



## MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 28 JUNE 2022 AT 7.09PM

### Present:

The Mayor, Councillor D Parker (Central Ward)

Central Ward	-	Councillors D Rosenfeld & K Chapple (Deputy Mayor)
East Ward	-	Councillors J McCafferty, M Olive & M Wilson
North Ward	-	Councillors C Hamilton; K Neilson & R Pandolfini
South Ward	-	Councillors B Burst, N D'Souza & D Said
West Ward	-	Councillors A Hay, A Luxford & P Veitch

### 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

### Prayer & Acknowledgement of Local Indigenous People

The Council Prayer and the Acknowledgement of Local Indigenous People were read by the Mayor.

### Apologies/Granting of Leave of Absences

Nil.

### Confirmation of the Minutes

#### Confirmation of the Minutes of the Ordinary Council meeting held on Tuesday 24 May 2022

**RESOLUTION: (Rosenfeld/Luxford)** that the Minutes of the Ordinary Council meeting held on Tuesday 24 May 2022 (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

- Cr Rosenfeld declared a pecuniary interest in item GM11/22 as his wife works at a law firm that specialises in Aboriginal Land Title. Cr Rosenfeld will be taking no part in the debate or voting on this matter.
- Cr Rosenfeld declared a pecuniary interest in items CP23/22, CP29/22 & CP30/22 as he owns an investment unit which is in close proximity to 137-151 Anzac Parade Kensington. Cr Rosenfeld will be taking no part in the debate or voting on these matters.

- c) Cr Hay declared a significant pecuniary interest in Items CP23/22, CP29/22 and CP30/22 as it is close to a property owned and lived in by his mother. Cr Hay will not be taking part in the debate or voting on these matters.
- d) The Mayor declared a non-significant, non-pecuniary interest in Item GM9/22 as he is a patrolling and occasionally competing member of Maroubra Surf Lifesaving Club. He does not hold any office, actively participate in the management/administration of the organisation, nor does he engage in other activities to any significant extent which could be considered as giving rise to a particularly strong affiliation.
- e) The Mayor declared a non-significant, non-pecuniary interest in Item CP28/22 as the owner is known to the aunt of his partner. The Mayor is unaware of the extent of the relationship except that they know of each other. The Mayor will not be taking part in the debate or voting on this matter as he is unaware of the extent of the relationship.
- f) The Mayor declared a non-significant, non-pecuniary interest in Item NM39/22 as a personal friend of his works for the architect that designed the proposed amenities. The Mayor will not be taking part in the debate or voting on this matter.
- g) Cr Pandolfini declared a significant non pecuniary interest in Items CP29/22 and CP30/22 as she is Council's delegate on the Sydney Eastern City Planning Panel. Cr Pandolfini will not be taking part in the debate or voting on this matter.
- h) Cr Pandolfini declared a non-significant non pecuniary interest in Item NM50/22 as her daughter plays soccer at that particular park.
- i) The Mayor declared a non-significant, non-pecuniary interest in Item CS24/22 as he is employed by the State Member for Maroubra.

### 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:

- GM11/22 RECOMMENCEMENT OF LAND NEGOTIATION PROGRAM
- For** Mr Jason Brouff (Dept Planning & Environment)
- CS31/22 CLOVELLY FLOOD STUDY (PART OF WAVERLEY LGA FLOOD STUDY) - FLOOD PLAIN RISK MANAGEMENT COMMITTEE
- Against** Ms Tina Vant
- For** Ms Timea Nagy
- NM39/22 NOTICE OF MOTION FROM CR D'SOUZA - OPPOSING THE PROPOSED CONSTRUCTION OF PUBLIC TOILETS ADJACENT TO THE MALABAR OCEAN POOL
- For** Mr Glen McGregor
- NM43/22 NOTICE OF MOTION FROM CR ROSENFELD - INVESTIGATE RESTRICTED TIME PARKING IN SECTIONS OF MAROUBRA THAT ARE CLOSE PROXIMITY TO WESTFIELD EASTGARDENS AND PAGEWOOD GREEN
- For** Ms Maria Poulos (speaking via Teams)
- NM45/22 NOTICE OF MOTION FROM CR PANDOLFINI - ACTIVATE OFFICE SPACE AT BOWEN LIBRARY FOR ARTS & CULTURE RESIDENCIES
- For** Mr Douglas Lance Gibson (speaking via Teams)
- NM46/22 NOTICE OF MOTION FROM CR HAY - RAINBOW ST AND BYRD AVE BICYCLE CROSSING - EXTENDING RAINBOW STREET PUBLIC SCHOOL KISS AND RIDE WESTWARD

**For** Mr Craig Muldoon (Rainbow Street Public School P&C)

NM50/22 NOTICE OF MOTION FROM CR SAID - MEETING THE DEMANDS OF GROWING FEMALE PARTICIPATION IN FOOTBALL

**For** Ms Amy Singh (Coogee United Football Club)

**For** Mr Jaime Gomez (Eastern Suburbs Football Assoc)

**RESOLVED: (PROCEDURAL MOTION) (Luxford/Said)** that the meeting go into closed session to consider confidential mayoral minute MM21/22.

The Meeting was adjourned at 8.25pm and was resumed at 10.42pm.

### Mayoral Minutes

#### **MM19/22 Mayoral Minute - Financial Assistance and Donations - June to July 2022 (F2022/06574)**

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

- a) endorses a contribution of \$500.00, to be funded from the 2021-22 Contingency Fund, to assist with the development and printing of a commemorative book to mark the Clovelly Bowling Club's 75<sup>th</sup> Anniversary; and
- b) waives fees totaling \$663.00, to be funded from the 2022-23 Contingency Fund, associated with holding the Running for Premature Babies Kids Fun Run on 21 August 2022 at Grant Reserve, Coogee.

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

#### **MM20/22 Mayoral Minute - Art in Public Spaces (F2022/06574)**

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

- a) notes the Public Art Plan is being updated and implemented this year in line with Council's Arts and Culture Strategy; and
- b) considers the Inner West Council's Perfect Match Street Art program model in the development of the Public Art Plan.

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

#### **MM22/22 Mayoral Minute - Passing of Community Volunteer - Margaret Vazey (F2005/00266)**

**RESOLUTION: (Mayor, Cr D Parker)** that:

- a) Council sends its condolences to the Vazey family on the passing of Margaret Vazey;
- b) a minute's silence be observed as a mark of respect for the late Margaret Vazey; and
- c) after consultation with Margaret's family and The Friends of Malabar Headland, Council make a \$500.00 donation of suitable plants and also assist in planting if appropriate.

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

### Urgent Business

Nil.

**General Manager's Reports****GM9/22 General Manager's Report - 2022-26 Delivery Program and 2022-23 Operational Plan and Budget (F2022/03002)**

---

**RESOLUTION: (Said/Burst) that:**

- 143/22
- a) the 2022-26 Delivery Program and 2022-23 Operational Plan be adopted as per the attached, and that the General Manager be authorised to make minor administrative changes if required;
  - b) the Budget for 2022-23 be adopted as per the attached;
  - c) the Fees and Charges be adopted for 2022-23 as per the attached; and Council receive a report that considers the flexibility for non-commercial applicants to apply for fee reductions or waivers for the hire of community centres, rooms and halls;
  - d) Council make and levy the ordinary Residential Rate for 2022-23 under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.144287 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Residential;
  - e) Council make and levy the ordinary Business Rate for 2022-23, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.521546 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Business;
  - f) Council make and levy the ordinary Port Botany Business rate for 2022-23, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.831226 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;
  - g) Council make and levy the Environmental Levy special Rate for 2022-23, under s.495 and s.498(1)(b) and (2) of the Local Government Act 1993, as a rate of 0.011937 cents in the dollar on the land value of all rateable land within the City of Randwick;
  - h) Council make and levy the ordinary Residential minimum rate for 2022-23 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$937.90;
  - i) Council make and levy the ordinary Business minimum rate for 2022-23 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,511.38;
  - j) Council make and levy the Port Botany Business minimum rate for 2022-23 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,511.38;
  - k) Council make and levy the Domestic Waste Management Charge for 2022-23 under s.496 of the Local Government Act 1993, as \$637.85;
  - l) Council make and levy a Domestic Waste Management Charge for an upgrade service for additional capacity for 2022-23 under s.496 of the Local Government Act 1993, as \$306.90;
  - m) 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 \$319.60;
  - n) Council make and levy the Stormwater Management Service Charge for residential properties for 2022-23 under s.496A of the Local Government Act 1993, as \$25.00;
  - o) Council make and levy the Stormwater Management Service Charge for residential strata/Company titled properties for 2022-23 under s.496A of the Local Government Act 1993, as \$12.50;
  - p) Council make and levy the Stormwater Management Service Charge for business properties for 2022-23 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>;

- q) Council make and levy the Stormwater Management Service Charge for business strata/Company titled properties for 2022-23 under s.496A of the Local Government Act 1993, calculated in accordance with the land area as per business properties and then apportioned by unit entitlement subject to a minimum charge of \$5.00 per business strata lot;
- r) the interest rate on overdue rates for 2022-23 be set at the maximum rate as determined by the Minister for Local Government under s.566(3) of the Local Government Act 1993, of 6 per cent per annum;
- s) Council grant a further \$100 rebate in addition to the existing statutory \$250 pensioner concession in 2022-23 for eligible pensioners, with the additional rebate to be split \$75 to the Domestic Waste Management Charge and \$25 to the Environmental Levy; and
- t) the General Manager be delegated to make minor changes if required.

**MOTION: (Said/Burst) CARRIED - SEE RESOLUTION.**

**AMENDMENT: (Olive/Chapple)** that an additional clause (u) be added to the recommendation as follows:

- u) that Council:
  - donate the \$40,000.00 previously allocated to the South Sydney Rabbitohs Partnership in the 2022/23 Operational Budget wholly to Souths Cares Pty Ltd; and
  - reallocate the \$33,000.00 previously allocated to the Roosters Partnership in the 2022/23 Operational Budget Community to one of Council's Community Funding Programs, as appropriate. **LOST.**

Note: The Mayor left the meeting at this point during the debate on a foreshadowed amendment concerning the Maroubra Surf Club that did not eventuate.

**RESOLVED: (PROCEDURAL MOTION) (Luxford/Said)** that due to time constraints Councillors have a two minute maximum to address the meeting.

#### **GM10/22 General Manager's Report - 2022-32 Resourcing Strategy (F2022/00050)**

**RESOLUTION: (Chapple/Olive)** that:

- a) the Resourcing Strategy, be adopted as per the attached, consisting of the following:
  - a. Finance Strategy,
  - b. Long-term Financial Plan (LTFP),
  - c. Asset Management Strategy,
  - d. Asset Management Policy,
  - e. Asset Management Plans (X7) and
  - f. Information Management and Technology Strategy;
- b) the Workforce Strategy be endorsed as per the attached; and
- c) the General Manager be authorised to make minor administrative changes if required.

**MOTION: (Chapple/Olive) CARRIED - SEE RESOLUTION.**

#### **GM11/22 General Manager's Report - Recommencement of Land Negotiation Program (F2018/00105)**

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

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

- a) Council resolve to recommence and finalise the Land Negotiation Program (LNP);

- b) following the recommencement of the LNP a Councillor briefing be held to go through the status of all the identified land parcels and provide a detailed history of how agreement was reached on all parcels; and
- c) representatives from the LPLALC be invited to the briefing.

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

## Director City Planning Reports

### **CP23/22 Director City Planning Report - Public Notification of Voluntary Planning Agreement - 177-197 Anzac Parade, Kensington - DA/20/2021 (DA/672/2019)**

Note: Having previously declared an interest, Crs Hay and Rosenfeld left the meeting and took no part in the debate or voting on this matter.

**RESOLUTION: (Burst/D'Souza) that:**

- a) Council agree to enter into the Voluntary Planning Agreement in Attachment 1 pursuant to Section 7.5 of the Environmental Planning and Assessment Act 1979; and
- b) Council authorise the General Manager to make minor drafting changes to the draft Voluntary Planning Agreement as required, prior to its execution.

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 Pandolfini
Councillor Olive	Councillor Neilson
Councillor McCafferty	Councillor Veitch
Councillor Said	Councillor Luxford
Councillor Burst	Councillor Chapple
Councillor D'Souza	Councillor Wilson
Councillor Parker	
<b>Total (7)</b>	<b>Total (6)</b>

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

### **CP24/22 Director City Planning Report - Council Conflict of Interest Policy - Council Related Development (F2018/00147)**

**RESOLUTION: (Hamilton/Chapple) that Council:**

- a) note this report on the Government's proposal to introduce requirements for the preparation of a conflict of interest policy for council related development; and
- b) endorse the attached submission on the proposed changes.

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

**CP25/22 Director City Planning Report - Community Partnerships Funding Program  
2022-2023 Recommended Allocations (F2021/00139)**

148/22 **RESOLUTION: (Veitch/Said)** that Council:

- a) approve the allocation of \$111,490.00 to the seven successful organisations as listed above and detailed in this report, as well as the application for \$18,046.00 from The Sydney Story Factory to conduct creative writing workshops with students from Matraville High School as detailed in the full application list; and
- b) approve the remaining community partnerships budget to be rolled over to the 2023-24 Community Partnerships Budget.

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

**RESOLVED: (PROCEDURAL MOTION) (Burst/D'Souza)** that the meeting be extended to 12.30am.

**CP26/22 Director City Planning Report - Variation to Development Standard - Clause 4.6 -  
March 2022 - June 2022 (F2008/00122)**

149/22 **RESOLUTION: (Olive/Chapple)** that:

- (a) the report be received and noted; and
- (b) future reports add an extra column to the Clause 4.6 Register indicating the number of resident submissions that both object to and support each item.

**MOTION: (Olive/Chapple) CARRIED - SEE RESOLUTION.**

**CP27/22 Director City Planning Report - Utilisation of Randwick Town Hall and Barrett  
House for Arts and Cultural Purposes (F2004/07110)**

150/22 **RESOLUTION: (Neilson/D'Souza)** that Council:

- a) approves a reduction in the hire rates for the Randwick Town Hall for hirers using the facility for creative and cultural purposes at a \$500 daily hire rate Mon-Fri and a \$750 daily hire rate Sat-Sun for a period of 6 months (July – December 2022); but notes that if there is hire for other purposes the existing fees and charges would apply;
- b) allocates an amount of \$17 000.00 + GST towards installing the temporary hanging system to facilitate art exhibitions in the 22/23 operational plan & budget;
- c) allocates an amount of \$15 000.00 + GST to archive, store and hold a future exhibition of the existing design posters at Barrett House;
- d) approves an Expression of Interest for artists to activate Barrett House as a trial use of the space;
- e) notes that to implement the work outlined in this report, other deliverables on increasing utilisation of all Council venues as part of the Arts and Culture Strategy will need to be deferred pending the outcome of this trial which will inform the assessment of other venues; and
- f) investigate option B or similar improved hanging systems.

**MOTION: (Pandolfini/Veitch)** that staff investigate further including:

- this trial needs to be pursued with the vision of the Arts & Culture Strategy in mind. Option B and professional wall with a lighting system that will be attractive to hirers, and we will be able to see professional exhibitions mounted in this prestigious space;

- option B and the extent of utilisation by the curator at La Perouse Museum, International Women's Day Art award and so on;
- lower the proposed fee rates for Town Hall for independent artists/performers to \$1200 per week; and
- lower the proposed fee for Barrett House to \$700 per week as this is a very small space and is never used and starting with a lower rate will encourage usage and activation and can review the fees after a year. **LOST.**

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

FOR	AGAINST
Councillor Pandolfini	Councillor Hamilton
Councillor Veitch	Councillor Neilson
Councillor Chapple	Councillor Hay
Councillor Olive	Councillor Luxford
Councillor McCafferty	Councillor Rosenfeld
Councillor Burst	Councillor Wilson
	Councillor Said
	Councillor D'Souza
	Councillor Parker
<b>Total (6)</b>	<b>Total (9)</b>

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

**RESOLVED: (PROCEDURAL MOTION) (Burst/Rosenfeld)** that the confidential items be considered at this point in the meeting.

**CP28/22 Director City Planning Report - Planning Proposal - New Local Heritage Item - 11A Marcel Avenue, Coogee, and Extension to Moira Crescent Heritage Conservation Area in RLEP 2012. (F2016/00475)**

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

**RESOLUTION: (Rosenfeld/Neilson)** that Council:

- consider the advice provided by the Randwick Local Planning Panel at its meeting of 14 April 2022 (Attachment 3) and endorse the attached draft Planning Proposal to amend Schedule 5 to include 11A Marcel Avenue, Coogee, as a local heritage item and to extend the boundary of the Moira Crescent Heritage Conservation Area (to include the subject property);
- forward the attached draft Planning Proposal to the Department of Planning and Environment as delegate to the Minister for Planning requesting 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- exhibit the draft Planning Proposal following 'Gateway Determination' in accordance with the conditions of the Gateway Determination and bring back a report to Council detailing the results of the community consultation for final consideration by Council; and
- authorise the Director, City Planning to make typographical, grammatical or formatting changes to the documentation prior to submission to the Department of Planning and Environment.

**MOTION: (Rosenfeld/Neilson) 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 Pandolfini  
 Councillor Neilson  
 Councillor Veitch  
 Councillor Hay  
 Councillor Luxford  
 Councillor Chapple  
 Councillor Rosenfeld  
 Councillor Olive  
 Councillor McCafferty  
 Councillor Wilson  
 Councillor Said  
 Councillor D'Souza

**Total (13)**

**Total (0)**

**CP29/22 Director City Planning Report - 137-151 Anzac Parade, Kensington (DA/810/2021) (DA/810/2021)**

Note: Having previously declared an interest, Crs Hay, Pandolfini and Rosenfeld left the meeting and took no part in the debate or voting on this matter.

**RESOLUTION: (Hamilton/Burst)** that Council receive and note the determination meeting date set by the Sydney Eastern City Planning Panel and the status assessment of the development application for DA/810/2021 in relation to 137-151 Anzac Parade, Kensington.

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

**CP30/22 Director City Planning Report - Letter of Offer - 137-151 Anzac Parade, Kensington (Development Application DA/810/2021) (DA/810/2021)**

Note: Having previously declared an interest, Crs Hay, Pandolfini and Rosenfeld left the meeting and took no part in the debate or voting on this matter.

**RESOLUTION: (Hamilton/Burst)** that Council agrees to the terms contained in the attached letter of offer subject to:

- the Sydney Eastern City Planning Panel granting approval to the development; and
- the subsequent endorsement of a Voluntary Planning Agreement.

**MOTION: (Hamilton/Burst) 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 Neilson  
 Councillor Chapple  
 Councillor Olive  
 Councillor Said  
 Councillor Burst  
 Councillor D'Souza  
 Councillor Parker

Councillor Veitch  
 Councillor Luxford  
 Councillor McCafferty  
 Councillor Wilson

**Total (8)**

**Total (4)**

**Director City Services Reports****CS24/22 Director City Services Report - Bunnerong Road/Franklin Street/Perry Street intersection, Matraville - Traffic Improvements (F2020/00761)**

---

154/22

**RESOLUTION: (Said/D'Souza) that:**

- a) Council's transport officer organise an onsite meeting with TfNSW, representatives from South Ward, the State Member for Maroubra, Director City Services and the Mayor to discuss the possibility of an arrow pointing forwards;
- b) Council approach Transport for NSW seeking funding allocation for both the detailed design (~\$100,000) and/or implementation of the proposed changes (~\$350,000) at this intersection;
- c) upon receipt of funding from Transport for NSW, Council proceed with the final detailed design and implementation of traffic changes proposed at the Transport for NSW managed Bunnerong Road/Perry Street/Franklin Street intersection; and
- d) any trees and poles that have to be removed be relocated further down Bunnerong Road towards La Perouse.

**MOTION: (Said/D'Souza) CARRIED - SEE RESOLUTION.****CS25/22 Director City Services Report - Cycleways & Bicycle Facilities Advisory Committee - May 2022 (F2018/00158)**

---

155/22

**RESOLUTION: (Hamilton/Chapple) that the minutes of the Cycleways and Bicycle Facilities Advisory Committee Meeting held on 18 May 2022, be received and noted.****MOTION: (Hamilton/Chapple) CARRIED - SEE RESOLUTION.****CS31/22 Director City Services Report - Clovelly Flood Study (Part of Waverley LGA Flood Study) - Flood Plain Risk Management Committee (F2010/00108)**

---

156/22

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

- a) Council endorse the development of the new Clovelly Floodplain Risk Management Committee;
- b) Council endorse the three (3) North Ward Councillors as the nominated elected representatives to sit on the Clovelly Floodplain Risk Management Committee; and
- c) Council's Manager Technical Services acts as the "Chair" of the new committee.

**MOTION: (Neilson/Veitch) CARRIED - SEE RESOLUTION.****Director Corporate Services Reports****CO24/22 Director Corporate Services Report - New Data Management Policy and Associated Guidelines (F2020/00372)**

---

157/22

**RESOLUTION: (Hamilton/Chapple) that the Data Management Policy and four associated Guidelines be endorsed.****MOTION: (Hamilton/Chapple) CARRIED - SEE RESOLUTION.**

**CO25/22 Director Corporate Services Report - Local Government NSW - 2022 Annual Conference (F2004/06645)**

---

158/22

**RESOLUTION: (Chapple/Veitch) that:**

- a) Councillors interested in attending the 2022 Annual Conference of Local Government NSW (LGNSW) advise the General Manager as soon as possible;
- b) Council's nine voting delegates for the 2022 LGNSW Annual Conference to be three Councillors from the ALP, Liberal & Greens; and
- c) proposed motions for the 2022 LGNSW Annual Conference be submitted by 15 August 2022 (12 noon) at the latest to allow submission to the August 2022 Council meeting for consideration and submission to LGNSW within the requested timeline (being by 29 August 2022).

**MOTION: (Chapple/Veitch) CARRIED - SEE RESOLUTION.****CO26/22 Director Corporate Services Report - Code of Meeting Practice - Results of Public Exhibition (F2004/06570)**

---

159/22

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

- (a) the Code of Meeting Practice (including the amendments made at the Council meeting of 24 May 2022) be adopted; and
- (b) Council brings back a report into the feasibility of retaining all recordings of Ordinary Council Meetings.

**MOTION: (Hay/Hamilton) CARRIED - SEE RESOLUTION.****CO27/22 Director Corporate Services Report - Monthly Financial Report as at 31 May 2022 (F2021/00364)**

---

160/22

**RESOLUTION: (Hamilton/Chapple) that the Monthly Financial Report as at 31 May 2022 be received and noted.****MOTION: (Hamilton/Chapple) CARRIED - SEE RESOLUTION.****CO28/22 Director Corporate Services Report - Investment Report - May 2022 (F2016/06527)**

---

161/22

**RESOLUTION: (Hamilton/Chapple) that the Investment Report for May 2022 be received and noted.****MOTION: (Hamilton/Chapple) CARRIED - SEE RESOLUTION.****Petitions**

Nil.

**RESOLVED: (PROCEDURAL MOTION) (Hamilton/Rosenfeld) that all motions pursuant to notice be deferred to the July Ordinary Council meeting.**

**Motions Pursuant to Notice****NM37/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - 2022 Business Excellence Awards (F2021/00449)**

---

Deferred to the 26 July 2022 Council meeting.

**NM38/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - Amenities Room for Shaw Reserve, Kingsford (F2019/00243)**

---

Deferred to the 26 July 2022 Council meeting.

**NM39/22 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Opposing the Proposed Construction of Public Toilets Adjacent to the Malabar Ocean Pool (PROJ/10961/4)**

---

Deferred to the 26 July 2022 Council meeting.

**NM40/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - Vivid Sydney in Randwick 2023 and Beyond (F2012/00347)**

---

Deferred to the 26 July 2022 Council meeting.

**NM41/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - WorldPride 2023 (F2022/00803)**

---

Deferred to the 26 July 2022 Council meeting.

**NM42/22 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Increasing the Uptake of Renewables and Lowering Power Bills for Renters, Apartment Dwellers and Small Businesses in the Randwick LGA (F2019/00324)**

---

Deferred to the 26 July 2022 Council meeting.

**NM43/22 Motion Pursuant to Notice - Notice of Motion from Cr Rosenfeld - Investigate Restricted Time Parking in Sections of Maroubra that are in Close Proximity to Westfield Eastgardens and Pagewood Green (F2005/00750)**

---

Deferred to the 26 July 2022 Council meeting.

**NM44/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - Rainbow Street Rainbow (F2012/00347)**

---

Deferred to the 26 July 2022 Council meeting.

**NM45/22 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Activate Office Space at Bowen Library for Arts & Culture Residencies (F2021/00258)**

---

Deferred to the 26 July 2022 Council meeting.

**NM46/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - Rainbow St and Byrd Ave Bicycle Crossing - Extending Rainbow Street Public School Kiss and Ride Westward (F2012/00347)**

Deferred to the 26 July 2022 Council meeting.

**NM47/22 Motion Pursuant to Notice - Notice of Motion from Cr Burst - Council Investigate the Mix of Waste, Recycling & FOGO Bins in RCC Public Parks and Locations (F2019/00906)**

Deferred to the 26 July 2022 Council meeting.

**NM48/22 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Council Support for the BINS4Blokes Health Campaign (F2012/00347)**

Deferred to the 26 July 2022 Council meeting.

**NM49/22 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Randwick Cemetery Maintenance (F2008/00300)**

Deferred to the 26 July 2022 Council meeting.

**NM50/22 Motion Pursuant to Notice - Notice of Motion from Cr Said - Meeting the Demands of Growing Female Participation in Football (F2004/07111)**

Deferred to the 26 July 2022 Council meeting.

### Confidential Reports

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

**MM21/22 Confidential - Senior Staff - Personnel Matter (F2022/00422)**

*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).*

**MOTION: (Mayor D Parker)** that Council adopt the recommendation as set out in confidential mayor's minute MM21/22. **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 Neilson	Councillor Hamilton
Councillor Luxford	Councillor Pandolfini
Councillor Wilson	Councillor Veitch
Councillor Said	Councillor Hay
Councillor Parker	Councillor Chapple
Councillor D'Souza	Councillor Rosenfeld
	Councillor Olive
	Councillor McCafferty
	Councillor Burst
<b>Total (6)</b>	<b>Total (9)</b>

**CS26/22 Confidential - Provision of Lead Consultancy Services (Landscape Architect) for the Heffron Criterium Track – Tender No T2022-16 (F2021/00609)**

*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.*

162/22

**RESOLUTION: (Luxford/Rosenfeld) that:**

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2021, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, CLOUSTON Associates (Australia) Pty Ltd be accepted as the successful tenderer for T2012-16 Heffron Park Criterium Track and associated Works, Separable Portion 1 and Separable Portion 3;
- 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;
- c) unsuccessful tenderers are notified; and
- d) the 2021/22 and 2022/23 capital works budgets currently allocated to the project be assigned to the design and planning stages of the Heffron Criterium Track Project.

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

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

FOR	AGAINST
Councillor Hamilton	
Councillor Pandolfini	
Councillor Neilson	
Councillor Veitch	
Councillor Hay	
Councillor Luxford	
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (15)</b>	<b>Total (0)</b>

**CS27/22 Confidential - Paine Reserve Change Rooms and Amenities Design and Construct - Tender No T2022-24 (F2022/00263)**

*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/ Procurement )*

163/22

**RESOLUTION: (Hay/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, Rork Projects Pty Ltd be accepted as the successful tenderer for T2022-24 Paine Reserve Change Rooms and Amenities Design and Construct project, and be awarded the Contract;

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

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

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

FOR	AGAINST
Councillor Hamilton	
Councillor Pandolfini	
Councillor Neilson	
Councillor Veitch	
Councillor Hay	
Councillor Luxford	
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (15)</b>	<b>Total (0)</b>

**CS28/22 Confidential - Dunningham Reserve Amenities Upgrade - Tender No T2022-23 (F2022/00256)**

*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 / Procurement )*

**RESOLUTION: (Wilson/D'Souza) that:**

- a) Council receive and note the Community Consultation Outcome report noting significant support for the new Dunningham Amenities Project;
- b) 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, Patterson Building Group Pty Limited be accepted as the successful tenderer for T2022-23 Dunningham Reserve Amenities Design and Construct Project;
- c) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter a contract on behalf of Council; and
- d) unsuccessful tenderers are notified.

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

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

FOR	AGAINST
Councillor Hamilton	
Councillor Pandolfini	
Councillor Neilson	
Councillor Veitch	
Councillor Hay	

Councillor Luxford	
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (15)</b>	<b>Total (0)</b>

**CS29/22 Confidential - Meeks Street Plaza Upgrade Project - Tender No T2022-12 (F2020/00142)**

*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 / Procurement )*

**RESOLUTION: (Luxford/Hay) 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, CA&I Pty Ltd be accepted as the successful tenderer for T2022-12 Meek Street Plaza Upgrade Project;
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

**MOTION: (Luxford/Hay) CARRIED UNANIMOUSLY - 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 Hamilton	
Councillor Pandolfini	
Councillor Neilson	
Councillor Veitch	
Councillor Hay	
Councillor Luxford	
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (15)</b>	<b>Total (0)</b>

**CS30/22 Confidential - Heffron Centre Update - June 2022 (F2019/10812)**

*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.*

**RESOLUTION: (Olive/Veitch)** that:

- a) an addendum be added to the Heffron Centre Update showing: (1) Council's expected operating income that is forgone from one month's delay in the project; (2) any clauses in the contractual arrangements meant to cover this eventuality; and (3) Council's expected annual operating revenue and costs for the project; and
- b) this addendum be provided to Council at next month's Ordinary Council Meeting.

**MOTION: (Rosenfeld/Said)** that Council receive and note this report.

**AMENDMENT: (Olive/Veitch) CARRIED AND BECAME THE MOTION.**

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

The meeting moved back into open session.

**Notice of Rescission Motions**

Nil.

There being no further business, His Worship the Mayor, Cr D Parker, declared the meeting closed at 12.30am.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 26 July 2022.**

.....  
**CHAIRPERSON**