperson) (North Ward)

Councillor D Said (Deputy Mayor) (South Ward)

North Ward	- Councillors C Hamilton & L Shurey
South Ward	- Councillors C Da Rocha & N D'Souza
East Ward	- Councillors T Bowen (arrived 7.00pm), M Matson & B Roberts
West Ward	- Councillors A Luxford, H Stavrinou & P Veitch
Central Ward	- Councillors A Andrews (arrived 6.10pm), D Parker & T Seng

Officers Present:

General Manager	Ms T Manns
Director City Services	Mr J Frangoules
Director City Planning	Mr K Kyriacou
Director Corporate Services	Mr J Smith
Manager Administrative Services	Mr D Kelly
Communications Manager	Mr J Hay

Prayer & Acknowledgement of Local Indigenous People

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

Apologies/Granting of Leave of Absences

Nil.

Confirmation of the Minutes

Confirmation of the Minutes of the Ordinary Council meeting held on Tuesday 16 October 2018

323/18

RESOLUTION: (Shurey/Hamilton) that the Minutes of the Ordinary Council held on Tuesday 16 October 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 Matson declared a significant non pecuniary interest in Items CP55/18 as Council delegate on the SECPP. Cr Matson indicated that he would not take part in the debate or the voting on the matter.
- b) Cr D'Souza declared a non-significant non pecuniary interest in Item NM86/18 as he is a member of the Matraville branch of the RSL.
- c) Cr Da Rocha declared a non-significant non pecuniary interest in Item NM86/18 as he is a member of the Matraville branch of the RSL.
- d) Cr Parker declared a significant non pecuniary interest in Items CP56/18 and CP57/18 as he knows a number of people involved in the matter through his employment. Cr Parker indicated that he would not take part in the debate or the voting on the matter.
- e) Cr Parker declared a non-significant non pecuniary interest in Item CO74/18 as one of the speakers and the applicants are known to him.
- f) Cr Luxford declared a non-significant non pecuniary interest in Item CO74/18 as one of the speaker is known to her.
- g) Cr D'Souza declared a non-significant non pecuniary interest in Item CO74/18 as Tony Waller is known to him.
- h) Cr D'Souza declared a non-significant non pecuniary interest in Item CP55/18 as Max Sgammotta is known to him.
- i) Cr Said declared a non-significant non pecuniary interest in Item CP55/18 as Max Sgammotta is known to him.
- j) Cr Hamilton declared a significant non pecuniary interest in Item CP55/18 as Council delegate on the SECPP. Cr Hamilton indicated that he would not take part in the debate or the voting on the matter.
- k) Cr Roberts declared a non-significant non pecuniary interest in Item NM86/18 as he is a member of the Maroubra sub-branch of the RSL.
- l) Cr Andrew declared a non-significant non pecuniary interest in Item MM86/8 as he attends the event and is a parishioner of the local Greek Orthodox Archdiocese.
- m) Cr Stavrinou declared a non-significant non pecuniary interest in Item MM86/18 as he attends the event and is a parishioner of the local Greek Orthodox Archdiocese.
- n) Cr Luxford declared a non-significant non pecuniary interest in Item MM86/18 as she attends the event and is a parishioner of the local Greek Orthodox Archdiocese.

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:

GM25/18 2017-18 ANNUAL REPORT AND FINANCIAL STATEMENTS

Principal Auditor Mr Gary Mottau

CP55/18 SECPP - 181-191 MAROUBRA ROAD, MAROUBRA (DA/773/2017)

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

For Mr Max Sgammotta (Architect representing the applicant)

Crs Hamilton and Matson returned to the meeting at this point (6.22pm).

CP56/18 POST EXHIBITION REPORT: PLANNING PROPOSAL DUDLEY STREET HERITAGE CONSERVATION AREA BOUNDARY EXTENSION AND INCLUSION OF LOCAL HERITAGE ITEMS

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

Against Mr Andrew Kidd

CP57/18 HERITAGE STUDY OF PROPERTIES IN DUDLEY STREET AND BROOK STREET, COOGEE

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

Against Mr John Oultram

For Mr Mark O'Connor

Cr Parker returned to the meeting at this point (6.59pm).

CO74/18 REPLACEMENT OF COMMUNITY VACANCY ON WYLIES BATHS TRUST

For Mr Tony Waller (representing the Trustees)

For Mr Tony Cousins

NM86/18 NOTICE OF MOTION FROM CRS DA ROCHA AND D'SOUZA - ACKNOWLEDGEMENT BY COUNCIL AT REMEMBRANCE DAY CEREMONIES

For Colonel Joseph Matthews

NR8/18 NOTICE OF RESCISSION MOTION SUBMITTED BY CRS HAMILTON, ROBERTS AND SENG - CSELR CONSTRUCTION WORK IN THE VICINITY OF DONCASTER AVE, RANDWICK

Against Mr Glen Kotopoulos

The Meeting was adjourned at 7.37pm and was resumed at 7.56pm.

The Mayor, Cr Neilson, advised that the matters that were the subject of addresses to Council by members of the public would be brought forward for immediate consideration, with Item NR8/18 being considered first for the benefit of the members of the public gallery.

Mayoral Minutes

MM84/18 Mayoral Minute - Council Support for UN Treaty on the Prohibition of Nuclear Weapons (F2004/07399)

324/18 **RESOLUTION: (Mayor, Cr Neilson)** that Council:

- a) endorses the ICAN Cities Appeal in support of the Treaty on the Prohibition of Nuclear Weapons; and
- b) writes to the Minister for Foreign Affairs, the Shadow Minister for Foreign Affairs and our Local Federal MPs to advise that Randwick Council has endorsed the ICAN Cities Appeal.

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

MM85/18 Mayoral Minute - Celebration of One Hundred Year Anniversary of Women's Legal Status Act of 1918 (F2011/00328)

325/18 **RESOLUTION: (Mayor, Cr Neilson)** that Council officially acknowledge the service of all its female Councillors and the one hundred year anniversary of the Women's Legal Status Act of 1918, with the funds for the official celebration to come from the Contingency Fund 2018-19.

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

**MM86/18 Mayoral Minute - Waiving of Fees - Greek Epiphany Festival 2019
(F2018/00096)**

326/18

RESOLUTION: (Mayor, Cr Neilson) that:

- a) Council vote \$15,537.00 to cover the fees associated with the Greek Epiphany Festival to be held Sunday 6 January, 2019 and funds be allocated from the 2018-19 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: (Mayor, Cr Neilson) CARRIED - SEE RESOLUTION.**MM87/18 Mayoral Minute - Support for the NSW Rape Crisis 'Dunny Door
Campaign' (F2018/06574)**

327/18

RESOLUTION: (Mayor, Cr Neilson) that Council:

- a) endorses the NSW Rape Crisis 'Dunny Door Campaign'
- b) arranges the placement of the 'Dunny Door Campaign' sticker on the back of the toilet doors in Council owned buildings and amenities blocks.

MOTION: (Mayor, Cr Neilson) CARRIED - SEE RESOLUTION.**MM88/18 Mayoral Minute - Waiving of Fees - Surf Life Saving Sydney Inc
(F2018/00096)**

328/18

RESOLUTION: (Mayor, Cr Neilson) that:

- a) Council vote \$2,270 to cover the fees associated with hosting the Surf Life Saving Branch Carnival to be held at Maroubra Beach on 9 and 10 February, 2019 and funds be allocated from the 2018-19 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: (Mayor, Cr Neilson) CARRIED - SEE RESOLUTION.**MM89/18 Mayoral Minute - Randwick Boys' and Girls' High Schools Show 2019 -
request for financial assistance (F2018/06574)**

329/18

RESOLUTION: (Mayor, Cr Neilson) that:

- a) Council donates \$4,000.00 to the Randwick Boys' and Randwick Girls' High Schools for the combined production to be held at NIDA in July 2019, with such funds to be from the 2018-19 Contingency Fund budget.
- b) the schools undertake to appropriately and prominently promote Council's sponsorship of the event.

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

MM90/18 Mayoral Minute - Maroubra Surf Life Saving Club - 2018 Life Saving World Championships - request for financial assistance (F2018/06574)

330/18 **RESOLUTION: (Mayor, Cr Neilson) that:**

- a) Council donate \$1,500 to the Maroubra Surf Life Saving Club to cover the return freight costs for the Craft being transported from Sydney to Adelaide for the 6 Youth Athletes competing in the 2018 Life Saving World Championships.
- b) The Maroubra Surf Life Saving Club undertake to appropriately and prominently promote Council's financial contribution in support of the athletes competing in the event.

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

MM91/18 Mayoral Minute - Mission Australia Request to Waive Hire Fees (F2012/00278)

331/18 **RESOLUTION: (Mayor, Cr Neilson) that Council waive the hire fees for Mission Australia's use of the Kensington Community Centre for their annual Christmas event on 12 December 2018, with funds to come from the 2018-19 Contingency Fund.**

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

Urgent Business

Nil.

General Manager's Reports**GM25/18 General Manager's Report - 2017-18 Annual Report and Financial Statements (F2017/00406)**

332/18 **RESOLUTION: (Andrews/Stavrinou) that:**

- a) the presentation of the 2017-18 General Purpose and Special Purpose Financial Statements and Auditor's Report be received and noted; and
- b) the Randwick City Council 2017-18 Annual Report be endorsed by Council; and
- c) the General Manager be authorised to make any minor administrative changes to the Annual Report if required; and
- d) a copy of the Annual Report be submitted to the Chief Executive, Office of Local Government, Department of Premier and Cabinet.

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

GM26/18 General Manager's Report - Randwick City Council September Quarterly Report (F2017/03001)

333/18 **RESOLUTION: (Andrews/Stavrinou) that the information contained in the September Quarterly Review of the 2018-19 annual Operational Plan be received and noted.**

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

Director City Planning Reports**CP54/18 Director City Planning Report - Planning Proposal: 819-829 Anzac Parade, Maroubra (RZ/2/2017)**

334/18

RESOLUTION: (Andrews/Stavrinis) that the Planning Proposal not be forwarded to the Greater Sydney Commission under *Section 3.34* of the *Environmental Planning and Assessment Act 1979*.

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

CP55/18 Director City Planning Report - SECPP - 181-191 Maroubra Road, Maroubra (DA/773/2017)

335/18

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

RESOLUTION: (Andrews/Stavrinis) that the SECPP assessment report for DA/773/2017 at 181-191 Maroubra Road, Maroubra be received and noted.

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

Crs Hamilton and Matson returned to the meeting at this point (8.22pm).

CP56/18 Director City Planning Report - Post Exhibition Report: Planning Proposal Dudley Street Heritage Conservation Area Boundary Extension and Inclusion of Local Heritage Items (F2017/00174)

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

Note: A Rescission Motion in relation to this matter was submitted by Councillors Andrews, Roberts and Stavrinis in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 11 December 2018.

336/18

RESOLUTION: (Matson/Shurey) that:

- a) Council endorse the Planning Proposal (Attachment E) as exhibited, which proposes to amend the *Randwick Local Environmental Plan 2012* to extend the boundary of the Dudley Street Heritage Conservation Area to incorporate 38, 40, 42, 44 and 46 Dudley Street, Coogee and 122 Mount Street Coogee, and to list 38, 42, and 44 Dudley Street, Coogee and 122 Mount Street, Coogee as local heritage items.
- b) Council exercise the delegation of the Minister for Planning's functions under s59 of the *Environmental Planning and Assessment Act 1979* to make the Local Environmental Plan.

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

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

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

CP57/18 Director City Planning Report - Heritage Study of properties in Dudley Street and Brook Street, Coogee (F2016/00475)

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

Note: A Rescission Motion in relation to this matter was submitted by Councillors Andrews, Roberts and Stavrinis in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 11 December 2018.

337/18

RESOLUTION: (Matson/Shurey) that:

- a) Council endorse the Heritage Study dated 25 October 2018 which recommends that 37, 39 and 41 Dudley Street and 144, 146A, 146B, 148 and 150 Brook Street Coogee be considered for incorporation into a heritage conservation area, and that 39 and 41 Dudley Street, and 148 Brook Street, Coogee, be considered for local heritage listing.
- b) Council prepare a Planning Proposal to amend the *Randwick Local Environmental Plan 2012* to list and create a Heritage Conservation Area to incorporate 37, 39 and 41 Dudley Street, Coogee and 144, 146A, 146B, 148 and 150 Brook Street Coogee, and to list 39 and 41 Dudley Street, Coogee and 148 Brook Street, Coogee as local heritage items.
- c) Council refer the Planning Proposal to the Randwick Local Planning Panel (RLPP) for advice prior to resolving that it be forwarded for "Gateway Determination".

MOTION: (Stavrinis/Andrews) that Council defer this report and as part of its LEP review undertake a heritage study to determine whether there should be any new heritage items or conservation areas in the LGA. **LOST.**

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

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

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

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

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

Cr Parker returned to the meeting at this point (9.21pm).

CP58/18 Director City Planning Report - Police Request for Temporary Alcohol Restrictions (F2005/00853)

338/18

RESOLUTION: (Parker/Hamilton) that this matter be deferred to the December Council meeting to enable further consultation with the NSW Police with regard to alternative measures, considering the merits of the 2017-18 approach compared to previous approaches undertaken to the issue and, with respect to part (a) of the recommendation, the Police be requested to provide justification for the ongoing measures.

AMENDMENT: (Matson/Bowen) 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 is to be an **alcohol prohibited area** at which no alcohol is to be consumed, and will operate, for the coming festive season, on the following dates, from:
 - i) Midnight on the 24 December 2018, ceasing at 6.00am on the 27 December 2018, and
 - ii) From Midnight on the 30 December 2018, ceasing at 6.00am on the 2 January 2019, and
 - iii) From 8.00pm on the 25 January 2019, ceasing at 6.00am on the 27 January 2019.
- b) Pursuant to s. 632A (7) of the *Local Government Act 1993*, the General Manager shall 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.
- c) A public awareness advertising campaign be carried out to inform the public that the consumption of alcohol at all beaches as well as beachside parks and reserves is prohibited as provided for by the declaration contained at "a)."
- d) Following this festive season, strategies for future years be considered, in consultation with the Police. **LOST.**

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

FOR

Councillor Bowen
Councillor D'Souza
Councillor Matson
Councillor Neilson
Councillor Shurey
Councillor Veitch

Total (6)**AGAINST**

Councillor Andrews
Councillor Da Rocha
Councillor Hamilton
Councillor Luxford
Councillor Parker
Councillor Roberts
Councillor Said
Councillor Seng
Councillor Stavrinou

Total (9)

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

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

FOR

Councillor Andrews
Councillor Hamilton
Councillor Luxford
Councillor Parker
Councillor Roberts
Councillor Said
Councillor Seng
Councillor Stavrinou

AGAINST

Councillor Bowen
Councillor Da Rocha
Councillor D'Souza
Councillor Matson
Councillor Neilson
Councillor Shurey
Councillor Veitch

Total (8)

Total (7)

CP59/18 Director City Planning Report - Post Exhibition Report: Smart City Strategy (F2017/00299)

339/18 **RESOLUTION: (Andrews/Stavrinos)** that Council:

- a) Endorse the final Smart City Strategy; and
- b) Agree that the Director City Planning may make minor modifications to rectify any numerical, typographical, interpretation and formatting errors if required, in the finalisation and printing of the Strategy.

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

Director City Services Reports

CS52/18 Director City Services Report - Road Maintenance - Reporting (F2004/08251)

340/18 **RESOLUTION: (Andrews/Stavrinos)** that the report be received and noted.

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

Director Corporate Services Reports

CO61/18 Director Corporate Services Report - Code of Conduct Complaint Statistics (F2004/06569)

341/18 **RESOLUTION: (Andrews/Stavrinos)** that the Code of Conduct statistics for the period September 2017 to September 2018 be forwarded to the Office of Local Government (Department of Premier and Cabinet) in accordance with part 11.2 of the Procedures for the Administration of the Model Code of Conduct.

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

CO62/18 Director Corporate Services Report - Operating hours Christmas and New Year 2018-19 (F2006/00304)

342/18 **RESOLUTION: (Andrews/Stavrinos)** that the proposed 2018-19 Christmas and New Year opening hours for the Administration Building, Depot, Libraries and Leisure Centre, be endorsed.

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

CO63/18 Director Corporate Services Report - 2019 Meetings Schedule and arrangements for decision making over the Christmas/New Year period (F2004/06565)

343/18 **RESOLUTION: (Luxford/Stavrinos)** that the:

- a) Council Meeting recess commence following the ordinary Council Meeting scheduled to be held on Tuesday 11 December 2018 and meetings be resumed, with an Extraordinary meeting, on Tuesday 12 February 2019.
- b) the date for annual Councillors' Workshops be scheduled at the beginning of the year.
- c) Meeting Schedule for the 2019 calendar year be adopted.
- d) 'Council in Recess Procedure' be affirmed as obsolete.

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

CO64/18 Director Corporate Services Report - Contingency Fund - status as at 31 October 2018 (F2017/07396)

344/18 **RESOLUTION: (Andrews/Stavrinos)** that the status of the contingency funds allocations for 2018-19, be noted.

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

CO65/18 Director Corporate Services Report - Affixing of Council Seal - Purcell Park lease and licence for water pump (F2017/07367)

345/18 **RESOLUTION: (Andrews/Stavrinos)** that authority be granted to execute and affix the Common Seal of the Council to:

- a) the lease agreement with Orora Limited for the property known as Purcell Park located at 67R Australia Avenue, Matraville; and
- b) the licence agreement with Orora Limited for the property known as Long Dam to enable Council to draw and pump water for the irrigation of Purcell Park.

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

CO67/18 Director Corporate Services Report - Notice under Crown Lands Management Act 2016 to Minister Lands & Forestry of Native Title Manager (F2014/00326)

346/18 **RESOLUTION: (Andrews/Stavrinos)** that Council agrees to provide annual notice to the Minister Lands and Forestry of the name and contact details of any person Council has engaged or employed as a native title manager.

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

CO68/18 Director Corporate Services Report - Quarterly Budget Review - September 2018 (F2018/00378)

347/18 **RESOLUTION: (Andrews/Stavrinos)** that:

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

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

CO69/18 Director Corporate Services Report - Monthly Financial Report as at 31 October 2018 (F2018/00380)

348/18 **RESOLUTION: (Andrews/Stavrinos)** that Council acknowledges that the Responsible Accounting Officer has advised that the projected financial position of Council is satisfactory.

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

CO70/18 Director Corporate Services Report - Investment Report - October 2018 (F2015/06527)

349/18 **RESOLUTION: (Andrews/Stavrinos)** that the Investment Report for October 2018 be received and noted.

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

CO71/18 Director Corporate Services Report - Ongoing Engagement of Casual Daytime Caterers (F2013/00200)

350/18 **RESOLUTION: (Andrews/Stavrinos) that:**

- a) Council approve the engagement of Casual Daytime Caterers for a three year period under the arrangements outlined in this report;
- b) these suppliers are only to be utilised strictly for Casual Daytime Catering with preference being given to local caterers; and
- c) on occasions where the expected cost of an individual engagement will exceed \$1,000.00, a minimum of two standard quotes will be need to be obtained or General Manager approval sought, before a supplier is engaged.

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

CO72/18 Director Corporate Services Report - Continuation of Community Partnership with South Sydney Rugby League Football Club in 2019 (F2010/00282)

351/18 **RESOLUTION: (Andrews/Stavrinos) that:**

- a) Council continue the "Community Partnership" with the South Sydney Football Club and Souths Cares with the \$40,000.00 (including 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) this Community Partnership continue under these same conditions into future seasons until resolved otherwise by Council.

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

CO73/18 Director Corporate Services Report - Investment Policy (F2015/06527)

352/18 **RESOLUTION: (Roberts/Hamilton) that the Investment Policy be adopted.**

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

CO74/18 Director Corporate Services Report - Replacement of community vacancy on Wylies Baths Trust (F2012/00407)

Note: A Rescission Motion in relation to this matter was submitted by Councillors Bowen, Matson and Roberts in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 11 December 2018.

353/18 **RESOLUTION: (Parker/Da Rocha) that this matter be deferred pending a report on a review of the operation of the Trust rules to include transparency measures, better governance and encouraging greater community involvement and that a position paper presented to Council by the Trust be considered as part of that review.**

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 Bowen
Councillor Da Rocha	Councillor Matson
Councillor D'Souza	Councillor Neilson
Councillor Hamilton	Councillor Roberts
Councillor Luxford	Councillor Shurey
Councillor Parker	Councillor Veitch
Councillor Said	
Councillor Seng	
Councillor Stavrinou	
Total (9)	Total (6)

The meeting was adjourned at 10.04pm and was resumed at 10.15pm.

Petitions

Nil.

Cr Roberts left the meeting at this point and did not return (11.28pm).

Motion Pursuant to Notice

NM82/18 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Council Endorsement of National Apology (F2004/07652)

354/18

RESOLUTION: (D'Souza/Stavrinou) that Randwick City Council:

- wholeheartedly endorses the national apology given by the Prime Minister to the victims and survivors of institutional child abuse and their families who have also had to deal with the consequences of this abuse; and
- fully supports the National Redress Scheme which recognises the impact of past abuse and provides support and justice for survivors.
- write to the relevant person(s)

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

RESOLVED (PROCEDURAL MOTION): (Andrews/Stavrinou) that meeting be extended by 30minutes to 12am.

NM83/18 Motion Pursuant to Notice - Notice of Motion from Cr Said - acknowledgement of Todd Reid's tennis achievements (F2004/06876)

355/18

RESOLUTION: (Said/Stavrinou) that Council acknowledge Todd Reid's outstanding tennis achievements, as well as his contribution (and that of his parents) in coaching local tennis stars of the future at the Matraville Tennis Centre, by naming the new centre court at our new Heffron Park Tennis facility, "The Todd Reid Championship Court".

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

NM84/18 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - acknowledge the passing of Ian Kiernan (F2005/00266)

356/18

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

- Randwick Council notes with sadness the recent passing of Ian Kiernan, founder of the Clean Up Australia Campaign which has been responsible for the removal of millions of tonnes of rubbish from our streets, parks, beaches, bushland and waterways and we

express our deepest sympathies to his family and friends.

- b) Council assist in increasing the awareness of Clean Up Australia Day locally.
- c) A report be brought back to Council suggesting appropriate recognition for Ian Kiernan at the Randwick Environment Park.

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

NM85/18 Motion Pursuant to Notice - Notice of Motion from Cr Da Rocha - Climate Change initiatives (F2013/00389)

357/18 **RESOLUTION: (Da Rocha/Said)** that, Randwick City Council:

- 1. Notes our recent successes at the Cities Power Partnership Summit convened by the Climate Council of Australia in Kiama, winning the inaugural Renewable Energy award for our joint project with Waverley and Woollahra Councils.
- 2. Strengthen its leadership position on Climate Change issues as demonstrated in our extensive range of sustainability initiatives; and
- 3. Write to the NSW Premier and the Minister for the Environment, Local Government and Heritage, encouraging them to follow the lead of other Australian States and Territories in their support for climate change initiatives.

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

NM86/18 Motion Pursuant to Notice - Notice of Motion from Crs Da Rocha and D'Souza - Acknowledgement by Council at Remembrance Day ceremonies (F2004/08326)

358/18 **RESOLUTION: (D'Souza/Da Rocha)** that Council:

- a) officially acknowledge in its minutes the one hundred year anniversary of the end of World War 1 and pay its utmost respects to those soldiers who died or were wounded fighting to protect our Nation; and
- b) continue the policy of laying a wreath at every official Remembrance Day ceremony being conducted throughout the Randwick City area, when requested.

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

NM87/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Food waste collection trial (F2013/00423)

359/18 **RESOLUTION: (Veitch/Matson)** that Council:

- a) notes that council has committed through its 2017-2030 Waste Management Strategy to divert 75% of waste from landfill by 2022, divided into short term (1-5 years), medium term (5-10 years) and long term (10-15) year periods;
- b) notes that council has been operating a Food Waste collection trial for residents in multi-unit dwellings since 2013, initially with funding from the NSW EPA Waste Less Recycle More grant;
- c) notes that as 73.6% (43,056) of dwellings in the Randwick LGA are multi-unit dwellings, and approx. 40% of waste in council's red lid bins is composed of food and garden organics, the diversion of food waste and garden organics has the potential to make a significant reduction in our waste going to landfill;

- d) bring back a report to council detailing the progress of council's food waste collection since the commencement of the trial, along with recommendations regarding community education and awareness raising programs, targets, milestones and other relevant strategies to increase the uptake of participants in the trial;
- e) bring back quarterly reports to council for the duration of the Waste Strategy Action Plan (9.3) to detail changes over time in the uptake of new and previous participants in the trial, and the amount of food waste being diverted from landfill; and
- f) bring back a detailed report on the trial at the end of the current five-year period, with recommendations regarding appropriate strategies for increasing uptake in the Food Waste collection for both multi and single-unit dwellings for the medium term (5 -10) year period of the Waste Strategy Action Plan.

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

NM88/18 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou - Proposed community Christmas tree (F2015/00522)

360/18

RESOLUTION: (Stavrinou/Hamilton) that Council:

- a) as part of its Christmas Festivities endorse the installation of a large community Christmas tree;
- b) the location of the Christmas tree be determined by the General Manager and Council staff.
- c) monitor the success and benefit to the community that the Christmas tree offers as part of its consideration in erecting the Christmas tree every year and include consideration of a system of encouraging the community to leave Christmas presents as a donation for the less fortunate in our community.

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

NM89/18 Motion Pursuant to Notice - Notice of Motion from Cr Bowen - Current and proposed developments for Government owned land (F2004/06324)

361/18

RESOLUTION: (Bowen/D'Souza) that Council prepare a report to update Randwick residents on all current and proposed developments for government owned land in the Randwick LGA or any neighbouring LGA where the government property is in proximity to the Randwick Council boundary.

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

Cr Andrews left he meet at this point and did not return (11.51pm).

Confidential reports (closed session)

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

Closed Session

CS53/18 Confidential - Quotation for the Replacement of Crew Cab Tippers - RFQ Q2019-06 (F2018/00395)

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.

362/18

RESOLUTION: (Hamilton/Luxford) that Council:

- a) endorses the General Manager's acceptance of the offer from Suttons Motors Arncliffe Pty Ltd, in accordance with the terms and conditions set out under Local Government Procurement contract NPN04-13 Trucks for Local Government, for the supply and delivery of six (6) Crew Cab Tippers GVM 6500kg, at their submitted price; and
- b) notifies unsuccessful companies.

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

CS54/18 Confidential - Quotation for the Supply and Delivery of Four (4) x 20 cubic metre Rear Loading Compactors – RFQ No. Q2019-04 (F2018/00369)

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.

363/18

RESOLUTION: (Stavrinou/Hamilton) that Council:

- a) endorses the General Manager's acceptance of the offer from Stillwell Trucks Pty Ltd, in accordance with the terms and conditions set out under Local Government Procurement contract NPN04-03 Trucks for Local Government and NPN 1.15 Specialised Trucks and Bodies, for the supply and delivery of four (4) 20 cubic meter rear loading compactors, at their submitted price; and
- b) notifies unsuccessful companies.

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

CS55/18 Confidential - Quotation for the Supply and Delivery of Two (2) x 16 cubic metre Rear Loading Compactors - RFQ No Q2019-03 (F2018/00368)

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.

364/18

RESOLUTION: (Stavrinou/Da Rocha) that Council:

- a) endorses the General Manager's acceptance of the offer from Stillwell Trucks Pty Ltd, in accordance with the terms and conditions set out under Local Government Procurement contract NPN04-03 Trucks for Local Government and NPN 1.15 Specialised Trucks and Bodies, for the supply and delivery of two (2) 16 cubic meter rear loading compactors, at their submitted price; and
- b) notifies unsuccessful companies.

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

CS56/18 Confidential - Tender for Compactus Shelving Replacement at Lionel Bowen Library - RFT No T2019-01 (F2018/00152)

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.

365/18

RESOLUTION: (Shurey/Luxford) that:

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

subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, CSM Office Furniture Solutions Pty Ltd be accepted as the successful tenderer for T2019-01 Replacement of Compactus Shelving Unit, which includes ten (10) years maintenance;

- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

CS57/18 Confidential - Tender for Malabar Offshore Rescue Boat Storage Shed – Alterations and Additions - RFT No. T2019-06 (F2018/00333)

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.

366/18

RESOLUTION: (Hamilton/Shurey) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005 and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, 2020 Projects Pty Ltd be accepted as the successful tenderer for T2019-06 Malabar Offshore Rescue Boat Storage Shed – Alterations and Additions;
- b) under Section 377(1) of the Local Government Act 1993, the General Manager is authorised enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

CS58/18 Confidential - Tender for Fire Protection Equipment Renewal - RFT No. T2019-03 (F2018/00232)

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.

367/18

RESOLUTION: (Stavrinos/Hamilton) that

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005 and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, Newsound Fire Services Pty Ltd be accepted as the successful tenderer for T2019-03 Fire Protection Equipment Renewal;
- b) under Section 377(1) of the Local Government Act 1993, the General Manager is authorised enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

CO66/18 Confidential - Affixing of Council Seal - Variation of Contract JCDecaux - Provision and Maintenance of Street Furniture (F2007/00362)

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.

368/18

RESOLUTION: (Shurey/ Hamilton) that:

- a) Council, under section 55(3)(i) of the *Local Government Act 1993* (NSW) resolves, due to extenuating circumstances and the unavailability of competitive or reliable tenderers for the supply and maintenance of street furniture in the immediate period upon expiry of the existing contract, not invite tenders for the short term provision of maintenance of street furniture contract and extends the contract under the Deed of Variation to the date of 31 January 2023; and
- b) authority be granted to affix the Common Seal of the Council to the deed of Variation to the General Conditions of Contract agreement between Randwick City Council and JCDecaux Australia Pty Ltd for the provision and maintenance of street furniture for the period 14 August 2019 to 31 January 2023.

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

Open Session

That the meeting move back into open session.

Notice of Rescission Motions

NR8/18 Notice of Rescission Motion - Notice of Rescission Motion submitted by Crs Hamilton, Roberts and Seng - CSELR Construction Work in the Vicinity of Doncaster Ave, Randwick (F2015/00095)

MOTION: (Hamilton/Roberts) that the resolution passed at the Ordinary Council meeting held on Tuesday 16 October 2018 in relation to Item NM80/18 and reading as follows:

“That Randwick City Council:

1. Notes that residents on Doncaster Ave adjacent to the Light Rail Stabling Yard have been affected by noise and vibration from construction work on the CSELR since the beginning of 2016;
2. Notes that there have been serious complaints made regarding structural damage caused to a number of homes, including substantial damage to one resident's ceiling;
3. Notes that construction work on and near the Light Rail Stabling Yard and Randwick Racecourse continues to take place late at night, in breach of (B89b(v) of the Approval. Notes further that as this work does not block or disrupt traffic, it should be scheduled to take place during the day;
4. Write to the Minister for Planning and the Minister for Transport to request that:
 - An investigation of the complaints regarding structural damage to homes on Doncaster Ave be arranged as a matter of priority;
 - All CSELR construction work that does not disrupt traffic on public roads be scheduled to take place during ordinary business hours, as per the conditions of Infrastructure Approval; and
5. the Mayor place a modestly priced advertisement in the Southern Courier noting the failure of the State Government to respond to Council's numerous representations on this extremely important issue.”

BE AND IS HEREBY RESCINDED. 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 Roberts	Councillor Bowen
Councillor Seng	Councillor Da Rocha
	Councillor D'Souza
	Councillor Luxford
	Councillor Matson
	Councillor Neilson
	Councillor Parker
	Councillor Said
	Councillor Shurey
	Councillor Stavrinou
	Councillor Veitch
Total (3)	Total (12)

Notice of Rescission Motions

1. A Rescission Motion in relation to Item CP56/18 was submitted by Councillors Andrews, Roberts and Stavrinou in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 11 December 2018.
2. A Rescission Motion in relation to Item CP57/18 was submitted by Councillors Andrews, Roberts and Stavrinou in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 11 December 2018.
3. A Rescission Motion in relation to Item CO74/18 was submitted by Councillors Bowen, Matson and Roberts in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council meeting to be held on 11 December 2018.

There being no further business, Her Worship the Mayor, Cr K Neilson, declared the meeting closed at 11.56pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 11 December 2018.

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CHAIRPERSON