

Extraordinary Council Meeting

Tuesday 5 February 2019



EXTRAORDINARY COUNCIL

Notice is hereby given that an Extraordinary Council meeting of the City of Randwick will be held in the Council Chamber, 90 Avoca Street Randwick on
Tuesday, 5 February 2019 at 7pm

Prayer and Acknowledgement of the local indigenous people

Prayer

"Almighty God,

We humbly beseech you to bestow your blessings upon this Council and to direct and prosper our deliberations to the advancement of your glory and the true welfare of the people of Randwick and Australia. Amen"

Acknowledgement of Country

"I would like to acknowledge that we are meeting on the land of the Bidjigal and the Gadigal peoples who occupied the Sydney Coast, being the traditional owners. On behalf of Randwick City Council, I acknowledge and pay my respects to the Elders past and present, and to Aboriginal people in attendance today."

Apologies/Granting of Leave of Absences

Declarations of Pecuniary and Non-Pecuniary Interests

Address of Council by Members of the Public

Nil

Privacy warning;

In respect to Privacy & Personal Information Protection Act, members of the public are advised that the proceedings of this meeting will be recorded for the purposes of clause 69 of Council's Code of Meeting Practice.

Audio/video recording of meetings prohibited without permission;

A person may be expelled from a meeting for using, or having used, an audio/video recorder without the express authority of the Council.

Mayoral Minutes

Mayoral Minutes, if any, will be distributed on the night of the meeting.

Notice of Rescission Motion

NR1/19 Notice of Rescission Motion submitted by Crs Veitch, Matson and Shurey - Sydney Football Stadium Redevelopment SSD 9835.....1

Therese Manns
GENERAL MANAGER

Notice of Rescission Motion No. NR1/19

Subject: Notice of Rescission Motion submitted by Crs Veitch, Matson and Shurey - Sydney Football Stadium Redevelopment SSD 9835.



Folder No: F2019/00118
Submitted by: Councillor Matson, East Ward; Councillor Shurey, North Ward; Councillor Veitch, West Ward

That the resolution passed at the Extraordinary Council meeting held on Tuesday 29 January 2019 reading as follows:

That Council:

- a) make public that part of Randwick Council's legal advice indicating the consent of the redevelopment of the SFS is invalid in so far as it did not satisfy the EP&A Act as it failed to address the design excellence of the proposed concept and urgently call on the Minister to cease all work on the SFS site until such time as a valid DA is lodged, including the statutory notification period; and
- b) commence a public campaign with a cap of \$5K requesting the Minister for Planning to cease any further demolition works and give proper consideration to design excellence provisions.

BE AND IS HEREBY RESCINDED.

If the Rescission Motion is carried, it is intended to move the following motion:

That Council:

- a) Notes the conclusion drawn in the legal advice by Tim Robertson SC and J E Lazarus on page 7 of CP1/19

"We conclude that the Minister's consent is invalid and is liable to be set aside. Action may be taken in the Land and Environment Court under ss 122-124 of the EPA Act and s 20 of the Land and Environment Court Act 1979 (the LEC Act) to do so"

- b) notes also the strong community concern about the development, as evidenced in the over 700 submissions made during the public exhibition period in 2018, and that the SFS Response to Submissions report failed in any substantive way to address the issues raised regarding:
 - the need for the project;
 - government expenditure;
 - transparency and due process;
 - operational traffic and circulation;
 - the removal of trees;
 - impacts to Centennial Park and/or Moore Park;
 - the impacts of demolition and construction works;
 - operational parking;
 - sustainability;
 - the proposed capacity of the stadium and the number of events;
 - the heritage significance of the existing SFS;

NR1/19

NR1/19

- impacts on the heritage of surrounding buildings and/or conservation areas;
 - pedestrian connectivity;
 - matters relating to other projects such as Westconnex or Sydney Light Rail, and more.
- c) join Waverley Council in commencing a legal challenge against the development consent issued for the redevelopment of the Sydney Football Stadium; and
- d) if it is not considered to affect proposed legal proceedings, make public that part of Randwick Council's legal advice indicating the consent of the redevelopment of the SFS is invalid in so far as it did not satisfy the EP&A Act as it failed to address the design excellence of the proposed concept
- e) commence a public campaign and urgently call on the Minister to cease all work on the SFS site until such time as a valid DA is lodged, including the statutory notification period and
- f) write to the leader of NSW opposition Michael Daley with a request that if Labor is elected to government at the March 23rd State election, he will authorise the NSW State Government to reimburse Randwick City Council for costs incurred in pursuing the legal challenge
- g) make public any additional legal advice contained in CP1/19 not subject to legal privilege, that will assist the Mayor in representing residents and the broader community in her role as RCC representative on the SFS Community Consultative Committee.