

**MINUTES OF ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 27 SEPTEMBER 2022 AT 7.07PM**

Present:

The Mayor, Councillor D Parker (Central Ward)

Central Ward	-	Councillors D Rosenfeld & K Chapple
East Ward	-	Councillors J McCafferty, M Olive & M Wilson
North Ward	-	Councillors C Hamilton; K Neilson & R Pandolfini (Deputy Mayor)
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
Acting Director City Planning	Mr R Wereszczynski
Director Corporate Services	Mr D MacNiven
Acting Manager Customer & Compliance	Ms J Hartshorn
Acting Communications Manager	Ms K Cragg

Prayer & Acknowledgement of Local Indigenous People

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

Apologies/Granting of Leave of Absences

Nil.

Requests to attend meeting by audio-visual link

A request to attend the meeting by audio-visual link was received from Cr Chapple due to travel commitments requiring her to be away from the local government area.

RESOLVED: (Neilson/Olive) that the request from Cr Chapple to attend this meeting by audio-visual link, due to travel commitments requiring her to be away from the local government area, be approved.

Confirmation of the Minutes

Confirmation of the Minutes of 23 August, 30 August and 6 September 2022 meetings

RESOLUTION: (Rosenfeld/Luxford) that the Minutes of the following Council meetings:

- Ordinary Council - 23 August 2022
- Extraordinary Council - 30 August 2022
- Extraordinary Council - 6 September 2022

be and are hereby confirmed as a correct record of the proceedings of those meetings.

RESOLVED (PROCEDURAL MOTION): (Said/Burst) that Item GM14/22 (Election of the Deputy Mayor) be brought forward and considered as the next item of business, prior to the addresses by the members of the public.

GM14/22 General Manager's Report - Election of Deputy Mayor (F2005/00751)

RESOLUTION: (Said/Burst) that:

- a) the Council elect a Deputy Mayor for the term until September 2023.
- b) the method of voting for the Deputy Mayor be by open voting (show of hands).
- c) the General Manager, as Returning Officer, calls nominations for the position of Deputy Mayor.
- d) should more than one nomination be received, the General Manager, as Returning Officer, read the names of the candidates for the position of Deputy Mayor.
- e) if necessary, an election be conducted in accordance with the Council's resolution made in relation to recommendation (b) for the position of Deputy Mayor.
- f) the General Manager, as Returning Officer, declare the Deputy Mayor elected for the term set by Council. carried

The General Manager, as Returning Officer, invited nominations in writing from Councillors for the Office of Deputy Mayor, in accordance with Schedule 7, Part 1, Clause 2 of the Local Government (General) Regulation. The General Manager declared the nominations closed.

Councillors Pandolfini and Rosenfeld were duly nominated for the Office of Deputy Mayor.

Councillors Pandolfini and Rosenfeld accepted the nominations in writing.

The General Manager advised, in accordance with Schedule 7, Part 4, Clause 13 of the Regulation, that the respective candidates received the following number of votes:

- Councillor Pandolfini – 9 votes
- Councillor Rosenfeld - 6 votes

The General Manager declared, in accordance with Schedule 7, Part 4, Clause 13 of the Regulation, that **COUNCILLOR PANDOLFINI** was **ELECTED as Deputy Mayor** for the term until September 2023.

The Meeting was adjourned at 7.24pm and was resumed at 7.32pm.

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Rosenfeld declared a pecuniary interest in Item CS49/22 as the company that he works for has a major client that has tendered for business covered in this item. Cr Rosenfeld indicated that he would not take part in the debate or the vote on this matter.
- b) Cr Rosenfeld declared a pecuniary interest in Item CS50/22 as the company that he works for has a major client that has tendered for business covered in this item. Cr Rosenfeld indicated that he would not take part in the debate or the vote on this matter.
- c) Cr Veitch declared a non-significant non pecuniary interest in Item CP53/22 as the speakers are known to her through the community.

- d) Cr Veitch declared a non-significant non pecuniary interest in Item NM79/22 as the speakers are known to her through the community.
- e) Cr Veitch declared a non-significant non pecuniary interest in NM80/22 as a member of the Executive Committee of LGNSW.
- f) Cr Olive declared a non-significant non pecuniary interest in Item CP53/22 as the speaker is known to him.
- g) Cr Hamilton declared a non-significant non pecuniary interest in Item CS44/22 as the speaker is known to her.
- h) Cr Hamilton declared a non-significant non pecuniary interest in Item CS48/22 as the speaker is known to her.
- i) Crs Burst, McCafferty, Pandolfini and Said declared a significant non-pecuniary interest in Item CP55/22 as Council delegates on the SECPP. Crs Burst, McCafferty, Pandolfini and Said indicated that they would not take part in the debate or the vote on this matter.
- j) Cr Rosenfeld declared a non-significant non pecuniary interest in Item CS44/22 as the speaker is known to him.
- k) Cr Hay declared a non-significant non pecuniary interest in Item CS44/22 as the speaker is known to him.
- l) Cr Hay declared a non-significant non pecuniary interest in Item NM79/22 as the speaker is known to him.
- m) Cr Pandolfini declared a non-significant non pecuniary interest in Item CP57/22 as she knows a lot of the people involved.

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:

CP53/22 THE COOGEE RAINBOW & WORLD PRIDE 2023

For Russell Weston

CS44/22 CLOVELLY ROAD AND CARRINGTON ROAD INTERSECTION - PROPOSED POCKET PARK

Against Angela Burrill (via Teams)

CS48/22 DONCASTER AVENUE AND ASCOT STREET - CENTENNIAL PARK TO KINGSFORD CYCLEWAY - PROPOSED INTERSECTION INTERVENTION

For Steve McMahon (representing the ATC)

NM79/22 NOTICE OF MOTION FROM CR HAY - MEASURES TO COUNTERACT ANTISOCIAL BEHAVIOUR IN INGLIS PARK

Against Katja Klikauer

For Rob Kardos

NM85/22 NOTICE OF MOTION FROM CR PANDOLFINI - CO-EDUCATION PUBLIC HIGH SCHOOL CHOICES FOR FAMILIES IN RANDWICK

For Katharine Hole (via Teams)

PROCEDURAL MOTION: (Veitch/Chapple) that the matters that there were speakers on, be brought forward for consideration as the next items of business. **LOST.**

Mayoral Minutes

MM33/22 Mayoral Minute - Vale Queen Elizabeth II (F2022/06574)

214/22

RESOLUTION: (Mayor, Cr Parker) that Council hold a minute silence acknowledging the passing of Her Majesty Queen Elizabeth II, Australia's Monarch and Head of State.

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

MM34/22 Mayoral Minute - Vale Uncle Kevin Kelly (F2022/06574)

215/22

RESOLUTION: (Mayor, Cr Parker) that Council hold a minute silence in remembrance of Uncle Kevin Kelly and extend condolences to the family for their loss.

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

MM35/22 Mayoral Minute - Financial Assistance and Donations - September to October 2022 (F2022/06574)

216/22

RESOLUTION: (Mayor, Cr Parker) that Council:

- a) notes the waiving of the venue hire fees totalling \$2,750, funded from the 2022-23 Contingency Fund, associated with the Maroubra Saints Presentation Day that was held at the Prince Henry Centre on 18 September 2022;
- b) donates \$500, to be funded from the 2022-23 Contingency Fund, to the Randwick City Football Club in support for the Purple Hearts program;
- c) donates plants to the value of \$500 from Council's Nursery, to be funded from the 2022-23 Contingency Fund, to the Coast Centre for Seniors for the plant stall being held in October; and
- d) approves the waiving of the venue hire fees totalling \$2,643.50, to be funded from the 2022-23 Contingency Fund, associated with the fundraising event for Bobby Gallegan being held at the Prince Henry Centre on 1 October 2022.

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

MM36/22 Mayoral Minute - Annual pop-up music program as part of Summer in Randwick City (F2022/06574)

217/22

RESOLUTION: (Mayor, Cr Parker) that Council brings back a report on the feasibility of re-instating the annual pop-up music program as part of Summer in Randwick City, for inclusion in the 2023-24 Budget.

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

MM37/22 Mayoral Minute - Alfresco Dining in Randwick (F2022/06574)

218/22

RESOLUTION: (Mayor, Cr Parker) that Council brings back a report investigating the Inner West and City of Sydney Councils' models for alfresco dining with accompanying recommendation for a 2023-24 Budget allocation to be funded by Council.

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

MM39/22 Mayoral Minute - Renewed concerns for proposed cruise ship terminal at Yarra Bay (F2022/06574)

219/22

RESOLUTION: (Mayor, Cr Parker) that Council:

- a) continues to strongly oppose the building of a cruise ship terminal at Yarra Bay;
- b) writes to the Minister for Transport to urgently seek clarification on the status of the proposal;
- c) develops a communications plan to inform the community of the update and Council's actions, calling on the NSW Government to rule out a cruise ship terminal for Yarra Bay; and
- d) write to the Federal Minister for Defence Richard Marles to reopen the Garden Island Option.

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

MM40/22 Mayoral Minute - 20th Anniversary of the Bali bombings - Contribution towards Coogee Dolphins commemorative event (F2022/06574)

220/22

RESOLUTION: (Mayor, Cr Parker) that Council contribute \$5,000 towards the Coogee Dolphins event commemorating the 20th anniversary of the Bali bombings, to be funded from the 2022-23 Contingency Fund.

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

Urgent Business

UB49/22 Cr Michael Olive - Preliminary heritage assessment of the building at 3 Berwick Street, Coogee

RESOLVED: (Olive/Neilson) that Item UB49/22 (Preliminary heritage assessment of the building at 3 Berwick Street, Coogee) be considered as urgent business.

221/22

RESOLUTION: (Olive/Neilson) that:

- a) Council officers urgently undertake a preliminary heritage assessment of the building at 3 Berwick Street, Coogee to determine if it is likely to be found, on further inquiry and investigation, to be of local heritage significance;
- b) it is noted 1, 3 and 5 Berwick Street form a cluster of interwar buildings; and
- c) if the preliminary heritage assessment is suggestive of 3 Berwick Street having local heritage significance, then an interim heritage order be placed on the property so its heritage values can be fully assessed.

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

Total (13)**Total (2)**

The meeting was adjourned at 8.58pm and was resumed at 9.07pm.

General Manager's Reports

GM15/22 General Manager's Report - Quarterly Progress Report - June 2022 (F2019/01018)

222/22

RESOLUTION: (Luxford/Burst) that the information contained in the June 2022 Quarterly Progress Report for the 2021-22 Annual Operational Plan be received and noted.

MOTION: (Luxford/Burst) CARRIED - SEE RESOLUTION.

GM16/22 General Manager's Report - Public Comment to the Media Policy (F2021/02116)

223/22

RESOLUTION: (Neilson/Said) that:

- a) Council endorses the Public Comment to the Media Policy, subject to amendment to point:
 2. Council Directors, Managers and specialist staff may comment or provide information on matters of fact and other matters not involving opinion, interpretation of Council policy or making predictions as to future Council actions, only with the prior approval of the General Manager (delete "or Manager Communications").
 - Add, if necessary to improve timeliness, that the General Manager ensures that appropriate arrangements are made to ensure that a prompt and timely response can be made by the Manager Communications.
- b) the Public Comment to the Media Policy be reconsidered in 12 months' time.

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

GM17/22 General Manager's Report - Street Banner Policy update 2022 (F2019/00660)

224/22

RESOLUTION: (Hamilton/Rosenfeld) that a report be prepared outlining flying banners concerning the following topics; Mardis Gras, International Womens' Day (IWD), Reconciliation Week and NAIDOC Week.

MOTION: (Veitch/Olive) that a report be prepared outlining flying banners concerning the following topics Mardis Gras, IWD, Reconciliation week and NAIDOC week and subject to;

- No banner hire promoting horseracing, gambling, alcohol, tobacco or fossil fuels.

AMENDMENT: (Hamilton/Rosenfeld) that a report be prepared outlining flying banners concerning the following topics Mardis Gras, International Womens' Day (IWD), Reconciliation Week and NAIDOC Week. **CARRIED AND BECAME THE MOTION.**

AMENDMENT: (Veitch/Olive) that a further report be prepared in relation to:

- a) Additional banners in Kingsford and Kensington
 - b) Banners celebrating Mardi Gras for two - four weeks
 - c) Banners celebrating International Women's Day (UN Theme) for two - four weeks
 - d) Banners celebrating Reconciliation week and NAIDOC week – two-four weeks each, and
 - e) no banner hire promoting horseracing, gambling, alcohol, tobacco or fossil fuels Councillors.
- LOST.**

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

FOR

Councillor Pandolfini

AGAINST

Councillor Hamilton

Councillor Neilson
Councillor Veitch
Councillor Chapple
Councillor Olive

Total (5)

Councillor Hay
Councillor Luxford
Councillor Rosenfeld
Councillor McCafferty
Councillor Wilson
Councillor Said
Councillor Burst
Councillor D'Souza
Councillor Parker
Total (10)

MOTION: (Hamilton/Rosenfeld) CARRIED – SEE RESOLUTION.

GM18/22 General Manager's Report - Community Engagement Strategy (F2022/00271)

RESOLUTION: (Veitch/D'Souza) that

- a) Council endorse the Community Engagement Strategy for public exhibition for 28 days; and
- b) include a table comparing the Community Participation Plan and proposed strategy in the draft for exhibition.

MOTION: (Veitch/) CARRIED - SEE RESOLUTION.

GM19/22 General Manager's Report - Organisation Structure Review (F2004/08214)

RESOLUTION: (Rosenfeld/Said) that Council;

1. adopt the recommended organisational structure; and
2. determine that the new structure contain five senior staffing positions including:
 - General Manager
 - Director City Planning
 - Director City Services
 - Director Corporate Services
 - Director Community and Culture.

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

GM20/22 General Manager's Report - The use of stalls at Council events (F2014/00608)

RESOLUTION: (Said/Hamilton) that:

- a) Council confirm for future events including stalls, clear eligibility criteria be established by the General Manager or his/her delegate, along with acceptance or rejection of applicants under the authority of general operational delegations.
- b) in setting the eligibility criteria, political parties, candidates for election and local councillors not be eligible to participate as a stall holder.

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

RESOLVED: PROCEDURAL MOTION (Hay/Hamilton) that Items CS48/22 and NM80/22 be considered as the next items of business, then followed by the confidential items and then standing orders be resumed.

CS48/22 Director City Services Report - Doncaster Avenue and Ascot Street - Centennial Park to Kingsford Cycleway - Proposed Intersection Intervention (PROJ/10180/1527782/8)

228/22

RESOLUTION: (Luxford/Hamilton) that Council:

- a) receive and note this report;
- b) take carriage of the re-design and construction project at the Doncaster Avenue and Ascot Street (only) intersection from TFNSW; and
- c) note a subsequent report will be brought back to Council with the revised Concept Design, budget and funding strategy for approval prior to moving to construction.
- d) make representations to Transport for NSW and the Hon David Elliot – Minister for Transport for NSW, regarding assistance for the temporary traffic calming devices and controls required.

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

NM80/22 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - LGNSW 2022 Annual Conference - Survey of bullying & harassment in the Local Government Sector (F2004/06645)

229/22

RESOLUTION: (Veitch/Pandolfini) that:

- a) Council endorses the following motion to be submitted to the Local Government NSW 2022 Annual Conference; and
- b) the General Manager be delegated the authority to make any minor amendments to the wording of this motion if requested by LGNSW and agreed to by the mover of the motion.

Text of motion:

That Local Government NSW calls on the NSW State Government to:

1. undertake a state-wide survey and review of elected councillors and local government staff on bullying, harassment, intimidation and other harmful behaviours as soon as practicable or in the 2023-24 financial year, to improve workplace and councillor safety;
2. that the results of the survey and review be reported back to the Minister for Local Government, LGNSW and all councils, for further action if required.

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

Following consideration of the Closed Session items, Council resumed in Open Session at 11.28pm.

RESOLVED: PROCEDURAL MOTION (Burst/Rosenfeld) that the meeting be extended by 60 minutes (to 12.30am).

RESOLVED: PROCEDURAL MOTION (Rosenfeld/Burst) that, for the remaining matters on the agenda, a limit of two speakers for and two speakers against each matter be allowed and that debate be limited to two minutes per Councillor.

Director City Planning Reports

CP52/22 Director City Planning Report - Coogee Carols 2022 Update (F2022/00445)

230/22

RESOLUTION: (Hay/Luxford) that Council endorses an increase of \$90,000 in the budget for the Coogee Carols 2022 event from \$190,000 to \$280,000, for inclusion in the September Quarterly Budget Review.

MOTION: (Neilson/Veitch) that:

- a) Council endorses an increase of \$90,000 in the budget for the Coogee Carols 2022 event from \$190,000 to \$280,000, for inclusion in the September Quarterly Budget Review.

- b) a report come back to council in relation to the costs for Coogee New Years Eve fireworks events.
- c) the fireworks be removed from the Coogee Carols events. **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 Neilson	Councillor Hay
Councillor Veitch	Councillor Luxford
Councillor Chapple	Councillor Rosenfeld
Councillor Olive	Councillor McCafferty
Councillor Wilson	Councillor Burst
Councillor Said	Councillor D'Souza
	Councillor Parker
Total (7)	Total (8)

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

CP53/22 Director City Planning Report - The Coogee Rainbow & World Pride 2023 (F2022/00421)

231/22

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

- a) endorse the updating of the Coogee Rainbow to include the pride progress flag colours, as shown in Option 1 as attached, resulting in a \$20,000 negative variation in the September budget review.
- b) notes the proposed events and activities to be held at the Coogee Rainbow for Mardi Gras and WorldPride, included as part of the schedule of Council events.
- c) endorses the Coogee Rainbow to be included as part of the WorldPride '45 Rainbows'.
- d) does not proceed with a large temporary artwork of a rainbow or additional event in the Kingsford Rainbow Street parking lot, and instead focuses on the activities and event planned for Coogee to celebrate the Mardi Gras and WorldPride.

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

CP54/22 Director City Planning Report - Draft Coastal Design Guide submission (F2019/00175)

232/22

RESOLUTION: (Neilson/D'Souza) that Council endorse the draft submission to the Department of Planning and Environment on the draft Coastal Design Guide, subject to it being amended to include in the appropriate section of the submission;

A commitment should be made to regular and timely review of the guidelines within 10 years, as the greatest uncertainty in planning for the coast relates to climate change and a decadal timescale is useful to climate change monitoring and planning.

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

CP55/22 Director City Planning Report - 391-397A Anzac Parade & 17 Bunnerong Road, Kingsford (DA/311/2020/B)

Note: Having previously declared an interest, Crs Burst, McCafferty, Pandolfini and Said left the chamber and took no part in the debate or voting on this matter.

233/22

RESOLUTION: (Hamilton/Rosenfeld) that Council notes:

- a) the detailed assessment report for modification application DA/311/2020/B (391 Anzac Parade Kingsford) including the recommendation has been published on the Sydney Eastern City Planning Panel's website; and
- b) that the subject application in relation to DA/311/2020/B for 391-397A Anzac Parade & 17 Bunnerong Road, Kingsford, will be determined by the Sydney Eastern City Planning Panel on 29 September 2022.

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

Crs Burst, McCafferty, Pandolfini and Said returned to the meeting at this point (11.56pm).

CP56/22 Director City Planning Report - Activate Office Space at Bowen Library for Arts & Cultural Residences. (F2004/08383)

234/22

RESOLUTION: (Rosenfeld/Said) that:

- a) Council approves the activation of 'Space to Create on level 3 at the Lionel Bowen Library for a 6 to 12 month period through the developed Expression of Interest.
- b) Council endorses the public exhibition of the recommended nominal weekly fee/bond table for public advertisement in accordance with the Local Government Act Section 610F 3(b).
- c) a report be brought to Council at the end of the trial recommending whether to continue 'Space to Create' as a permanent arts and cultural residency.

MOTION: (Rosenfeld/Said) CARRIED - SEE RESOLUTION.**Director City Services Reports****CS43/22 Director City Services Report - Community Language Collections at Council's Libraries (F2022/06574)**

235/22

RESOLUTION: (Rosenfeld/Said) that:

- a) Randwick City Library continues to provide permanent collections in community languages based on demographical data and usage statistics as per its Collection Development Strategy and Guidelines
- b) Randwick City Library continues to provide access to community languages that are not widely spoken via the free bulk loan service provided by the State Library of NSW and by encouraging its Culturally and Linguistically Diverse members to make use of the free reciprocal membership with other libraries in NSW that hold permanent collections in their language.
- c) The trial of Bengali books from the State Library of NSW at Randwick City Library be extended a further 6 months to increase awareness and use of this collection.

MOTION: (Rosenfeld/Said) CARRIED - SEE RESOLUTION.**CS44/22 Director City Services Report - Clovelly Road and Carrington Road Intersection - Proposed Pocket Park (F2021/00655)**

236/22

RESOLUTION: (Hamilton/D'Souza) that:

- a) Council endorses the Final Concept Design for the Pocket Park at Clovelly Road and Carrington Road Intersection, Clovelly, and
- b) the proposal proceeds to design development and documentation. CARRIED.

MOTION: (Neilson/Luxford) that:

- a) Council not proceed with the current design proposals for the Pocket Park at Clovelly Road intersection and Carrington Road, Clovelly;
- b) a smaller far more modest design be developed which more accurately responds to the site originally identified from our Clovelly Road Masterplan;
- c) the slip lane on Clovelly Road be retained in the new design; and
- d) grant funding from the NSW Public Spaces Legacy Program be returned to the relevant authority. **LOST.**

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

FOR	AGAINST
Councillor Neilson	Councillor Hamilton
Councillor Luxford	Councillor Pandolfini
Councillor Wilson	Councillor Veitch
Councillor Said	Councillor Hay
Councillor Burst	Councillor Chapple
Councillor D'Souza	Councillor Rosenfeld
Councillor Parker	Councillor Olive
	Councillor McCafferty
Total (7)	Total (8)

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

CS45/22 Director City Services Report - Malabar Memorial Hall - Result of Community Consultation and Project Current Financial Position (PROJ/10732/2015/4)

RESOLUTION: (Rosenfeld/Said) that Council:

- a) receive and note the community consultation findings;
- b) acknowledge the project's current financial position will result in a negative budget variation at the September Quarterly Budget Review of \$103,000; and
- c) endorse the proposed Malabar Memorial Hall and Malabar Library upgrade proposal for Development Application submission

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

CS46/22 Director City Services Report - Cycleways & Bicycle Facilities Advisory Committee - August 2022 (F2018/00158)

RESOLUTION: (Rosenfeld/Said) that the Minutes of the Cycleways and Bicycle Facilities Advisory Committee Meeting held on 17 August 2022 be received and noted.

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

CS47/22 Director City Services Report - Neptune Reserve Outdoor Gym - Monitoring Outcomes (F2019/01192)

RESOLUTION: (Rosenfeld/Said) that the report be received and noted.

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

Director Corporate Services Reports**CO38/22 Director Corporate Services Report - Councillors Expenses and Facilities Policy – carer's expenses (F2004/06576)**

240/22

RESOLUTION: (Neilson/Pandolfini) that:

- a) the Councillor Expenses and Facilities Policy be adjusted to increase, the carer expense limit to \$6,000 per Councillor per annum.
- b) the Councillor Expenses and Facilities Policy be publicly exhibited in accordance with section 253(5) of the Local Government Act.

MOTION: (Neilson/Pandolfini) CARRIED - SEE RESOLUTION.**CO39/22 Director Corporate Services Report - Draft 2021-22 Financial Statements (F2021/01406)**

241/22

RESOLUTION: (Rosenfeld/Said) that in relation to the financial statements required in accordance with section 413 of the Local Government Act 1993 (the Act):

- a) Council resolves that in its opinion the General Purpose Financial Statements and Special Schedules for the year ended 30 June 2022:
 - have been properly drawn up in accordance with the provisions of the Act and the associated Regulations there under, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting;
 - 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
 - the Council is unaware of any matter that would render the financial statements false or misleading in anyway.
- b) Council declares that there are no business activities requiring the preparation of Special Purpose Financial Statements.
- c) the Statement by Councillors and Management for the General Purpose Financial Statements be signed by the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer.
- d) the Financial Statements be referred to the Audit Office of NSW for audit.
- e) arrangements be made to place copies of the audited Financial Statements on public exhibition and the necessary advertisements be published.
- f) a copy of the audited Financial Statements be forwarded to the NSW Office of Local Government.
- g) the audited Financial Statements be presented at a meeting of Council to be held in accordance with Section 418 of the Act.

MOTION: (Rosenfeld/Said) CARRIED - SEE RESOLUTION.**CO40/22 Director Corporate Services Report - 2021-22 Budget Carry Over (F2021/00364)**

242/22

RESOLUTION: (Rosenfeld/Said) that the 2022-23 funding Carry Over Schedule be adopted as per Attachment A.**MOTION: (Rosenfeld/Said) CARRIED - SEE RESOLUTION.**

**CO41/22 Director Corporate Services Report - Investment Report - August 2022
(F2016/06527)**

243/22 **RESOLUTION: (Rosenfeld/Said)** that the Investment Report for August 2022 be received and noted.

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

CO42/22 Director Corporate Services Report - Monthly Financial Report as at 31 August 2022 (F2021/00364)

244/22 **RESOLUTION: (Rosenfeld/Said)** that the Monthly Financial Report as at 31 August 2022 be received and noted.

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

**CO43/22 Director Corporate Services Report - Reschedule October Council meeting
(F2004/06565)**

245/22 **RESOLUTION: (Rosenfeld/Said)** that the 25 October 2022 Council meeting be rescheduled to Tuesday 18 October 2022 due to 25 October conflicting with the Annual Conference of LGNSW in the Hunter Valley.

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

CO46/22 Director Corporate Services Report - Council representation on outside committees (F2005/00775)

246/22 **RESOLUTION: (Rosenfeld/Said)** that the current representation on outside and advisory committees appointed at the 30 December 2021 Extraordinary Council meeting be extended to September 2023 to align with the appointment of delegates to all other committees.

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

Motions Pursuant to Notice

NM74/22 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Passing of Queen Elizabeth II (F2012/00347)

247/22 **RESOLUTION: (Rosenfeld/Burst)** that Council:

- a) acknowledge the passing of HRH Queen Elizabeth II and recognise her 70 years of service to Great Britain, the United Kingdom, Northern Ireland and the Commonwealth; and
- b) recognise HRH Elizabeth II's charitable work and makes a donation to one of her charities.

MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.

NM75/22 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Problem boat, trailer and truck parking (F2018/00250)

248/22 **RESOLUTION: (Rosenfeld/Burst)** that Council receive a report detailing options to limit or reduce the amount of boats, trailers and trucks parked on Council owned or managed roads and land in the Randwick LGA.

MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.

NM76/22 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Repair and maintenance delays on TfNSW owned and managed roads (F2008/00263)

249/22

RESOLUTION: (Rosenfeld/Burst) that Council:

1. acknowledges the increasing volume of resident complaints re potholes, damaged and noisy pit covers and other poorly maintained state road infrastructure which creates hazards for motorists and bike riders, and noise impacts for residents;
2. notes further that Council is not authorised or funded to maintain or repair state roads, and there are often significant delays when residents and Council staff request TfNSW to make repairs;
3. request that the Mayor write to representatives of TfNSW and also arrange a meeting to seek their urgent assistance in addressing this problem and to facilitate the maintenance and prompt repair of state managed roads.

MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.**NM77/22 Motion Pursuant to Notice - Notice of Motion from Cr Burst - Investigate adding left lane at Endeavour Avenue, turning into Anzac Parade intersection (F2006/00229)**

250/22

RESOLUTION: (Rosenfeld/Burst) that Council's Traffic Committee investigate adding a left lane at Endeavour Ave turning into Anzac Parade intersection.**MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.****NM78/22 Motion Pursuant to Notice - Notice of Motion from Cr Burst - Investigate PUDO locations across Randwick City Council (F2014/00528)**

251/22

RESOLUTION: (Rosenfeld/Burst) that Council's Traffic Committee investigate PUDO (Pick up, Drop off) locations across all areas of Randwick City Council including activated areas around shopping hubs and entertainment hubs.**MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.****NM79/22 Motion Pursuant to Notice - Notice of Motion from Cr Hay - Measures to counteract antisocial behaviour in Inglis Park (F2008/00298)**

252/22

RESOLUTION: (Hay/Burst) that this matter be deferred to the October 2022 Council meeting.**MOTION: (Hay/Burst) CARRIED - SEE RESOLUTION.****NM81/22 Motion Pursuant to Notice - Notice of Motion from Cr Olive - Installing a location appropriate sign between Randwick Environment Park and Munda Street Reserve (F2006/00254)**

253/22

RESOLUTION: (Rosenfeld/Burst) that Council investigate installing a location appropriate sign between Randwick Environment Park and Munda Street Reserve on the western walkway to indicate where one finishes and the other ends.**MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.****NM82/22 Motion Pursuant to Notice - Notice of Motion from Cr Olive - Public Whale Watching Binoculars (F2013/00113)**

254/22

RESOLUTION: (Olive/Rosenfeld) that Council note:

- a) the increase in whale numbers travelling up and down Australia's eastern seaboard;

- b) the removal of Humpback whales from Australia's threatened species list in February 2022;
- c) community interest in watching whales from the shore during migration season;
- d) the number of spectacular vantage points for whale watching along the Randwick City Council section of the eastern beaches 'coastal walk' and
- e) investigate the installation of free, public binoculars and signage detailing whale species and migration patterns at strategic vantage points along the coastal walk. **CARRIED**

AMENDMENT: (Rosenfeld/Burst) that Council note:

- a) the increase in whale numbers travelling up and down Australia's eastern seaboard;
 - b) the removal of Humpback whales from Australia's threatened species list in February 2022;
 - c) community interest in watching whales from the shore during migration season;
 - d) the number of spectacular vantage points for whale watching along the Randwick City Council section of the eastern beaches 'coastal walk' and
- investigate the installation of signage detailing whale species and migration patterns at strategic vantage points along the coastal walk. **LOST.**

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

FOR	AGAINST
Councillor Hamilton	Councillor Pandolfini
Councillor Hay	Councillor Neilson
Councillor Luxford	Councillor Veitch
Councillor Rosenfeld	Councillor Chapple
Councillor McCafferty	Councillor Olive
Councillor Burst	Councillor Wilson
Councillor D'Souza	Councillor Said
	Councillor Parker
Total (7)	Total (8)

MOTION: (Olive/Rosenfeld) CARRIED - SEE RESOLUTION.

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

FOR	AGAINST
Councillor Pandolfini	Councillor Hamilton
Councillor Neilson	Councillor Hay
Councillor Veitch	Councillor Rosenfeld
Councillor Luxford	Councillor McCafferty
Councillor Chapple	
Councillor Olive	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
Total (11)	Total (4)

RESOLVED: PROCEDURAL MOTION (Burst/Chapple) that the meeting be extended meeting by 30 minutes (to 1.00am).

NM83/22 Motion Pursuant to Notice - Notice of Motion from Cr Olive - Managing bushland at the Pioneer Park entrance to the Malabar Headland National Park (F2004/06759)

RESOLUTION: (Rosenfeld/Burst) that, in reference to the bushland at the Pioneer Park entrance to the Malabar Headland National Park, Council:

- a) write a letter to Friends of Malabar Headland (FoMH) giving them permission to weed unsupervised along the fence line;

- b) also investigate and report back on the introduction of a supervised bush care group to work in this area and the resources required;
- c) establish a dialogue between FoMH, National Parks and Council to determine the needs of this area;
- d) recognise the importance of reduced herbicide spraying in favour of hand weeding and limited use direct application herbicides.

MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.

NM84/22 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Partnership with Sydney Biennale for 24th edition in 2024 (F2010/00450)

RESOLUTION: (Rosenfeld/Burst) that Council:

- a) reach out to the Sydney Biennale to explore a partnership for the upcoming Biennale in 2024 while they are in the planning stage;
- b) engage with the Sydney Biennale with the First Nations community, artists and cultural history at the fore; and
- c) consider a range of sites as possible locations including but not limited to The Stables, Newmarket, The Randwick Literary Centre, The Randwick Town Hall and Blenheim House.

MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.

NM85/22 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Co-education public high school choices for families in Randwick (F2012/00347)

RESOLUTION: (Rosenfeld/Burst) that Council:

- a. notes that many families in Randwick do not have a guaranteed choice of a co-ed public high school unlike many other areas within Sydney;
- b. notes that in a survey conducted by the Department of Education, 67% of families would like a co-ed public high school option;
- c. notes the need for a plan to improve school infrastructure and provide families with co-ed public high school choice for the more than 135,000 residents within the Randwick Council area;
- d. write to the NSW Minister for Education and Early Learning the Hon. Sarah Mitchell MLC calling on her to:
 - i. set out by March 2023 the Government's plan for meeting the public high school needs of families in the Eastern Suburbs, including how these will be accessible by public transport within the 30-minute city goal; and
 - ii. engage with the school community to provide an update on how they will progress a guaranteed co-ed public school option.

MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.

NM86/22 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Investigate new Randwick Art Prize (F2004/07110)

RESOLUTION: (Pandolfini/Veitch) that Council investigate and present a report into the possibility of creating new art prize for Randwick:

- i. The potential of a partnership with UNSW and the Prince of Wales Hospital.
- ii. With a theme focusing on Art & Health
- iii. Include youth and adult categories and all gender involvement.
- iv. Investigate the opportunities of growing Randwick's art collection through an acquisitive category.

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

NM87/22 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Restrict advertising from coal, oil & gas products across Council owned sites (F2004/08227)

MOTION: (Pandolfini/Veitch) that, in recognition of the health and climate impacts of fossil fuels, Council calls for a report investigating that:

- a) advertising for coal, oil and gas products or companies will not be accepted on any Council controlled signage or property;
- b) Council will not accept sponsorships from companies whose main business is the extraction or sale of coal, oil or gas; and
- c) the relevant policies are updated to reflect the above. **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 Neilson	Councillor Hay
Councillor Veitch	Councillor Luxford
Councillor Chapple	Councillor Rosenfeld
Councillor Olive	Councillor McCafferty
Councillor Parker	Councillor Wilson
	Councillor Said
	Councillor Burst
	Councillor D'Souza
Total (6)	Total (9)

NM88/22 Motion Pursuant to Notice - Notice of Motion from Cr Chapple - Malabar Headland missing link (F2004/06759)

RESOLUTION: (Chapple/Said) that:

- a) the Mayor write to the NSW Environment Minister and the Property Project Unit at the Department of Finance Canberra requesting an update on plans for construction of the accessible missing link to the Malabar Headland National Park linking the South Maroubra carpark to the beginning of the walk.
- b) Council consider the accessible missing link to the Malabar Headland National Park linking the Fisherman's Road carpark to the beginning of the walk.

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

NM89/22 Motion Pursuant to Notice - Notice of Motion from Cr Chapple - Rating options for Airbnb and short-term letting (F2006/00158)

RESOLUTION: (Chapple/Olive) that:

- a) Council officers prepare a report considering options for properties primarily used for short-term letting including options for rate variations or other appropriate responses; and
- b) the report consider best practice across NSW particularly in areas where short term letting is exacerbating housing shortages and affordability. .

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

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

FOR	AGAINST
Councillor Pandolfini	Councillor Hamilton
Councillor Neilson	Councillor Hay
Councillor Veitch	Councillor Luxford
Councillor Chapple	Councillor Rosenfeld
Councillor Olive	Councillor McCafferty
Councillor Wilson	Councillor Burst
Councillor Said	Councillor D'Souza
Councillor Parker	
Total (8)	Total (7)

Questions with Notice

Nil .

Notice of Rescission Motions

Nil

The meeting was adjourned at 10.36pm and was resumed at 10.47pm.

Confidential reports (closed session)

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

Closed Session

MM38/22 Confidential - General Manager's Performance Review 2021-2022 (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).

RESOLUTION: (Hamilton/D'Souza) that Council receive and endorse the recommendations of the General Manager's performance review by the Performance Review Committee. The Committee thanked the General Manager for:

- Personal leadership shown throughout the worst lockdown of the coronavirus pandemic.
- Onboarding of the newly elected council body.
- Finalisation of Councils strategic framework for the coming 10 years.

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

GM21/22 Confidential - Street Banner Printing and Installation - Tender No. T2023-01 (F2022/00289)

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: (Burst/Rosenfeld) that:

- 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, Admart Exhibition and Events Pty Ltd and Universal Signage Solutions Pty Ltd be accepted as the successful tenderers for T2023-01 at the tendered rates over the term of the agreement;
- 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 Admart Exhibition and Events Pty Ltd for street banner printing for a period of 3 years, with two optional 1 year extension(s); and

- c) 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 Universal Signage Solutions Pty Ltd for street banner installation, removal and storage for a period of 3 years, with two optional 1 year extension(s); and
- d) unsuccessful tenderers are notified.

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

CP57/22 Confidential - Randwick City Awards for Sporting Achievements 2022 (F2022/00440)

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).

RESOLUTION: (Hamilton/Said) that:

- a) the Council endorse the judging panel's recommendations as outlined in the conclusion of this report, for the 2022 Randwick City Junior Sports Awards (male and female); the 2022 Bradley Matthews Memorial Award for Sporting Excellence; the 2022 Randwick City Hall of Sporting Champions; the 2022 Sporting Excellence - Junior and Youth (previously advertised as Senior) with a Disability; and the 2022 Randwick Coach of the Year.
- b) the announcement and presentation of the winners of the Randwick City Awards for Sporting Achievements 2022 be announced at a presentation hosted by the Mayor on Thursday 27 October 2022.
- c) winners in each category are presented with Winners Certificates under Council's Seal, and the Junior Sports Awards; the 2022 Bradley Matthews Memorial Award for Sporting Excellence; the 2022 Sporting Excellence - Junior and Youth with a Disability; and the 2022 Randwick Coach of the Year category winners are all presented with an engraved trophy on Thursday 27 October 2022.
- d) the remaining nominees for all Sports Awards are given 'Certificates of Commendation' or 'Highly Commended' under the Seal of Council which are presented to them on Thursday 27 October 2022.
- e) the perpetual Trophy for the Bradley Matthews Memorial Award is updated to reflect the 2022 winner, after the announcement.
- f) the Randwick City Hall of Champions Board located at Bowen Library is updated to reflect the 2022 inductees, after the announcement, noting that the Hall of Fame will transition to the Heffron Park Centre of Excellence at a point in time.
- g) the details of the 2022 Sports Awards remain confidential until formally announced on Thursday 27 October 2022.
- h) a review of the criteria be undertaken and report be presented to Council for future years.

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

CS49/22 Confidential - Negotiation for Recyclable Material Acceptance and Processing Services - Tender No. T2022-15 (F2021/00568)

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.

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

RESOLUTION: (Luxford/Veitch) that Council:

- a) notes that Council's negotiation team has negotiated with Polytrade Recycling and Visy Recycling for Recyclable Material Acceptance and Processing Services (Tender T2022-15); and
- b) under Section 377(1) of the Local Government Act 1993, the General Manager is authorised to enter into a contract with Visy Paper Pty Ltd (T/A Visy Recycling) on behalf of Council.

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

CS50/22 Confidential - Collection and Processing of Recyclables from the Recycling Centre - Tender No. T2022-18 (F2022/00177)

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.

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

265/22

RESOLUTION: (Hay/Luxford) 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, the following suppliers be accepted as successful tenderers for T2022-18 at their tendered rates:
 - Horizon Storm Pty Ltd T/A King Cotton Australia Pty Ltd for collection and processing of clothing.
 - Recycling Parks Pty Ltd for collection and processing of metal and for motor vehicle batteries.
 - JM International Trading Group Pty Ltd T/A SPC Ecycle for collection and processing of mobile phones and e-waste (regulated and unregulated); and
 - Visy Paper Pty Ltd T/A Visy Recycling for collection and processing of cardboard.
- b) under Regulation 178(3)(e) of the Local Government (General) Regulation 2021, Council enters into negotiations with suppliers with the requisite experience and capability to deliver the processing services of the five items (X-ray films, Printer cartridges, Soft plastics, Polystyrene and Motor oil) of the original tender for which no tenders were received;
- c) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into contracts with the successful tenderers for 3-year term with two 1(one) year option for T2022-18 on behalf of Council; and
- d) unsuccessful tenderers are notified.

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

Cr Rosenfeld returned to the meeting at this point (11.06pm)

CS51/22 Confidential - Heffron Centre - Experiential Graphics (F2019/10812)

This matter is considered to be confidential under Section 10A(2) (f) Of the Local Government Act, as it deals with matters affecting the security of the Council, Councillors, Council staff or Council property.

266/22

RESOLUTION: (Burst/Said) that Council:

- a) endorse the final 'Heffron Centre – Experiential Graphics and Signage' Concept Design; and
- b) provide the General Manager with the delegated authority to make any minor amendments to suggested graphic material wording following key stakeholder consultation prior to construction.

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

CO44/22 Confidential - Supply and Delivery of Ready Mixed Concrete - Tender No. SSROC T2021-09-2 (F2020/00606)

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.

267/22

RESOLUTION: (Hay/Rosenfeld) 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, Concrete Pty Ltd be accepted as the successful tenderer for SSROC T2021-09-2 Supply and Delivery of Ready Mixed Concrete; and
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into a preferred supplier agreement with Concrete Pty Ltd for a period of three years, with two optional one year extensions.

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

CO45/22 Confidential - IT&C Security Systems and Software - Tender No. T2022-19 (F2022/00192)

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.

268/22

RESOLUTION: (Burst/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, Aussie Broadband Limited be accepted as the successful tenderer for T2022-19 at the tendered 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 Aussie Broadband Limited for a period of 3 years, with 2 optional 1 year extensions; and
- c) unsuccessful tenderers are notified.

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

CS52/22 Confidential - Dunningham Reserve, Coogee - Application to Trade (F2005/00896)

This matter is considered to be confidential under Section 10A(2) (g) Of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

269/22

RESOLUTION: (Hamilton/Pandolfini) that:

- a) the application received on 28 April 2022 from Jesse Lane to undertake vending of convenience goods including food and drink from a stall in Dunningham Reserve be refused.
- b) Council continues its development of the Generic PoM, the Coogee Coastal Reserves PoM and develops a local approvals policy to ensure consistency and fairness in the approval of commercial activity on community land.

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

Open Session

That the meeting move back into open session.

There being no further business, His Worship the Mayor, Cr D Parker, declared the meeting closed at 1am.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 18 October 2022.

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CHAIRPERSON