



**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, 26 JUNE 2018 AT 6:05 PM**

**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 (from 6.45pm), M Matson & B Roberts |
| West Ward    | - Councillor P Veitch                                     |
| Central Ward | - Councillors A Andrews (from 7.33pm), D Parker & T Seng  |

**Officers Present:**

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoples
Acting Director City Planning	Mr K Kyriacou
Director Governance & Financial Services	Mr J Smith
Manager Administrative Services	Mr D Kelly
Manager Corporate & Financial Planning	Ms C Foley
Manager Strategic Planning	Mr A Bright
Communications Manager	Mr J Hay
Coordinator Information Management	Mr G Panagiotopoulos

**Prayer & Acknowledgement of Local Indigenous People**

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

The Mayor called for one minute silence as a mark of respect for the passing of former Mayor, John Buchanan.

## Apologies/Granting of Leave of Absences

An apology was received from Cr Stavrinou.

**RESOLVED: (Luxford/Matson)** that the apology received from Cr Stavrinou 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 22 MAY 2018

135/18

**RESOLUTION: (Matson/Parker)** that the Minutes of the Ordinary Council Meeting held on Tuesday 22 May 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 non-significant non pecuniary interest in Item MM33/18 as he served with former Mayor, John Buchanan.
- b) Cr Bowen declared a significant non pecuniary interest in Item CP 29/18 as he has done work in a professional capacity for the owner of the application. Cr Bowen will be taking no part in the debate or 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:

MM30/18 WAIVING OF FEES - TASTE OF COOGEE 2018

**Against** Ms Bernadette Summers

MM31/18 SUPPORTING THE RANDWICK AMNESTY COMMUNITY SPONSORSHIP INITIATIVE

**For** Ms Fran Caratti

MM33/18 PASSING OF FORMER MAYOR OF RANDWICK CITY COUNCIL - JOHN BUCHANAN

**For** Mr Jim Buchanan

NM46/18 NOTICE OF MOTION FROM CR MATSON - A RANDWICK CITY COUNCIL BAN ON SINGLE-USE PLASTIC USAGE

**For** Mr Ian Rose

NM47/18 NOTICE OF MOTION FROM CRS SENG, D'SOUZA & DA ROCHA - INCENTIVES FOR "BUILD TO RENT" DEVELOPMENTS

**For** Mr Flavio Rossi

NM48/18 NOTICE OF MOTION FROM CR VEITCH - MOTION TO BE SUBMITTED TO THE LGNSW 2018 ANNUAL CONFERENCE- CALL FOR LGNSW TO SEEK REPRESENTATION ON THE AUSTRALIAN RADIATION PROTECTION AND NUCLEAR SAFETY AGENCY (ARPANSA) ELECTROMAGNETIC ENERGY REFERENCE GROUP (EMERG)

**For** Ms Peita-Maree Pyne

The Meeting was adjourned at 7.10pm and was resumed at 7.33pm.

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

### **Mayoral Minutes**

#### **MM28/18 Mayoral Minute - Waiving of Fees - International Day of People with a Disability (F2018/00096)**

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136/18

**RESOLUTION: (Mayor, Cr L Shurey)** that:

- a) Council vote \$440.00 to cover the fees associated with hosting the Special Olympics Australia event at the Clovelly Car Park on Sunday 9 December 2018. The funds to be allocated from the 2018-19 Contingency Fund;
- b) Special Olympics Australia be requested to appropriately and prominently acknowledge and promote Council's contribution to the "Soar and Roar Festival"; and
- c) The Mayor or the Mayor's representative be given the opportunity to address the event on behalf of the Council.

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

#### **MM29/18 Mayoral Minute - Waiving of Fees - St George Coptic Orthodox Church Annual Community Fete (F2018/00096)**

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137/18

**RESOLUTION: (Mayor, Cr L Shurey)** that:

- a) The fees for the Saint George Coptic Orthodox Church annual community fete on Saturday 10 November 2018 be waived and \$1,323.00 be allocated from the 2018-19 Contingency Fund;
- b) The fete organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the activity; and
- c) The Mayor or the Mayor's representative be given the opportunity to address the event on behalf of the Council.

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

#### **MM30/18 Mayoral Minute - Waiving of Fees - Taste of Coogee 2018 (F2018/00096)**

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138/18

**RESOLUTION: (Mayor, Cr L Shurey)** that:

- a) Council vote \$15,451.00 to cover fees (non-direct costs) for the conducting of the 2018 Taste of Coogee event on public land over 4 days, including bump in and bump out, parking and food registration fees associated with the 2018 Taste of Coogee event;
- b) the \$15,451.00 be charged to the 2018-19 Contingency Fund;
- c) the Coogee Chamber of Commerce be requested to pay the direct costs of \$9,738.47 covering the trade waste services, food inspection services and ground protection services prior to the event, subject to Council officers sighting

the work that was agreed to;

- d) the organiser undertakes to appropriately and prominently acknowledge and promote Council's contribution to the event when donating to charity;
- e) the Coogee Chamber of Commerce be requested to submit a financial statement outlining the event's revenue and costs for the 2018 event; and
- f) as proposed by the Coogee Chamber of Commerce, they agree to fully cover the cost of any rectification of Coogee Oval should it need repairing as a result of the Taste of Coogee event.

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

**MM31/18 Mayoral Minute - Supporting the Randwick Amnesty Community Sponsorship Initiative (F2015/00104)**

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139/18

**RESOLUTION: (Mayor, Cr L Shurey) that Council:**

- a) is a community that welcomes refugees;
- b) supports the work associated with the 'My New Neighbour' community sponsorship program;
- c) calls on the Federal Government to improve and expand the community sponsorship program to ensure the program:
  - does not take from others in need;
  - provides adequate support and services;
  - limits the costs on sponsors;
  - allows community, family and businesses to act as sponsors individually and build in mechanisms that would encourage collaborative sponsorships; and
  - creates more places for people in need of protection to settle in Australia;
- d) write to local State and Federal MPs informing them of the work that Randwick Amnesty undertakes in seeking the improvement and expansion of the current program; and
- e) applauds Randwick Amnesty in their work in the local community.

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

**MM32/18 Mayoral Minute - Public Library Funding (F2014/00566)**

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140/18

**RESOLUTION: (Mayor, Cr L Shurey) that Council endorse the Local Government NSW and NSWPLA public library funding campaign initiative.**

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

**MM33/18 Mayoral Minute - Passing of Former Mayor of Randwick City Council - John Buchanan (F2005/00266)**

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141/18

**RESOLUTION: (Mayor, Cr L Shurey) that:**

- a) Council sends its condolences to the Buchanan family on the passing of former Mayor John Buchanan; and
- b) the playground and surrounding area next to the Coogee East Ward Senior

Citizens Centre be named after our former Mayor John Buchanan.

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

**MM34/18 Mayoral Minute - South Sydney Rabbitohs' Request for Council Assistance to Commemorate John Sutton Historic Milestone (F2010/00282)**

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142/18

**RESOLUTION: (Mayor, Cr L Shurey)** that Randwick Council give it's in-principle support for the John Sutton mural project, subject to a suitable location being found, by waiving any fees usually associated with such a project and contributing \$2,000.00 towards the cost of the artwork.

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

**Urgent Business**

**UB1/18 Fitzgerald Avenue Pedestrian Crossing (F004/08240)**

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143/18

**RESOLUTION: (Andrews/Veitch)** that Council investigates the installation of a pedestrian crossing, with adequate lighting, as well as other safety devices on Fitzgerald Avenue between Anzac Parade and Bunnerong Road and a report be brought back to Council or the Randwick Traffic Committee.

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

**General Manager's Reports**

**GM13/18 General Manager's Report - Mayor and Councillor Induction Program (F2018/00181)**

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144/18

**RESOLUTION: (Matson/Hamilton)** that the Mayor and councillor induction program report be received and noted.

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

Note: Cr Andrews was absent from the Chamber during the debate and voting on the following item.

**GM14/18 General Manager's Report - Randwick City Council Operational Plan and Budget 2018-19 (F2018/03000)**

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145/18

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

- a) the Recommended Operational Plan and Budget 2018-19 be adopted as per the attached, and that the General Manager be authorised to make any minor changes as requested by the Council or the NSW Office of Local Government;
- b) the Recommended General Fees and Charges be adopted for 2018-19 as per the attached;
- c) Council make and levy the ordinary Residential Rate for 2018-19, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.131665 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Residential;
- d) Council make and levy the ordinary Business Rate for 2018-19, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.497140 cents in the dollar on the land value of all rateable land within the City of

- Randwick being categorised as Business;
- e) Council make and levy the ordinary Port Botany Business rate for 2018-19, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.819261 cents in the dollar on the land value of all rateable land within the Port Botany Business sub-category area, defined by the SP1 Special Activities zone of the Three Ports SEPP 2013;
  - f) Council make and levy the Environmental Levy special Rate for 2018-19, under s.495 and s.498(1)(b) and (2) of the Local Government Act 1993, as a rate of 0.010884 cents in the dollar on the land value of all rateable land within the City of Randwick;
  - g) Council make and levy the ordinary Residential minimum rate for 2018-19 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$805.68;
  - h) Council make and levy the ordinary Business minimum rate for 2018-19 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,298.32;
  - i) Council make and levy the Port Botany Business minimum rate for 2018-19 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,298.32;
  - j) Council make and levy the Domestic Waste Management Charge for 2018-19 under s.496 of the Local Government Act 1993, as \$567.85;
  - k) Council make and levy a Domestic Waste Management Charge for an additional 140 litre bin for 2018-19 under s.496 of the Local Government Act 1993, as \$273.27;
  - l) Council make and levy a Domestic Waste Management Availability Charge for vacant/unoccupied Residential land under s.496 of the Local Government Act 1993, as \$283.93.
  - m) Council make and levy the Stormwater Management Service Charge for residential properties for 2018-19 under s.496A of the Local Government Act 1993, as \$25.00;
  - n) Council make and levy the Stormwater Management Service Charge for residential strata properties for 2018-19 under s.496A of the Local Government Act 1993, as \$12.50;
  - o) Council make and levy the Stormwater Management Service Charge for business properties for 2018-19 under s.496A of the Local Government Act 1993, as \$25.00 plus an additional \$25.00 for each 350m<sup>2</sup> or part thereof by which the parcel of land exceeds 350m<sup>2</sup>;
  - p) Council make and levy the Stormwater Management Service Charge for business strata properties for 2018-19 under s.496A of the Local Government Act 1993, calculated in accordance with the land area as per business properties in 'o' above and then apportioned by unit entitlement subject to a minimum charge of \$5.00 per business strata lot.
  - q) Council make and levy the Stormwater Management Service Charge for company title properties for 2018-19 under s.496A of the Local Government Act 1993, calculated in accordance with the rating category of the land and then apportioned according to the number of shares held by each shareholder for each respective lot.
  - r) the interest rate on overdue rates for 2018-19 be set at 7.5 per cent which is

- the maximum rate as determined by the Minister for Local Government; under s.566(3) of the Local Government Act 1993; and
- s) Council grant a further \$75 rebate in addition to the existing statutory \$250 pensioner concession in 2018-19 for eligible pensioners, with the additional rebate applied to the Domestic Waste Management Charge.
  - t) Council borrow \$27 million for the purpose of funding the major works outlined in the Our Community Our Future Program. The General Manager is delegated to go to market to source these funds, and only borrow in the form, and from financial institutions, mandated in the Borrowing Order issued under s624 of the Local Government Act 1993.
  - u) the Responsible Accounting Officer be delegated to make changes as adopted by Council.

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

**AMENDMENT: (Roberts/Hamilton)** that Council:

- (a) provide a rate increase of 13.21% over the three year delivery program; and
- (b) does not go into debt. **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Hamilton	Councillor Bowen
Councillor Roberts	Councillor Da Rocha
	Councillor D'Souza
	Councillor Luxford
	Councillor Matson
	Councillor Neilson
	Councillor Parker
	Councillor Said
	Councillor Seng
	Councillor Shurey
	Councillor Veitch
<b>Total (2)</b>	<b>Total (11)</b>

### **Director City Planning Reports**

#### **CP22/18 Director City Planning Report - Bastille Day at La Perouse (F2018/00436)**

146/18 **RESOLUTION: (Matson/Hamilton)** that Council increase the event budget for Bastille Day by \$11,000.00.

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

Note: Cr Andrews was absent from the Chamber during the debate and voting on the following item.

#### **CP23/18 Director City Planning Report - Minimum Lot Size Review Consultation Outcomes (F2017/00530)**

147/18 **RESOLUTION: (Matson/Hamilton)** that Council note the outcomes of the consultation on the minimum lot size review.

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

**CP24/18 Director City Planning Report - Affordable Housing Dwelling at Lots 1,2,5 and 6, in Strata Plan SP96689 - Classification of Land under the Local Government Act 1993 (F2004/07991)**

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148/18

**RESOLUTION: (Matson/Hamilton)** that Council resolve to classify the affordable housing units Lot 1, 2, 5 and 6 in Strata Plan (SP) 96689 at 64-66 Minneapolis Crescent Maroubra as 'operational' land in accordance with the provisions of the Local Government Act 1993.

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

**CP25/18 Director City Planning Report - Accelerated LEP Review Funding Grants (F2011/00542)**

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149/18

**RESOLUTION: (Parker/Matson)** that the Council proceed with an application for grant funding under the DPE accelerated LEP review funding program, and commit to accelerating its LEP review within two years, subject to agreed timeframes and outcomes.

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

**CP26/18 Director City Planning Report - Smart Cities and Suburbs Program Grant Applications (F2018/01230)**

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150/18

**RESOLUTION: (Matson/Hamilton)** that Council endorse the submission of three grant applications and associated funding commitments for:

- a) an integrated data platform;
- b) eastern suburbs trial of mobility as a service; and
- c) smart parking for beaches and town centres.

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

**CP27/18 Director City Planning Report - Information Session - Residential Renters and Tenancy Rights (F2004/07991)**

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151/18

**RESOLUTION: (Matson/Hamilton)** that Council endorse the expenditure of \$2,300 to hold an information session for residential renters to be held in the 2018 calendar year.

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

Note: Cr Andrews was absent from the Chamber during the debate and voting on the following item.

**CP28/18 Director City Planning Report - Post Exhibition - Planning Proposal to Amend Subdivision Provisions for Attached Dual Occupancies (F2018/00207)**

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152/18

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

- a) Council endorse the Planning Proposal to amend the minimum subdivision lot size



for attached dual occupancy development approved prior to 6 July 2018 in the R2 Low Density Residential Zone as exhibited (in Attachment 1);

- b) Council exercise its delegation under s3.36 of the *Environmental Planning and Assessment Act* 1979 to make the Local Environmental Plan; and
- c) Council continues to strictly apply its current statutory minimum subdivision lot size standard in the R2 zone for development that is not subject to this Planning Proposal.

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

### Director City Services Reports

#### **CS22/18 Director City Services Report - Tree Removal – Outside 49-51 Milroy Avenue, Kensington (F2018/07359)**

153/18

**RESOLUTION: (Andrews/Luxford)** that the Council owned *Ficus 'Hillii'* (Hill's Weeping fig) growing in the roadway outside 49 and 51 Milroy Avenue, Kensington, be removed and replaced with two advanced *Waterhousia floribunda* (Weeping Lilly Pillys).

**MOTION: (Veitch/Matson)** that:

- (a) the Council owned *Ficus 'Hillii'* (Hill's Weeping fig) growing in the roadway outside 49 and 51 Milroy Avenue, Kensington, be removed and replaced with two advanced *Waterhousia floribunda* (Weeping Lilly Pillys); and
- (b) a report be brought back to Council proposing up to eight additional tree plantings when old substantial trees are required to be removed due to them causing damage. **LOST.**

**MOTION: (Andrews/Luxford) CARRIED - SEE RESOLUTION.**

#### **CS23/18 Director City Services Report - Todman Avenue and Lenthall Street - Strategic Cycleway (F2018/00158)**

154/18

**RESOLUTION: (Andrews/Matson)** that the Council approach the State Government asking that it strongly consider placing the Todman Avenue and Lenthall Street routes on the Sydney Strategic Bicycle Network.

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

### Director Governance & Financial Services Reports

#### **GF33/18 Director Governance & Financial Services Report - Business Continuity Planning (BCP) Update (F2013/00252)**

155/18

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

- a) adopt the updated BCP documents in Attachments 1-3; and
- b) endorse Lionel Bowen Library as Council's primary disaster recovery facility and discontinue the use of the St Leonards facility.

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

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**GF34/18 Director Governance & Financial Services Report - Family and Domestic Violence Policy (F2013/00379)**

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156/18 **RESOLUTION: (D'Souza/Veitch)** that Council adopts the Family and Domestic Violence Policy.

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

**AMENDMENT: (Andrews/Luxford)** that Section 5 of the policy be amended to remove the reference to termination. **LOST.**

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**GF35/18 Director Governance & Financial Services Report - Contingency Fund - Status as at 31 May 2018 (F2017/07396)**

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157/18 **RESOLUTION: (Matson/Roberts)** that the status of the contingency funds allocations for 2017-18 and 2018-19, be noted.

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

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**GF36/18 Director Governance & Financial Services Report - Monthly Financial Report as at 31 May 2018 (F2017/00404)**

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158/18 **RESOLUTION: (Matson/Roberts)** that Council acknowledges that the Responsible Accounting Officer has advised that the projected financial position of Council is satisfactory.

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

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**GF37/18 Director Governance & Financial Services Report - Investment Report - May 2018 (F2015/06527)**

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159/18 **RESOLUTION: (Matson/Roberts)** that the Investment Report for May 2018 be received and noted.

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

### **Community Affairs Reports**

Nil.

### **Petitions**

Nil.

### **Motion Pursuant to Notice**

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**NM45/18 Motion Pursuant to Notice - Notice of Motion from Crs Hamilton & Stavrinou - Pedestrian Safety Lenthall Street, Kensington (F2004/07177)**

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160/18 **RESOLUTION: (Hamilton/Andrews)** that Council:

- a) acknowledge the concerns raised by residents on Lenthall Street, Kensington in relation to pedestrian safety and speeding motorists;
- b) will inform residents of its intention to undertake the following actions to improve pedestrian safety in Lenthall Street Kensington:

1. the installation of warning signs advising Lenthall Street motorists to expect (child) pedestrians in the area west of Virginia Street (likely timing: approximately 8 weeks);
  2. the under pruning of the tree outside no. 34 Lenthall Street (the southern side, just east of Virginia Street) to maximise pedestrians' sight lines toward approaching bike riders and motor vehicles; and to ensure that motorists have good visibility of pedestrians who are intending to cross the road (approx. 6 weeks), and;
  3. the installation of two new pram ramps to make it easier for pedestrians (especially for those with wheels) to cross Lenthall Street, just to the east of the Virginia Street roundabout - the pram ramps will align with the existing gap in the traffic islands (timing: approx. 4 months); and
- c) notes that Council is unable to install a pedestrian (zebra) crossing across Lenthall Street, as the required Roads and Maritime Services' (RMS) criteria would not be met. The criteria which would not be met is the volume of pedestrians crossing at a single location along Lenthall Street. As per the RMS guidelines a pedestrian crossing may only be installed at a location where there are at least 30 pedestrians crossing per hour at a single point – three times per typical day. Lenthall Street has no single location where 30 pedestrians cross the road in each of three separate one hour periods in a typical day. As the Council's delegation to undertake traffic regulation is mandated by RMS, we are unable to install a pedestrian crossing across Lenthall Street.

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

**NM46/18 Motion Pursuant to Notice - Notice of Motion from Crs Matson & Roberts - A Randwick City Council Ban on Single-Use Plastic Usage (F2004/07333)**

161/18

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

- a) Council takes all reasonable steps from July 1 this year to internally stop using single-use plastics across all Council operations, including plastic bags, single use drink bottles, helium balloons, plastic straws, plates and cutlery;
- b) Council takes all reasonable steps to advise all organisers of Council-supported external events, festivals and major activities that as of January 1, 2019, event permissions and booking forms will stipulate a ban on single-use plastics, single-use drink bottles, helium balloons, plastic straws, plates and cutlery, with the exception being for childcare or senior's events where excessive temperatures or circumstances may require availability of single-use drink bottles;
- c) prior to the end of 2018 the General Manager brings back a report:
  - i. providing feedback on how the internal Council ban of July 1 2018 proceeded; and
  - ii. an update on how preparations for the external ban from January 1 2019 are proceeding along with any emerging issues;
- d) Council investigate the implementation of a waste education program for Randwick LGA businesses and community groups to assist in the reduction of the use of Single Use Plastics such as straws, balloons, cups and bags;
- e) at Council run events, a program of reducing the use of these Single Use Plastics be implemented, and Council's Event Waste Policy be amended;

- f) Council investigate possible incentive programs to promote the use of reusable cups and other items by customers and employees of local businesses and organisations, in order to reduce the use of Single Use Plastics; and
- g) a report be returned to Council with recommendations for taking action to reduce the use of Single Use Plastics in Randwick City Council.

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

**NM47/18 Motion Pursuant to Notice - Notice of Motion from Crs Seng, D'Souza & Da Rocha - Incentives for "Build to Rent" Developments (F2016/00379)**

162/18

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

1. notes that a significant number of RCC residents are renters;
2. also notes the many issues faced by renters such as acute shortage of rental stock, rental affordability, short term tenancy, and overcrowding;
3. as part of its' new Housing Strategy;
  - a. investigate a policy to provide incentives for Build to Rent (BTR) developments such as floor space ratio bonus, less stringent car parking requirements, fast tracking of assessments, and suitable volunteer planning agreements (VPA's) and, if adopted in future;
  - b. lobby the State government to enact legislation to give effect to the above incentives in NSW; and
  - c. lobby the Federal government to introduce tax incentives to promote BTR developments throughout the country.
4. bring back a report to Council with more detailed information on this concept.

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

Note: Cr Seng left the chamber after the debate on voting on the above item.

**NM48/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Motion to be Submitted to the LGNSW 2018 Annual Conference- Call for LGNSW to seek Representation on the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Electromagnetic Energy Reference Group (EMERG) (F2009/00197)**

163/18

**RESOLUTION: (Veitch/Matson)** that Randwick City Council endorses the following motion to be submitted to the Local Government NSW 2018 Annual Conference:

That Local Government NSW:

1. notes that the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) has established an Electromagnetic Energy Reference Group (EMERG) to enable input from the community and other stakeholders on issues relating to EME and health.
2. writes to ARPANSA to seek representation on the Electromagnetic Energy Reference Group (EMERG), to advocate for local communities on issues relating EME and human health.

Background

There is growing community concern with the increasing numbers of mobile phone

facilities being installed in residential areas and the potential impact on human health from RF EME emissions. While the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is responsible for setting limits on emissions from individual mobile phone facilities, there is currently no legislative requirement for telecommunication companies or federal, state or local government authorities to measure existing cumulative emissions prior to the installation of a new facility. While communities and their local councils are concerned about the cumulative RF EME emissions, they are not empowered under the relevant legislation to prevent the installation of new low impact telecommunication facilities that comply with the relevant acts.

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

**NM49/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Motion to be Submitted to the LGNSW 2018 Annual Conference- Call for Review of Land Acquisition Act (F2004/06326)**

164/18

**RESOLUTION: (Veitch/Matson)** that Randwick City Council endorses the following motion to be submitted to the Local Government NSW 2018 Annual Conference:

"That Local Government NSW calls on the NSW State government to conduct a review, with public hearings, into land acquisition procedures and compensation across the state."

Background

The compulsory acquisition process in NSW is governed under the Land Acquisition (Just Terms Compensation) Act 1991. Each year hundreds of people in NSW are forced to move from their homes to allow for the construction of public and private infrastructure and other projects including motorways, railways and hospitals. This process causes great distress, emotional and financial hardship, and the irretrievable fracturing of local communities. While the NSW State Government commissioned a review of the Act in 2012, the results of the review were not made public until 2016 and many households who have had, or are still in the process of having their homes forcibly acquired, remain distressed and deeply unsatisfied with both the process and financial compensation they have been offered.

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

**NM50/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Motion to be submitted to the LGNSW 2018 Annual Conference - Call for Direct Financial Support for Specialist Front-end Services, Crisis Accommodation and Affordable Housing for Women and Children affected by Domestic Violence (F2013/00153)**

165/18

**RESOLUTION: (Veitch/D'Souza)** that Randwick City Council endorses the following motion to be submitted to the Local Government NSW 2018 Annual Conference:

"That Local Government NSW will write to the NSW Premier, the Hon. Gladys Berejiklian, the NSW Minister for Women, the Hon. Tanya Davies, and the Hon. Pru Goward, NSW Minister for the prevention of domestic violence and sexual assault, calling for the following measures to be taken to support women and children affected by domestic violence:

- A substantial increase in direct funding for specialist services and crisis accommodation providers.
- Funding for affordable long-term accommodation.
- A substantial increase in direct funding of legal services.
- Transparent reporting of all spending on domestic and family violence programs."

**Background**

Domestic and family violence has widespread and devastating impacts on women and children. On average at least one woman a week is killed by a partner or former partner in Australia. One in three Australian women has experienced physical violence since the age of 15. Domestic or family violence against women results in a police call out on average once every two minutes across the country. Of those women who experience violence, more than half have children in their care. Intimate partner violence contributes to more death, disability and illness in women aged 15 to 44 than any other preventable risk factor. Domestic or family violence against women is the single largest driver of homelessness for women. The combined health, administration and social welfare costs of violence against women has been estimated to be \$21.7 billion a year, with projections suggesting that if no further action is taken to prevent violence against women, costs will accumulate to \$323.4 billion over a thirty year period from 2014-15 to 2044-45.

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

**NM51/18 Motion Pursuant to Notice - Notice of Motion from Cr Roberts - Reducing the use of Single Use Plastics in Randwick City Council (F2004/07333)**

This motion was resolved jointly with NM46/18. See resolution number 161/18.

**NM52/18 Motion Pursuant to Notice - Notice of Motion from Cr Roberts - Kerb Ramp Retrofitting (F2013/00125)**

A Rescission Motion in relation to this Item was submitted by Councillors Andrews, Da Rocha and D'Souza in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 24 July 2018

166/18

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

- a) Council note that the program to construct a footpath on at least one side of every street in Randwick is now complete.
- b) Council note a significant number of street corners in Randwick do not have kerb ramps, which disadvantages the disabled and those walking young children in strollers and prams.
- c) Council resolves to implement a program to fast track and prioritise the retrofitting of kerb ramps on street corners throughout Randwick City Council.
- d) funds would be drawn from the footpath maintenance budget and the new footpaths budget.
- e) kerbs that are not adversely affected by services, such as underground Telstra cabling, would be prioritised for retrofitting.
- f) Council's Director City Services is given discretion in terms of the budget allocations.
- g) Council have an aspirational goal of all corners in Randwick City Council with a footpath, that is not effected by services, to have a kerb ramp by September 2020.

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

The **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 Da Rocha
Councillor Bowen	Councillor D'Souza
Councillor Hamilton	Councillor Matson
Councillor Luxford	Councillor Said
Councillor Neilson	Councillor Shurey
Councillor Parker	
Councillor Roberts	
Councillor Veitch	
<b>Total (8)</b>	<b>Total (5)</b>

**AMENDMENT: (Matson/Veitch)** that a clause (h) be added which reads "the advancement of footpath facilities that incorporate and help the use of bike riders will also be considered." **LOST.**

**AMENDMENT: (Matson/Da Rocha)** that the substance of the requests outlined in clauses (a) through (g) come back as a report to Council, taking into account budget considerations. **LOST.**

The Meeting was adjourned at 10.30pm and was resumed at 10.48pm.

### **Confidential Reports**

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

#### **GF38/18 Confidential - Tender No. T2018-21 - CLASS System Replacement for DRLC (F2017/00362)**

*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.*

167/18

**RESOLUTION: (Andrews/Veitch)** 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, Centaman Systems Pty Ltd T/A Jonas Leisure and GreeneDesk Pty Ltd T/A GreeneDesk be accepted as the successful tenderers for Tender T2018-21 CLASS System Replacement for DRLC for their nominated solutions at the prices submitted;
- b) the General Manager be authorised to investigate and negotiate with Centaman Systems Pty Ltd T/A Jonas Leisure and GreeneDesk Pty Ltd T/A GreeneDesk for the purchase of any additional options and functionality that may be considered beneficial to DRLC customers, as well as maintenance and support costs following on from the initial term of the contract for the effective life of the Jonas Leisure and GreeneDesk systems at Council;
- c) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager is authorised to sign the contract documents on behalf of Council; and
- d) unsuccessful tenderers are notified.

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

**CS24/18 Confidential - Tender No. T2018-12 - Infrastructure Services Panel (F2017/00331)**

*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.*

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168/18

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

- (a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, and subject to contractual negotiations being finalized to the reasonable satisfaction of the General Manager:

Alco Pump Maintenance Pty Ltd, Bega Concrete Tanks Pty Ltd, Brooks NSW Pty Ltd T/A Brooks Irrigation, Flick Anticimex Pty Ltd, Giltej Administration Pty Ltd T/A Jay Transport, GPP Excavation & Demolition Contractors Pty Ltd, H&H Consulting Engineers Pty Ltd T/A Henry & Hymas Pty Ltd, Infracore Holdings Pty Ltd, Integrated Environmental Pty Ltd, John Coulston Electrics Pty Ltd, Kealec Pty Ltd t/a Sportz Lighting, Greenshed Pty Ltd T/A Living Turf, Malibu Shade Pty Ltd, Newcastle Asbestos Consulting Pty Ltd T/A NAC Services, Northern Fencing Specialists Pty Ltd, Optimal Stormwater Pty Ltd, P & C Fencing Pty Ltd, Playfix Pty Ltd, Prime Water Australia, R&N Paddison Pty Ltd T/A TURF DRAIN AUSTRALIA, REES Electrical Pty Ltd, RMA Contracting Pty Ltd T/A RMA Group, S. Black Plumbing, The Australian Grinding Company Pty Ltd, The Green Horticulture Group Pty Ltd, M Thacker & Co Pty Ltd ATF The Thacker Trust T/A MT Plumbing, Total Drain Cleaning Services Pty Ltd, Total Water Pty Ltd, Two Forty Pty Ltd, Veolia Environmental Services (Australia) Pty Ltd, Water Brothers Group Pty Ltd, and Peter Brueck T/A Water Wise Consulting be awarded contracts for T2018-12 Infrastructure Services Panel at their tendered rates;

- (b) under Regulation 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with a view to establishing contracts with suitable contractors for the unfulfilled categories of central management systems and water extraction bore construction and maintenance;
- (c) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager is authorized enter into contract on behalf of Council; and
- (d) unsuccessful tenderers are notified.

**MOTION: (Andrews/Matson) CARRIED UNANIMOUSLY - SEE RESOLUTION.****CS25/18 Confidential - Tender No. T2018-26 - Coastal Walkway Construction - NSW Golf Course (F2018/00119)**

*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.*

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169/18

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005 and subject to contractual negotiations being finalized to the reasonable satisfaction of the General Manager, **Antoun Civil Pty Ltd** be accepted as the successful tenderer for T2018-26 Coastal Walkway Construction, NSW Golf.



- b) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager is authorised enter into a contract on behalf of Council.
- c) unsuccessful tenderers are notified.
- d) an amount of \$650,000.00 be borrowed from Council's Infrastructure Reserves to supplement existing budgeted project funding to fund the value of the tender. The borrowed amount is to be repaid from the 2019-20 capital works budget.

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

**CS26/18 Confidential - RFQ No. Q2018-27 - Quotation for the Supply and Delivery of a 20 Cubic Metre Rear Loading Compactor (F2018/00110)**

*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.*

170/18

**RESOLUTION: (Neilson/Luxford)** 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 NPN 1.15 Specialised Trucks and Bodies, for the supply & delivery of one 20 cubic metre Mercedes Benz/Bucher Rear Loading Compactor, at their submitted price.
- (b) notifies unsuccessful companies.

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

**CP29/18 Confidential - 102-104 Brook Street, Coogee (DA/284/2015) (DA/284/2015)**

*This matter is considered to be confidential under Section 10A(2) (e) Of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.*

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

A Rescission Motion in relation to this Item was submitted by Councillors Andrews, Da Rocha and D'Souza in accordance with Council's Code of Meeting Practice and will be considered at the Extraordinary Council Meeting to be held on 2 July 2018.

171/18

**RESOLUTION: (Neilson/Roberts)** that Council appeal the Land & Environment Court decision relating to the proposed Dan Murphy's store at Coogee and also seek further legal advice on grounds for appeal.

**MOTION: (Andrews/Parker)** That Council not proceed with a s56A appeal in relation to Senior Commissioner Dixon's decision dated 17 April 2018 to grant development consent for a Dan Murphy's liquor store on the site of the former Randwick Rugby Club.

**AMENDMENT: (Neilson/Roberts) CARRIED ON THE CASTING VOTE OF THE MAYOR AND BECAME THE MOTION.**

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

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

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

**GM15/18 Confidential - Randwick City Council Organisation Structure (F2005/00524)**

*This matter is considered to be confidential under Section 10A(2) (a) Of the Local Government Act, as it deals with personnel matters concerning particular individuals (other than Councillors).*

172/18 **RESOLUTION: (Andrews/Da Rocha)** that Council:

- a) Endorse the senior staff structure of the Council, being the General Manager and the three Director positions as referred to in this report; and
- b) Note the proposed management team structure as referred to in this report.

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

**GM16/18 Confidential - Operational Plan and Budget 2018-19: Confidential Fees and Charges (F2017/00403)**

*This matter is considered to be confidential under Section 10A(2) (c) Of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

173/18 **RESOLUTION: (Matson/Parker)** that the Draft Confidential Fees and Charges 2018-19 be adopted.

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

**MM27/18 Mayoral Minute - General Manager Performance Evaluation Report**

174/18 **RESOLUTION: (Mayor, L Shurey)** that the General Manager's Total Remuneration Package be increased (inclusive of the 2019 statutory increase) as outlined in this report, in accordance with the conditions of his employment contract.

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

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

FOR	AGAINST
Councillor Andrews	Councillor Bowen
Councillor Da Rocha	Councillor Roberts

Councillor D'Souza  
 Councillor Hamilton  
 Councillor Luxford  
 Councillor Matson  
 Councillor Neilson  
 Councillor Parker  
 Councillor Said  
 Councillor Shurey  
 Councillor Veitch

**Total (11)**

**Total (2)**

### Open Session

The meeting moved back into open session.

### Notice of Rescission Motions

**NR2/18 Notice of Rescission Motion - Notice of Rescission Motion Submitted by the Mayor (Cr Shurey) and Crs Matson and Neilson - Proposed Painted Line Markings for Parking Spaces (F2008/00622)**

175/18

**RESOLUTION: (Matson/Neilson)** that the resolution passed at the Ordinary Council meeting held on Tuesday 22 May 2018 reading as follows:

"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."

BE AND IS HEREBY RESCINDED.

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

A Rescission Motion in relation to Item CP29/18 (102-104 Brook Street, Coogee) was submitted by Councillors Andrews, Da Rocha and D'Souza in accordance with Council's Code of Meeting Practice and will be considered at the Extraordinary Council Meeting to be held on 2 July 2018.

A Rescission Motion in relation to Item NM52/18 (Notice of Motion from Cr Roberts - Kerb Ramp Retrofitting) was submitted by Councillors Andrews, Da Rocha and D'Souza in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 24 July 2018.

There being no further business, Her Worship the Mayor, Cr L Shurey, declared the meeting closed at 12.15am.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 24 July 2018.**

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**CHAIRPERSON**