



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, 28 AUGUST 2018 AT 6:05PM

Present:

The Mayor, Councillor L Shurey (Chairperson) (North Ward)

Councillor A Luxford (Deputy Mayor) (West Ward)

- | | |
|--------------|--|
| North Ward | - Councillors C Hamilton & K Neilson |
| South Ward | - Councillors C Da Rocha, N D'Souza & D Said |
| East Ward | - Councillors T Bowen (arrived 6.33pm), M Matson & B Roberts |
| West Ward | - Councillors H Stavrinou & P Veitch |
| Central Ward | - Councillors A Andrews, D Parker & T Seng (arrived 6.56pm) |

Officers Present:

Acting General Manager	Mr J Frangoplos
Acting Director City Services	Mr J Ingegneri
Acting Director City Planning	Mr K Kyriacou
Director Corporate Services	Mr J Smith
Senior Administrative Coordinator	Ms J Hartshorn
Acting Manager Development Assessment	Mr F Ko
Communications Manager	Mr J Hay
Executive Manager	Mr L Fitzgerald
Manager Community Development	Ms T Mok

Prayer & Acknowledgement of Local Indigenous People

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

Apologies/Granting of Leave of Absences

Nil.

Confirmation of the Minutes**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY 24 JULY 2018**

215/18

RESOLUTION: (Matson/Neilson) that the Minutes of the Ordinary Council Meeting held on Tuesday 24 July 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 CP35/18, CP36/18 and CP37/18 as the Council representative on the SECPP. Cr Matson indicated that he would not take part in the debate or the vote on these matters.
- b) All Liberal Party Councillors at the meeting (being Crs Hamilton, Roberts, Seng and Stavrinou) declared a non-significant non pecuniary interest in Item NM63/18 as the speaker is known to them through their affiliation with the Liberal Party.
- c) Cr Andrews declared a significant non pecuniary interest in Item MM49/18 as he works with the NSW Nurses Association. Cr Andrews indicated that he would not take part in the debate or the vote 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:

CP36/18 SECPP REPORT - 1-47, 2-66A AND 64R EURIMBLA AVENUE, 2-14 MAGILL STREET, 49-101 BOTANY STREET, PART LOT 1 DP 870720 ADJACENT TO HOSPITAL ROAD, RANDWICK (DA/208/2018)

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

For Mr John Coffey (representing POW Hospital)

Cr Matson returned to the meeting at this point (6.14pm)

CS35/18 KINGSFORD TO CENTENNIAL PARK WALKING AND CYCLING STREETScape IMPROVEMENTS - RESULTS OF PUBLIC CONSULTATION

For Ms Yvonne Poon (representing BikeEast)

For Mrs Sue Tracey

NM63/18 NOTICE OF MOTION FROM CR SAID - OPPOSITION TO PASSENGER CRUISE SHIP TERMINAL

For Mr Bill Burst (representing Save the Bay Coalition)

NM64/18 NOTICE OF MOTION FROM CR MATSON - HERITAGE REPORTS FOR 37-41 DUDLEY AND 144-150 BROOK STREETS, COOGEE

For Mr Tony Sheedy

Cr Bowen arrived at the meeting at this point (6.33pm).

The Meeting was adjourned at 6.33pm and was resumed at 6.56pm.

Mayoral Minutes**MM44/18 Mayoral Minute - Request to waive fees for La Perouse Education Fund (F2017/00418)**

216/18 **RESOLUTION: (Mayor, Cr Shurey) that:**

- a) Council vote \$5000.00 to cover the cost of venue hire and staffing for up to 6 bookings with funds be charged to the 2018-19 Contingency Fund;
- b) The organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the activity;
- c) The Mayor or the Mayor's representative be given the opportunity to address the activity on behalf of Council; and
- d) The organiser be advised to take reasonable steps to reduce the use of single use plastics at its event.

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

MM45/18 Mayoral Minute - La Perouse Public School - Request for Assistance (F2018/00096)

217/18 **RESOLUTION: (Mayor, Cr Shurey) that:**

- a) Council vote \$2,780.00 towards the staging of this event and funds be charged to the 2018-19 Contingency Fund;
- b) The Principal undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event;
- c) The Mayor or the Mayor's representative be given the opportunity to address the activity on behalf of Council.

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

MM46/18 Mayoral Minute - RH Dougherty Awards 2018 (F2018/01118)

218/18 **RESOLUTION: (Mayor, Cr Shurey) that Council notes these achievements and congratulates all staff involved in the projects.**

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

MM47/18 Mayoral Minute - Proposed Expansion of Community Partnership (F2014/00414)

219/18 **RESOLUTION: (Mayor, Cr Shurey) that Council expand its community partnership with the Sydney Roosters to become a foundation partner of the their inaugural women's NRL side, with the cost of \$1,000.00 being funded initially from the 2018-19 Contingency Fund and in the community partnership budget moving forward.**

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

**MM48/18 Mayoral Minute - Street Lighting - 'Lighting the Way' project
(F2004/07519)**

220/18

RESOLUTION: (Mayor, Cr Shurey) that Council endorse Ausgrid's proposal for the accelerated replacement of 3,943 Ausgrid lights on residential roads with new LED lights over the next three years.

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

**MM49/18 Mayoral Minute - NSW Nurses and Midwives Association Campaign
(F2018/06574)**

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

221/18

RESOLUTION: (Mayor, Cr Shurey) that Randwick City Council notes the visit to the Mayor by the Prince of Wales Branch of the NSW Nurses and Midwives Association (NSWNMA) and writes to the Minister for Health and local State Members of Parliament advising of Council's support for the introduction of shift-by-shift nurse-to-patient ratios and a general review of the current Nursing Hours per Patient Day (NHPPD) Ratios.

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

Cr Andrews returned to the meeting at this point (9.29pm).

**MM50/18 Mayoral Minute - Cruise ship terminal proposal for Yarra Bay and
Molineaux Point (F2014/00125)**

222/18

RESOLUTION: (Mayor, Cr Shurey) that Randwick City Council:

- a) Rejects the NSW Government's proposal for a third Sydney cruise ship terminal in Botany Bay;
- b) Calls for the immediate release of all related documents about the proposal to enable the community to be fully informed;
- c) Urges the NSW Government to commit to an open, transparent and genuine community engagement program to find an alternative site in NSW – preferably Sydney Harbour;
- d) Writes to the Minister for Tourism and Major Events Adam Marshall and the Minister for Roads, Maritime and Freight Melinda Pavey expressing Council's position; and
- e) Supports the existing community campaign to oppose the terminal initiated by the local State and Federal Members.

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

**MM51/18 Mayoral Minute - Coogee Beach BBQ - Wattle Day 2018 - National
Day of Action - Waiver of Fee (F2018/00096)**

A Rescission Motion in relation to this Item was submitted by Councillors Roberts, Hamilton and Stavrinou in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 25 September 2018

223/18

RESOLUTION: (Mayor, Cr Shurey) that Council vote \$182.00 to cover the application fee associated with hosting a BBQ in Goldstein Reserve on Saturday 1

September 2018.

AMENDMENT: (Hamilton/Stavrinos) that Council vote \$182.00 to cover the application fee associated with hosting a BBQ in Goldstein Reserve on Saturday 1 September 2018, subject to no political advertisements or campaign material being available at, or handed out at, the event. **LOST.**

Councillors Hamilton and Stavrinos called for a **DIVISION.**

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

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

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

Councillors Hamilton and Stavrinos called for a **DIVISION.**

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

FOR	AGAINST
Councillor Andrews	Councillor Hamilton
Councillor Bowen	Councillor Roberts
Councillor Da Rocha	Councillor Seng
Councillor D'Souza	Councillor Stavrinos
Councillor Luxford	
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Shurey	
Councillor Veitch	
Total (11)	Total (4)

MM52/18 Mayoral Minute - Wee Waa Chamber of Commerce - Request for donation (F2018/06574)

224/18

RESOLUTION: (Mayor, Cr Shurey) that:

- Council donate \$1,000 to the Wee Waa Chamber of Commerce to assist with organising the upcoming Christmas event.
- Council note the difficulties being experienced by the Temora Shire and Narrabri Shire communities during this time of drought; and provide assistance to these communities if requested.

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

MM53/18 Mayoral Minute - Annual Des Renford Chair of Hearts Research Family Gala and Charity Day - Use of Des Renford Leisure Centre (F2009/00020)

225/18

RESOLUTION: (Mayor, Cr Shurey) that:

- a) Council provide in-principle support for the Victor Chang Cardio Research Institute's Des Renford Family and Gala Day for the next five (5) years, subject to annual funding support approval.
- b) Council vote \$9,500 from the 2018-19 Council Contingency Fund to cover the hire fees for the Des Renford Leisure Centre to assist in raising funds for the Victor Chang Cardiac Research Institute for the 2018-19 event being held on Sunday 4 November 2018
- c) the organiser undertake to appropriately and prominently acknowledge and promote Council's contribution to Club members.

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

MM54/18 Mayoral Minute - Proposed Marine Park - Hawkesbury Shelf Bioregion (F2018/06574)

MOTION: (Mayor, Cr Shurey) that:

- a) Council support the NSW State Government Initiative to implement a new Marine Park along the Hawkesbury Shelf Marine Bioregion.
- b) Council make a submission to the Marine Estate Management Authority supporting the proposal. **LOST.**

The Mayor called for a **DIVISION.**

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

FOR	AGAINST
Councillor Hamilton	Councillor Andrews
Councillor Matson	Councillor Bowen
Councillor Neilson	Councillor Da Rocha
Councillor Seng	Councillor D'Souza
Councillor Shurey	Councillor Luxford
Councillor Stavrinou	Councillor Parker
Councillor Veitch	Councillor Roberts
	Councillor Said
Total (7)	Total (8)

General Manager's Reports

GM19/18 General Manager's Report - Merging of Maroubra Beach and Maroubra Central Precincts (F2018/00317)

226/18

RESOLUTION: (Andrews/Stavrinou) that Council note the merge of the Maroubra Beach and Maroubra Central Precinct into the new Maroubra Precinct and approve that the funding for the former Maroubra Central Precinct be provided to the new Maroubra Precinct.

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

GM20/18 General Manager's Report - Randwick City Council June Quarterly Report 2018 (F2017/03001)

227/18 **RESOLUTION: (Andrews/Stavrinou)** that the information contained in the June Quarterly Review of the 2017-18 annual Operational Plan be received and noted.

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

Director City Planning Reports

CP35/18 Director City Planning Report - SECPP Report - 180-188 Maroubra Road, Maroubra (DA/813/2015/B)

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

228/18 **RESOLUTION: (Andrews/Bowen)** that the SECPP assessment report for DA/813/2015/B at 180-188 Maroubra Road, Maroubra be received and noted.

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

CP36/18 Director City Planning Report - SECPP Report - 1-47, 2-66A and 64R Eurimbla Avenue, 2-14 Magill Street, 49-101 Botany Street, Part Lot 1 DP 870720 Adjacent to Hospital Road, Randwick (DA/208/2018)

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

229/18 **RESOLUTION: (Stavrinou/Andrews)** that the SECPP assessment report for DA/208/2018 at 1-47, 2-66A and 64R Eurimbla Avenue, 2-14 Magill Street, 49-101 Botany Street, Part Lot 1 DP 870720 Adjacent to Hospital Road, Randwick be received and noted.

AMENDMENT: (Veitch/Neilson) that:

- a) the SECPP assessment report for DA/208/2018 at 1-47, 2-66A and 64R Eurimbla Avenue, 2-14 Magill Street, 49-101 Botany Street, Part Lot 1 DP 870720 Adjacent to Hospital Road, Randwick be received and noted.
- b) condition 21 and condition 32 be deleted as final design of the Acute Health Service Building has not yet been put on public exhibition.
- c) the vehicle exit point proposed for the corner of Hospital Road and Magill Street be moved to half way between Hospital Road, half way between High Street and Magill Street, to preserve amenity of remaining Magill Street residents and retain mature trees located at the exit site.
- d) Randwick City Council write to NSW Health Infrastructure with a request that NSW Health Infrastructure:
 - publicly acknowledge the debt of gratitude owed to the residents of Eurimbla Avenue, Magill Street and Botany Street, Randwick, who have had to move away from cherished neighbours, friends and homes to accommodate the expansion of the POW Hospital for the benefit of the Randwick community;
 - in addition to the requirements that must be addressed as part of the Environmental Impact Statement on page 35, commission an independent

Health and Social Impact Statement, to investigate the impacts of the compulsory acquisition process on the residents who have had to move from 1-47, 2-66A and 64R Eurimbla Avenue, 2-14 Magill Street, 49-101 Botany Street, and on other neighbouring Randwick residents who will be affected by the demolition and construction works of the new hospital campus. **LOST.**

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

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

MOTION: (Stavrinis/Andrews) 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 Said
Councillor Bowen	Councillor Veitch
Councillor Da Rocha	
Councillor D'Souza	
Councillor Hamilton	
Councillor Luxford	
Councillor Neilson	
Councillor Parker	
Councillor Roberts	
Councillor Seng	
Councillor Shurey	
Councillor Stavrinis	
Total (12)	Total (2)

Cr Matson returned to the meeting at this point (7.17pm).

CP37/18 Director City Planning Report - SECPP Report - 30-36 Dangar Street, Randwick (DA/132/2017C)

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

230/18

RESOLUTION: (Da Rocha/Andrews) that the SECPP assessment report for DA/132/2017/C at the Montefiore Seniors Housing site located at 30-36 Dangar Street, Randwick be received and noted.

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

Cr Matson returned to the meeting at this point (10.05pm).

**CP38/18 Director City Planning Report - 18 Boronia Street Kensington
Fire & Rescue NSW Referral (F2017/06103)**

231/18 **RESOLUTION: (Andrews/Stavrinos)** that the report from FRNSW and the Director City Planning Report relating to 18 Boronia Street, Kensington be received and noted

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

**CP39/18 Director City Planning Report - 34 Meeks Street, Kingsford Fire &
Rescue NSW Referral (F2017/06103)**

232/18 **RESOLUTION: (Stavrinos/Hamilton)** that the report from FRNSW and the Director City Planning Report relating to 34 Meeks Street, Kingsford be received and noted

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

**CP40/18 Director City Planning Report - Community Hub/Foodbank at
Lexington Place, Maroubra: Update on Progress (F2009/00217)**

233/18 **RESOLUTION: (D'Souza/Andrews)** that the Council note the progress of the community hub project located at Lexington Place, and endorse the financial and in-kind contribution detailed in this report

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

**CP41/18 Director City Planning Report - Report for Variation to
Development Standard under SEPP No.1 and Clause 4.6 - 14 July -
20 August 2018 (F2008/00122)**

234/18 **RESOLUTION: (Andrews/Hamilton)** that the report be received and noted.

AMENDMENT: (Veitch/Matson) that Council request the Acting Director City Planning to review all approvals with variations to a development standard above 50% contained in this report with the review to be brought back to Council. **LOST.**

The Mayor called for a **DIVISION.**

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

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

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

Director City Services Reports**CS35/18 Director City Services Report - Kingsford to Centennial Park Walking and Cycling Streetscape Improvements - Results of Public Consultation (PROJ/10180/1527782/6)**

235/18

RESOLUTION: (Matson/Neilson) that:

1. Council adopt the concept plans for the Kingsford to Centennial Park cycleway and streetscape improvements as the foundation to finalise design development and proceed to construction of the project, when funded; and
2. Council seek funding from RMS for the implementation of the project.
3. prior to construction, Council take proactive steps to offset loss of street parking along Doncaster Avenue between Alison Road and Anzac Parade by commencing a review of the KN2 Resident Preferred Parking scheme, with the intent to:
 - a. adequately prioritise street parking in favour of residents of the Avenue; and
 - b. provide sufficient short term parking around the Kensington Public School at school drop off and pick up times.

AMENDMENT: (Stavrinos/Luxford) that Council defer the concept plans for the Kingsford to Centennial Park cycleway and streetscape improvements in order to examine other viable options to address safety concerns on the Doncaster Avenue sections of the path, including the Randwick stabling yard site, such as:

- relocating the path onto Alison Road and Ascot Street, and
- relocating the path onto Day Lane. **LOST.**

AMENDMENT: (Andrews/D'Souza) that the Kingsford to Centennial Park cycleway and streetscape improvements be deferred until such time as the light rail has been embedded and Council has prepared a Traffic Management Plan for the Kensington/Kingsford area. **WITHDRAWN.**

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

CS36/18 Director City Services Report - Cycleways and Bicycle Facilities Advisory Committee (F2018/00158)

236/18

RESOLUTION: (Andrews/Stavrinos) that the recommendations detailed within the minutes of the Cycleways and Bicycle Facilities Advisory Committee meeting, held on 23 May 2018, be endorsed.

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

CS37/18 Director City Services Report - New Laneway off Arthur Street, Randwick - Naming Proposal (F2004/07140)

237/18

RESOLUTION: (Neilson/Veitch) that:

- a) Council endorse Wansey Lane as the proposed name for the new laneway off Arthur Street, Randwick.
- b) The endorsed street name nomination be submitted to the Geographical Names Board.

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

CS38/18 Director City Services Report - Boat And Trailer Parking Legislation (F2018/00250)

238/18

RESOLUTION: (Matson/Hamilton) that:

- a) By Order of the Council made by this resolution, the Randwick LGA be, on and from 1 September 2018, declared area for the purposes of section 15A(1) of the Impounding Act 1993.
- b) The General Manager arrange for the publication of this Order in the Government Gazette and for the Order to contain details of the area declared.
- c) A policy be developed to outline the impounding procedures in relation to boat trailer parking.
- d) Council advertise its intentions to declare all public roads and lands within the Randwick LGA as "Declared Areas" by letter box dropping properties in streets with known boat trailer problems, on Council's website and in the Southern Courier.
- c) Council write to Waverley Council, Woollahra Municipal Council and the City of Sydney and advise its intention to declare all public roads and lands within the Randwick LGA as "Declared Areas".

MOTION: (Parker/Said) that this matter be deferred for a Councillors' Briefing and consultation with boat owners, including investigating other options to address this issue. **LOST.**

The Mayor called for a **DIVISION.**

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 Hamilton
Councillor D'Souza	Councillor Luxford
Councillor Parker	Councillor Matson
Councillor Said	Councillor Neilson
	Councillor Roberts
	Councillor Seng
	Councillor Shurey
	Councillor Stavrinou
	Councillor Veitch
Total (5)	Total (10)

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

CS39/18 Director City Services Report - Coogee Bay Road Streetscape Upgrade - Proposed Waiver of Footway Dining Fees (F2009/00243)

239/18

RESOLUTION: (Andrews/Stavrinou) that:

- a) Council endorse the proposed waiving of footway dining rental fees for businesses with an existing footway dining agreement when construction of the Coogee Bay Road Streetscape project commences. The waiving of the fees be until the project is completed.

- b) Council endorse the waiving of the application fees and footway dining agreement fees for businesses with existing footway dining agreement when work commences to expand their footway occupation area.
- c) the offer to waive the application fees and footway dining agreement fees to amend existing footway occupation area be maintained for a 6 month period following completion of the project.

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

Director Corporate Services Reports

CO42/18 Director Corporate Services Report - Contingency Fund - status as at 31 July 2018 (F2017/07396)

240/18 **RESOLUTION: (Andrews/Stavrinos)** that the status of the contingency funds allocations for 2018-19, be noted.

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

CO43/18 Director Corporate Services Report - Code of Conduct (F2004/06569)

241/18 **RESOLUTION: (Andrews/Stavrinos)** that the Code of Conduct (incorporating the Model Code of Conduct for Local Councils in NSW – November 2015) be reconfirmed.

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

CO44/18 Director Corporate Services Report - Investment Report - July 2018 (F2015/06527)

242/18 **RESOLUTION: (Andrews/Stavrinos)** that the Investment Report for July 2018 be received and noted.

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

CO45/18 Director Corporate Services Report - Monthly Financial Report as at 31 July 2018 (F2018/00380)

243/18 **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 - SEE RESOLUTION.

CO46/18 Director Corporate Services Report - Draft 2017-18 Financial Statements (F2017/00406)

244/18 **RESOLUTION: (Andrews/Stavrinos)** that:

- a) in relation to the financial statements required in accordance with section 413(2)(c) of the Local Government Act 1993:
 - i) Council resolves that in its opinion the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2018:

- a. have been properly drawn up in accordance with the provisions of the Local Government Act 1993 and the Regulations there under, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting;
 - b. to the best of the Council's knowledge and belief the statements present fairly the Council's operating result and financial position for the year and accords with the Council's accounting and other records; and
 - c. the Council is unaware of any matter that would render the financial statements false or misleading in anyway.
- ii) The Statement by Councillors and Management for both the General Purpose Financial Statements and Special Purpose Financial Statements be signed by the Mayor, the Deputy Mayor, the Acting General Manager and the Responsible Accounting Officer.
- b) the financial statements be referred to the Council's Auditor for audit.
 - c) arrangements be made to place copies of the audited Financial Statements on public exhibition and the necessary advertisements be published.
 - e) a copy of the audited Financial Statements be forwarded to the NSW Office of Local Government.
 - f) the audited Financial Statements be presented at a meeting of Council to be held in accordance with Section 418 of the Local Government Act 1993.

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

Petitions

Nil.

Urgent Business

UB2/18 Cr Philipa Veitch – Compulsory acquisition of homes for Randwick Hospital expansion (F2017/00303)

The Mayor rule the motion to be a matter of urgency.

245/18

RESOLUTION: (Veitch/Neilson) that Randwick City Council write to NSW Health Infrastructure with a request that NSW Health Infrastructure:

- publicly acknowledge the debt of gratitude owed to the residents of Eurimbla Avenue, Magill Street and Botany Street, Randwick, who have had to move away from cherished neighbours, friends and homes to accommodate the expansion of the POW Hospital for the benefit of the Randwick community;
- in addition to the requirements that must be addressed as part of the Environmental Impact Statement for DA/208/2018, commission an independent Health and Social Impact Statement, to investigate the impacts of the compulsory acquisition process on the residents who have had to move from 1-47, 2-66A and 64R Eurimbla Avenue, 2-14 Magill Street, 49-101 Botany Street, and on other neighbouring Randwick residents who will be affected by the demolition and construction works of the new hospital campus.

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

NM62/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Weed Management Review (F2008/00299)

246/18

RESOLUTION: (Veitch/Matson) that Randwick City Council:

- a) notes renewed health and safety concerns about the use of glyphosate for weed management, following a \$US289 million damages claim against Monsanto in August 2018;
- b) notes that Council currently uses the product Roundup for weed control across the Randwick LGA, including in heavily trafficked areas and in our stormwater harvesting catchments; and
- c) conduct a review of Council's weed management plan, including trials of non-chemical methods such as steam spraying, to investigate alternative weed control methods that will minimise or eliminate the use of glyphosates.
- e) report back to Council on the outcome of the review.

MOTION: (Veitch/Matson) CARRIED - SEE RESOLUTION.**NM63/18 Motion Pursuant to Notice - Notice of Motion from Cr Said - Opposition to Passenger Cruise Ship Terminal (F2014/00125)**

247/18

RESOLUTION: (Said/Da Rocha) that Randwick Council strongly opposes a passenger cruise ship terminal and takes the following actions:

1. write to the NSW Government stating Council's strong opposition to a proposed passenger cruise-ship terminal at either Yarra Bay or Molineux Point noting Council's strong concerns about the negative impact a passenger terminal would have on the area including traffic congestion, environmental destruction, loss of open green space and flow-on land-use pressures;
2. request an urgent meeting with the relevant NSW and Federal Ministers asking for further investigation of alternate sites;
3. prepare an application to list Yarra Bay Beach and Frenchman's Beach as state heritage items;
4. re-affirm its current commitment to these areas as having local heritage significance; and
5. prepare a report outlining potential studies into the environmental significance of impacted areas and potential risks of a major change to land-use in the area.

MOTION: (Said/Da Rocha) CARRIED - SEE RESOLUTION.**NM64/18 Motion Pursuant to Notice - Notice of Motion from Cr Matson - Heritage Reports for 37-41 Dudley and 144-150 Brook Streets, Coogee (F2018/01523)**

248/18

RESOLUTION: (Matson/Veitch) that:

- a) Council commences a heritage study of the following dwellings in Coogee for the purpose of publically exhibiting a proposal to amend Randwick Local

Environmental Plan 2012 to include them as listed heritage items:

- 37 Dudley Street, Coogee
- 39 Dudley Street, Coogee
- 41 Dudley Street, Coogee
- 144 Brook Street, Coogee
- 146 Brook Street, Coogee
- 146A Brook Street, Coogee
- 148 Brook Street, Coogee
- 150 Brook Street, Coogee

- b) subsequently, Council, 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.

AMENDMENT: (Stavrinou/Andrews) that Council, 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.**

The Mayor called for a **DIVISION.**

The **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 Stavrinou	Councillor Parker
	Councillor Said
	Councillor Shurey
	Councillor Veitch
Total (6)	Total (9)

MOTION: (Matson/Veitch) 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 Roberts
Councillor D'Souza	Councillor Seng
Councillor Hamilton	Councillor Stavrinou
Councillor Luxford	
Councillor Matson	
Councillor Neilson	
Councillor Parker	
Councillor Said	
Councillor Shurey	
Councillor Veitch	
Total (11)	Total (4)

NM65/18 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Support for the Right to Peaceful Assembly and Protest in NSW and the Randwick LGA (F2009/00201)

249/18

RESOLUTION: (Veitch/Matson) that Randwick City Council:

1. acknowledges that the right to protest is fundamental in a democratic society;
2. notes that the NSW State Government has acted to shut down peaceful protests against CSG and coal mining through its The Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016, while the Sydney Public Reserves (Public Safety) Bill 2017 has given police the power to move on homeless people, protesters and peaceful occupations in the City of Sydney area;
3. notes that Clause 13(1) item 4 of the Crown Land Management Regulations 2018, which came into effect on 1 July 2018, provides that "Taking part in any gathering, meeting, or assembly (except, in the case of a cemetery, for the purpose of religious or other ceremony of burial or commemoration)" can be prohibited by notice or direction. This means police or any crown lands manager can force any gathering or meeting on Crown Land to end at any time without reason and failure to comply with such a direction or notice is penalised by a maximum fine of \$11,000.00;
4. acknowledges that prohibiting individuals from taking part in any gathering, meeting or assembly may unduly trespass upon the rights of individuals to peacefully assemble for a common purpose and express their views;
5. acknowledges that this amendment will apply to those people who may wish to hold a meeting, assembly or peaceful protest in many of the public parks and spaces in the Randwick LGA;
6. Write to the NSW State Government:
 - to oppose Clause 13 (1) item 4 Crown Land Management Regulations 2018, for the reasons detailed above.
 - to express support for the right of peaceful gathering, meeting and assembly in NSW.

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

The Mayor called for a **DIVISION**.

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

FOR	AGAINST
Councillor Bowen	Councillor Andrews
Councillor Luxford	Councillor Da Rocha
Councillor Matson	Councillor D'Souza
Councillor Neilson	Councillor Hamilton
Councillor Parker	Councillor Roberts
Councillor Said	Councillor Seng
Councillor Shurey	Councillor Stavrinou
Councillor Veitch	
Total (8)	Total (7)

NM66/18 Motion Pursuant to Notice - Notice of Motion from Cr Neilson - Improved Disability Access to La Perouse Museum (F2013/00576)

250/18

RESOLUTION: (Neilson/Andrews) that:

- a) until Council can fully implement best practice disabled access to La Perouse Museum individual wheelchair users, or groups which include them, should not be discouraged from visiting the Museum;
- b) Council notes the following information appears on RCC website - with regard to access at the Museum. <https://www.randwick.nsw.gov.au/facilities-and-recreation/buildings/la-perouse-museum> ;

Accessibility

- Disability access level - hard*
 - Wheelchairs can access this area with some difficulty.*
 - The downstairs section of the museum is wheelchair-accessible, but there are steps involved so you'll need some assistance.*
 - The upstairs section is inaccessible due to a narrow stairway. We are working on making this venue more accessible.*
- c) better information should be provided on the website simply outlining how the Museum can be negotiated;
 - d) some simple measures to assist eg. a phone number to arrange parking etc could also be on the website. This would be consistent with the RCC Disability Inclusion Action Plan; and
 - e) Council approve these or similarly appropriate measures at the earliest opportunity to improve access for the disabled at the La Perouse Museum.

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

NM67/18 Motion Pursuant to Notice - Notice of Motion from Cr Stavrinou - Illuminating of Trees to Improve Amenity and Safety (F2007/00364)

251/18

RESOLUTION: (Stavrinou/Hamilton) that Council bring back a report, with costings, investigating the possibility of illuminating trees in designated areas (i.e. parks, playgrounds, laneways and town centres) identified by Council so as to improve amenity and safety.

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

NM68/18 Motion Pursuant to Notice - Notice of Motion from Cr Seng - Recognition of Departing General Manager (F2004/06240)

Cr Seng requested that this motion be deferred to the September Council meeting for consideration.

RESOLVED (PROCEDURAL MOTION): (Mayor, Cr Shurey/Matson) that meeting be extended by 15minutes to 11.30pm.

Confidential reports (closed session)

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

Closed Session**GM21/18 Confidential - Director Appointments (F2018/00257)**

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).

252/18 **RESOLUTION: (Andrews/Matson)** that Council:

- a) Note the General Manager's intention to offer a five year senior staff employment contract to Mr Kerry Kyriacou as Director City Planning.
- b) Note the General Manager's intention to offer a five year senior staff employment contract to Mr Jeff Smith as Director Corporate Services

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

CO47/18 Confidential - 23-27 Adina Avenue, Phillip Bay - EOI campaign and Feasibility Study (F2004/06326)

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.

253/18 **RESOLUTION: (Andrews/Said)** that Council:

- a) undertakes a detailed development feasibility study of 23-27 Adina Avenue and 30 Canara Avenue, Phillip Bay; and
- b) notifies all parties in response to the EOI that Council will not be proceeding with any proposals.

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

CO48/18 Confidential - Tender for Claims Management Services - T2019-02 (F2018/00171)

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.

254/18 **RESOLUTION: (Matson/Stavrinis)** 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, Echelon Australia Pty Ltd be accepted as the successful tenderer for T2019-02 Claims Management Services;
- b) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager is authorised to enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

CS40/18 Confidential - Tender for Mahon Pool Amenities Building Upgrade T2018-27 (F2018/00217)

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.

255/18

RESOLUTION: (Andrews/Roberts) that:

- a) the withdrawal of the tender offer by Magbuild Pty Ltd t/a BDM Constructions be accepted;
- b) Council 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, Currenti Constructions Pty Ltd be accepted as the successful tenderer for T2018-27 Mahon Pool Amenities building Construction; and
- c) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager is authorised to enter into a contract on behalf of Council;

MOTION: (Andrews/Roberts) CARRIED UNANIMOUSLY - SEE RESOLUTION.**CS41/18 Confidential - NSW EPA Clean-Up Action - Jack Vanny Reserve, Maroubra Beach - Request for Quotation - SSROC T2016-01 (F2018/00392)**

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.

256/18

RESOLUTION: (Andrews/Stavrinos) that:

- a) in accordance with Clause 55(3) of the Local Government Act 1993, Council be exempt from tendering for the NSW EPA Clean-Up Action – Jack Vanny Reserve, Maroubra Beach due to extenuating circumstances given the urgent nature of the works required
- b) Ross Mitchell & Associates be accepted as the successful contractor for the above-mentioned remediation works.
- c) under Section 377(1) of the Local Government Act 1993 and delegation RT013, the General Manager be authorised to enter into a contract on behalf of Council; and
- d) unsuccessful contractors are notified.

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

That the meeting move back into open session.

Notice of Rescission Motions

A Rescission Motion in relation to Item MM51/18 (Mayoral Minute - Coogee Beach BBQ - Wattle Day 2018 - National Day of Action - Waiver of Fee (F2018/00096)) was submitted by Councillors Roberts, Hamilton and Stavrinou in accordance with Council's Code of Meeting Practice and will be considered at the Ordinary Council Meeting to be held on 25 September 2018.

There being no further business, Her Worship the Mayor, Cr L Shurey, declared the meeting closed at 11.30pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 25 September 2018.

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CHAIRPERSON