



**MINUTES OF ORDINARY COUNCIL MEETING  
HELD AT THE PRINCE HENRY CENTRE, 2 COAST HOSPITAL ROAD, LITTLE BAY  
ON TUESDAY, 23 JUNE 2020 AT 6.15PM**

**Present:**

The Mayor, Councillor D Said (Chairperson) (South Ward)

Councillor P Veitch (Deputy Mayor) (West Ward)

North Ward	- Councillors C Hamilton, K Neilson & L Shurey
South Ward	- Councillors C Da Rocha & N D'Souza
East Ward	- Councillors T Bowen, M Matson & B Roberts
West Ward	- Councillors A Luxford & H Stavrinou
Central Ward	- Councillors A Andrews, D Parker & T Seng

**Officers Present:**

General Manager	Ms T Manns
Director City Services	Mr T Clarke
Director City Planning	Mr K Kyriacou
Director Corporate Services	Mr D MacNiven
Manager Customer & Compliance	Mr D Kelly
Communications Manager	Mr J Hay
Manager Waste & Cleaning Services	Mr M Bush
Manager Community Development	Ms J Tweed
Coordinator Communications	Ms C Hunter

**Prayer & Acknowledgement of Local Indigenous People**

The Council Prayer was read by Cr Stavrinou. The Welcome to Country was read by Aunty Barb.

**Apologies/Granting of Leave of Absences**

Nil.

**Confirmation of the Minutes**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL HELD ON TUESDAY 26  
MAY 2020**

**RESOLUTION: (Stavrinou/Andrews)** that the Minutes of the Ordinary Council meeting held on Tuesday 26 May 2020 and the Extraordinary Council meeting held on Tuesday 9 June 2020 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of those meetings.

## Declarations of Pecuniary and Non-Pecuniary Interests

- a) Crs Hamilton and Matson declared a significant non pecuniary interest in Item CP17/20 as they are Council's delegates on the Sydney Eastern City Planning Panel. Should Council determine that the proposal not proceed to Gateway, then the proposal will be referred to the Sydney Eastern City Planning Panel to decide on whether it should proceed. Crs Hamilton and Matson will not be taking part in the debate or voting on this matter.
- b) Cr Shurey declared a non-significant non pecuniary interest in Item CS24/20 as she is a member of the 'Friends of Malabar Headland'.
- c) Cr Roberts declared a significant non pecuniary interest in Item CP17/20 as he is the alternate delegate on the Sydney Eastern City Planning Panel. Should Council determine that the proposal not proceed to Gateway, then the proposal will be referred to the Sydney Eastern City Planning Panel to decide on whether it should proceed. Cr Roberts will not be taking part in the debate or voting on this matter.

## Address of Council by Members of the Public

Prior to consideration of the Agenda by the Council, deputations were received in respect of the following matters:

CP15/20 305 & 307 ANZAC PARADE, KINGSFORD

**For** Mr Danny Mann

CP17/20 LITTLE BAY COVE PLANNING PROPOSAL

**Against** Mr Matthew Lennartz

**For** Mr Antony Gould

NM41/20 NOTICE OF MOTION FROM CR D'SOUZA - ACKNOWLEDGING AND SUPPORTING THE ABORIGINAL COMMUNITY

**For** Aunty Barb

NM43/20 NOTICE OF MOTION FROM CR LUXFORD AND CR PARKER - BUS PRIVATISATION REGION 9

**For** Mr Daniel Jagers (Divisional President Tram & Bus Division RTBU)

The Mayor advised that the Items for which there were speakers would be brought forward for immediate consideration.

### **CP15/20 Director City Planning Report - 305 & 307 Anzac Parade, Kingsford (DA/571/2019)**

**RESOLUTION: (Stavrinov/Roberts)** that Council agree to enter into the Planning Agreement relating to the proposed development under DA/571/2019 at 305 & 307 Anzac Parade, Kingsford, pursuant to Section 7.4 of the Environmental Planning and Assessment Act 1979 subject to a consent being issued by the Randwick Local Planning Panel.

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

### **CP17/20 Director City Planning Report - Little Bay Cove Planning Proposal (RZ/4/2019)**

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

130/20

**RESOLUTION: (Parker/Luxford)** that Council does not support the Planning Proposal submitted by Urbis Pty Ltd on behalf of Karimbla Construction Services (NSW) Pty Ltd with respect to the land located at 1406-1408 Anzac Parade, Little Bay, proceeding to Gateway Determination for the following reasons which also follow the advice of the RLPP:

- The Planning Proposal fails to meet the strategic merit test. The proposal is inconsistent with the Eastern City District Plan and the Local Strategic Planning Statement (LSPS) and there are no changed circumstances which warrant changes to the existing planning controls for the site;
- The Planning Proposal is inconsistent with Council's recently endorsed structure plan for future housing growth as set out in the LSPS and Housing Strategy, which does not identify this site for increased yield within the relevant plan-making timeframe. Placing a large proportion of the City's housing growth onto a single site without the transport infrastructure to support the intensification of use does not align with Council's structure plan for growth;
- The TfNSW submission confirmed that a mass transit connection is not committed to by the NSW Government, and therefore there is no certainty that the additional infrastructure will be provided, servicing the site in the short or medium term, and the long term;
- The Planning Proposal is inconsistent with the Ministerial Directions for Heritage Conservation, Residential Zones, Integrating Land Use and Transport, Development near Regulated Airports and Implementation of A Plan for Growing Sydney (now The Greater Sydney Region Plan – A Metropolis of Three Cities);
- The Planning Proposal fails to meet the site-specific merit test due to:
  - a. the inconsistency of the bulk, scale and massing of the proposal with the existing and the future use of the area based on the endorsed strategic documents;
  - b. the visual impacts of the proposal on the coastal scenic character of the area;
  - c. the lack of sufficient transport infrastructure to support the intensification of the use and the density of the development;
  - d. the failure to properly consider the new ochre deposit found on the site in 2012; and
  - e. the failure to properly consider the impact of the proposal including the alternative masterplan to the critically endangered Eastern Suburbs Banksia Scrub and its buffer.
- The likely adverse environmental effects identified in Council officers' assessment in regard to density, building heights, massing, view impacts, overshadowing, access and connectivity, Aboriginal and non-Aboriginal heritage;
- The failure to address the issues raised by the Design Excellence Panel in its assessment of the Planning Proposal with regard to the increase in density, building heights and bulk and its incompatibility with surrounding development;
- The concerns raised by the Heritage Council and Heritage NSW on the Planning Proposal with regard to the impact on the proposed SHR item 'Little Bay Geological site', the Aboriginal heritage values of the site, the adjoining SHR items and the inadequate information provided to respond to these key concerns;
- The Alternative Masterplan documentation is inadequate and lacks information including (but not limited to) maximum building heights (in metres), net and/or actual FSRs and a comprehensive visual impact assessment;
- The transport analysis used to justify the proposal is based on unrealistic assumptions, including car travel traffic generation rates that are unrealistic and significantly lower than the rates surveyed on the existing site;
- The Planning Proposal will worsen existing traffic congestion in the road network and will require intersection upgrades to mitigate its traffic impact. The Planning Proposal does not consider who pays for the intersection upgrades, including the physical constraints, potential land acquisition and the legal arrangements that may be necessary; and

- The proposed yield cannot solely rely on buses for public transportation but rather requires a comprehensive, integrated mass transportation solution.

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

**NM41/20 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Acknowledging and Supporting the Aboriginal Community (F2004/06243)**

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

1. acknowledges the fact that 2.8% of our population in the LGA are Aboriginal and Torres Strait Islander people as recorded in 2016 census;
2. acknowledges that our indigenous people have one of the highest rates of incarceration in Australia;
3. notes with concern the recent video footage of a 16 year old boy being treated badly by police officers;
4. acknowledges that we, as a nation, have not yet closed the gap when it comes to health, education and opportunity;
5. writes a letter to the Prime Minister and Federal and State Attorney Generals expressing our disappointment that no significant actions have been taken since the 'Royal Commission into Aboriginal Deaths in Custody 1987-1991' to address this very serious issue; and
6. organises a meeting with the local Aboriginal Land Council, Local Area Commander, the Mayor and other interested Councillors to address any pressing matters of concern of our local indigenous people especially when it comes to local policing.

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

**RESOLVED (PROCEDURAL MOTION): (Shurey/Matson)** that the two motions on the privatisation of Sydney Buses Region 9 be considered together with one combined Council resolution.

**NM43/20 Motion Pursuant to Notice - Notice of Motion from Crs Shurey, Luxford and Parker - Bus Privatisation Region 9 (F2004/07242)**

**RESOLUTION: (Shurey/Luxford)** that Council moves to write to the Minister for Transport seeking an urgent meeting and to be provided with a written guarantee that as a result of any privatisation of State Transit Authority that:

- a) on time running will remain at or better than the current claimed rate of 95 per cent;
- b) the 302, 314, 317, 373, 376, 377, 393, 394, 395, 397, 399, L94, M10, M50, 891, 893 not be cancelled as proposed in the Transport for NSW draft South East Sydney Integrated Service Plan; and
- c) any proposal to change routes, frequencies, or number or movement of bus stop locations in the future be subject of thorough community notification and consultation.

**MOTION: (Shurey/Luxford) 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 Shurey	Councillor Hamilton
Councillor Neilson	Councillor Stavrinou
Councillor Veitch	Councillor Roberts
Councillor Luxford	

Councillor Parker  
 Councillor Seng  
 Councillor Andrews  
 Councillor Bowen  
 Councillor Matson  
 Councillor Da Rocha  
 Councillor D'Souza  
 Councillor Said

**Total (12)**

**Total (3)**

The Meeting was adjourned at 9.13pm and was resumed at 9.40pm.

## Mayoral Minutes

### **MM17/20 Mayoral Minute - Establishment of Sister City Scholarship - Temora & Narrabri (F2020/06574)**

**RESOLUTION: (Mayor, Cr D Said)** that Council:

- a) approve a sponsorship of \$1,500.00 to be donated to the Temora & District Education Fund Incorporated from the Mayor's Contingency Fund on an annual basis to provide a scholarship opportunity to the youth of our Sister City, Temora, by further advancing their education, employment and personal goals; and
- b) approve a sponsorship of \$1,500.00 to be donated to the Country Education Foundation of the Namoi from the Mayor's Contingency Fund on an annual basis to provide a scholarship opportunity to the youth of our Sister City, Narrabri, by further advancing their education, employment and personal goals. CARRIED.

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

### **MM18/20 Mayoral Minute - Vale Christo Javacheff (F2020/06574)**

**RESOLUTION: (Mayor, Cr D Said)** that Council observe a minute's silence at the Council meeting in remembrance of Christo Javacheff and acknowledge his recent passing.

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

### **MM19/20 Mayoral Minute - Trial of Two Winter-Time Hardstand Recreation Areas (F2020/00214)**

**RESOLUTION: (Mayor, Cr Said)** that:

- a) both the Clovelly carpark and the Chifley Sports Field carpark be partially closed for the rest of winter so that they can be used by the community for temporary hardstand recreational purposes; and
- b) a further report be brought back to the Council evaluating the success, or not, of this trial and proposing future action regarding possible part closures, through winter, of Council carparks, for hardstand recreational purposes.

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

## Urgent Business

Nil.

## General Manager's Reports

Nil.

## Director City Planning Reports

### CP14/20 Director City Planning Report - Variation to Development Standard - Clause 4.6 - 25 April to 2 June 2020 (F2008/00122)

136/20

**RESOLUTION: (Andrews/Stavrinou)** that the report be received and noted.

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

### CP16/20 Director City Planning Report - Proposed Infrastructure Contributions System Improvements (F2020/00258)

137/20

**RESOLUTION: (Andrews/Stavrinou)** that Council endorse the submission on the proposed changes to the NSW infrastructure contributions system.

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

### CP18/20 Director City Planning Report - The Community Investment Program (F2020/00336)

138/20

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

- a) the 'Community Investment Program' be adopted as the new strategic framework for community funding and donations;
- b) the proposed program guidelines for 'Community Connect' and 'Community Creative' be adopted as the interim guidelines to allow for public exhibition and the first funding round in July 2020 to be implemented;
- c) the assessment of financial assistance under the 'Community Connect' and 'Community Creative' streams be undertaken by the Mayor and an assessment panel through delegation from the General Manager;
- d) urgent applications or fee waivers may be dealt with under delegated authority by the assessment panel with all other recommendations being referred back to Council for approval;
- e) the Community Investment Program is reviewed by Council after 12 months; and
- f) the enabling changes to guidelines below be adopted so long as they're not inconsistent with the above resolution.

#### PROPOSED CHANGES TO GUIDELINES – COMMUNITY CONNECT

p.237 attachment 1, heading 'General Exclusions'

strike out "Request capital works or facility maintenance works"

p.239

*Strike out attachment 1, 2.4. Assessment Process, p. 239:*

- ~~All eligible applications will be assessed by an expert assessment panel with delegated authority to decide on each funding round based on the eligibility, assessment criteria and priorities as outlined in these guidelines.~~
- ~~All investment funding and community impacts will be reported to Council for noting and acknowledgment.~~
- ~~The 'Community Connect' assessment panel will include a community representative and Council staff with relevant expertise.~~

*Replace with:*

- All eligible applications will be assessed by an expert assessment panel to decide on each funding round based on the eligibility, assessment criteria and priorities as outlined in these guidelines.
- All investment funding and community impacts will be reported to Council for approval.
- The 'Community Connect' assessment panel will include a community representative, Council staff with relevant expertise and Mayor.
- Urgent applications for fee waivers may be dealt with under delegated authority by the assessment panel and be reported to Council for noting.

Attachment 1, 3.3 Funding Categories, p.240

*Add:*

- Small scale capital work/maintenance: \$3000 – \$10,000 (excludes individual applicants and sole traders)

PROPOSED CHANGES TO GUIDELINES – COMMUNITY CREATIVE

*Strike out p.245 attachment 2, heading 'General Exclusions'*

- ~~"Request capital works or facility maintenance works"~~

*Strike out attachment 2, 2.4. Assessment Process, p. 247:*

- ~~All eligible applications will be assessed by an expert assessment panel with delegated authority to decide on each funding round based on the eligibility, assessment criteria and priorities as outlined in these guidelines.~~
- ~~All investment funding and community impacts will be reported to Council for noting and acknowledgment.~~
- ~~The 'Community Creative' assessment panel will include a community representative and Council staff with relevant expertise.~~

*Replace with:*

- All eligible applications will be assessed by an expert assessment panel to decide on each funding round based on the eligibility, assessment criteria and priorities as outlined in these guidelines.
- All investment funding and community impacts will be reported to Council for approval.
- The 'Community Creative' assessment panel will include Mayor, Council staff with relevant expertise.
- Urgent applications for fee waivers may be dealt with under delegated authority by the assessment panel and be reported to Council for noting.

Attachment 2, 3.3 Funding Categories, p.248

*Add:*

- Small scale capital work/maintenance: \$3000 – \$10,000 (excludes individual applicants and sole traders)

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

**CP19/20 Director City Planning Report - Randwick Local Planning Panel (RLPP) Annual Review Report (F2018/00147)**

139/20

**RESOLUTION: (Neilson/Shurey)** that the Randwick Local Planning Panel (RLPP) delegate determination of the following applications to the General Manager, pursuant to Section 2.20(8) of the Environmental Planning and Assessment Act 1979:

- a) development applications for footway trading activities, if the only reason for referral to the RLPP is that the landowner is Council; and
- b) modification applications made under Section 4.55 (1) and Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 where there is a potential for conflict of interest.

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

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

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

**AMENDMENT: (Roberts/Stavrinis)** that this report be received and noted. **LOST.**

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

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

**CP20/20 Director City Planning Report - Community Partnerships Funding Program 2020-21 - Recommended Allocations (F2008/00139)**

140/20

**RESOLUTION: (Andrews/Stavrinis)** that Council approve the allocation of funds to the successful local organisations listed in Attachment One of this report.

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

**Director City Services Reports**

**CS23/20 Director City Services Report - WestConnex and Kensington / West Kingsford Traffic Study (F2017/00106)**

141/20

**RESOLUTION: (Stavrinis/Luxford)** that Council:

- a) not support the City of Sydney's proposed constriction of the Euston Road / McEvoy Street / Lachlan Street / Dacey Avenue route due to the possible deleterious impact on the Gardeners Road route, likely resulting in greater through traffic impacts being borne by the Kensington / West Kingsford community; and
- b) immediately commence the traffic study of the Kensington/West Kingsford Area in order to review any impact that the WestConnex may have on traffic movements in the area and to bring a report back to Council on the options for installing mitigation measures to alleviate these concerns.

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

**CS24/20 Director City Services Report - Prescribed Burning Strategy For Malabar Headland National Park (F2019/00686)**

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142/20 **RESOLUTION: (Andrews/Stavrinos)** that Council provide in principle support for the activity and provide NPWS with permission to use a section of Pioneers Park for staging the activity.

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

**CS25/20 Director City Services Report - Maroubra Road / Mons Avenue / Cooper Street, Maroubra - Community Consultation Outcomes (F2020/00248)**

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143/20 **RESOLUTION: (Andrews/Stavrinos)** that:

- a) the Council not proceed with any adjustments to the Maroubra Road / Mons Avenue / Cooper Street intersection, at this stage, and
- b) the Maroubra Road/ Mons Avenue/ Cooper Street intersection be carefully considered within the upcoming strategic route study of Maroubra Road, from Bunnerong Road to Malabar Road, Maroubra.

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

**CS26/20 Director City Services Report - Countdown Pedestrian Facilities for Traffic Signals in Randwick (F2004/08338)**

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144/20 **RESOLUTION: (Andrews/Stavrinos)** that:

- a) Council note Transport for NSW does not support the introduction of countdown timers on pedestrian signals within Randwick, and
- b) Council staff continue to work with Transport for NSW seeking the introduction of countdown timers on pedestrian signals at appropriate locations within the City of Randwick.

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

## **Director Corporate Services Reports**

**CO32/20 Director Corporate Services Report - Investment Report - May 2020 (F2016/06527)**

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145/20 **RESOLUTION: (Andrews/Stavrinos)** that the Investment Report for May 2020 be received and noted.

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

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**CO33/20 Director Corporate Services Report - Contingency Fund - Status as at 31 May 2020 (F2017/07396)**

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146/20 **RESOLUTION: (Andrews/Stavrinou)** that the status of the contingency fund allocations for 2019-20 and 2020-21, be noted.

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

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**CO34/20 Director Corporate Services Report - Proof of Concept (PoC) - Installation of Sunscreen Station at Coogee Beach (F2016/00251)**

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147/20 **RESOLUTION: (Andrews/Stavrinou)** that the report in relation to the Proof of Concept (PoC) - installation of sunscreen station at Coogee Beach be received and noted.

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

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**CO35/20 Director Corporate Services Report - Monthly Financial Report as at 30 May 2020 (F2018/00384)**

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148/20 **RESOLUTION: (Andrews/Stavrinou)** that the monthly financial report as at 31 May 2020 be received and noted.

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

### Petitions

Nil.

### Motion Pursuant to Notice

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**NM42/20 Motion Pursuant to Notice - Notice of Motion from Cr Shurey - Privatisation of Public Transport (F2004/08003)**

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This matter was considered in conjunction with Item NM43/20, see resolution number 132/20.

### Notice of Rescission Motions

Nil.

### Confidential Reports

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

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**CS27/20 Confidential - Tender for Waste, Recycling and Food and Garden Organics Collection Services - No.T2020-15 (F2019/01423)**

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*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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149/20 **RESOLUTION: (Hamilton/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, Cleanaway Pty Ltd be accepted as the successful tenderer for T2020-15 Waste Recycling and FOGO Collection Services at their proposed rates over the term of the agreement;
- 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 with Cleanaway Pty Ltd for a period of 10 years;

- c) Cleanaway will roll out all new bins with more than 30% recycling content and will recycle all old bins;
- d) the General Manager be delegated authority to negotiate with the current provider SUEZ Pty Ltd for a two-month extension to the existing contract to expire 28<sup>th</sup> February 2021; and
- e) unsuccessful tenderers are notified.

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

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

FOR	AGAINST
Councillor Hamilton	Councillor Veitch
Councillor Shurey	
Councillor Neilson	
Councillor Stavrinou	
Councillor Luxford	
Councillor Parker	
Councillor Seng	
Councillor Andrews	
Councillor Bowen	
Councillor Matson	
Councillor Roberts	
Councillor Da Rocha	
Councillor D'Souza	
Councillor Said	
<b>Total (14)</b>	<b>Total (1)</b>

**CS28/20 Confidential - Tender for Yarra Bay Bicentennial Park Amenities - No T2020-24 (F2020/00260)**

*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. (Tender )*

**RESOLUTION: (Shurey/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, SDL Project Solutions Pty Ltd be accepted as the successful tenderer for T2020-24 Yarra Bay Bicentennial Park Amenities at their tendered price;
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into contract with SDL Project Solutions Pty Ltd on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

**CS29/20 Confidential - Tender for the Malabar Junction Amenities Upgrade - No. T2020-25 (F2020/00261)**

*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. (Tender )*

**RESOLUTION: (Bowen/Andrews) 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, SDL Project Solutions Pty Ltd be accepted as the successful tenderer for T2020-25 Malabar Junction Amenities Upgrade, at their tendered price;
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter a contract with SDL Project Solutions Pty Ltd on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

**CO36/20 Confidential - Doubtful Debt Write Off (F2019/06521)**

*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.*

**RESOLUTION: (Andrews/Hamilton)** that the debt of \$22,559.68 incurred by DMC Management Pty Ltd be approved for write off.

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

**Open Session**

The meeting moved back into open session.

There being no further business, His Worship the Mayor, Cr D Said, declared the meeting closed at 11.23pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 28 July 2020.**

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**CHAIRPERSON**