

**MINUTES OF ORDINARY COUNCIL MEETING  
HELD ON TUESDAY, 13 DECEMBER 2022 AT 6:07PM**

**Present:**

The Mayor, Councillor D Parker (Central Ward)

- |              |   |
|--------------|---|
| Central Ward | - Councillors D Rosenfeld & K Chapple                             |
| East Ward    | - Councillors J McCafferty, M Olive (arrived 6:38pm) & 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:**

Acting General Manager	Mr K Kyriacou
Director City Services	Mr T Clarke
Acting Director City Planning	Mr R Wereszczynski
Acting Director Corporate Services	Mr D Kelly
Acting Manager Customer & Compliance	Ms J Hartshorn
Communications Manager	Mr J Hay

**Acknowledgement of Local Indigenous People & Prayer**

The Acknowledgement of Local Indigenous People was read by Cr Pandolfini. The Council Prayer was read by Cr Said.

**Apologies/Granting of Leave of Absences**

Nil.

**Requests to attend meeting by audio-visual link**

Nil.

**Confirmation of the Minutes**

**Confirmation of Minutes of Ordinary Council meeting held on 22 November 2022**

**RESOLUTION: (Rosenfeld/Luxford)** that the Minutes of the Ordinary Council meeting held on Tuesday 22 November 2022 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

356/22

## Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Hay declared a pecuniary interest in Item item CS70/22 as his wife has worked for and intends to return to work for Nuvo Health, which owns Randwick Doctors Medical Centre on the corner of Waratah Avenue and Belmore Road. Cr Hay indicated that he would not take part in the debate or the vote on the matter.
- b) Cr Rosenfeld declared a pecuniary interest in Item CP80/22 as he owns an investment unit in close proximity to the address discussed. Cr Rosenfeld indicated that he would not take part in the debate or the vote on the matter.
- c) Cr Rosenfeld declared a non-significant non-pecuniary interest in Item CS66/22 as he owns a house in close proximity to the proposed Wild Street Plaza contained in the draft Maroubra Junction public domain Masterplan.
- d) Cr Neilson declared a non-significant non-pecuniary interest in Items CP79/22. Cr Neilson has previously voted on this matter prior to being a Council delegate on the Sydney East Planning Panel and, as such, would not be eligible to be a delegate on the panel for this matter and will be voting on the matter tonight.
- e) Cr Neilson declared a non-significant non-pecuniary interest in Items CP80/22. Cr Neilson has previously voted on this matter prior to being a Council delegate on the Sydney East Planning Panel and, as such, would not be eligible to be a delegate on the panel for this matter and will be voting on the matter tonight.
- f) Cr Wilson declared a non-significant non-pecuniary interest in Item CP78/22 as the owner of 1 Berwick Street, Coogee is known to her.
- g) Cr Neilson declared a non-significant non-pecuniary interest in Item CP78/22 as she lives in close proximity to Berwick Street.
- h) Cr Parker declared a non-significant non-pecuniary interest in Item CP77/22 as the owner is known to the aunt of his partner. To be consistent with his previous management of the matter, Cr Parker indicated that he would not participate in the debate or the vote on the matter, despite since finding out that the relationship is not particularly close.

## 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:

CP78/22 PLANNING PROPOSAL – NEW LOCAL HERITAGE ITEMS – NOs. 1 AND 3 BERWICK STREET, COOGEE IN RLEP 2012

**For** Mr Maurice Cunningham

**For** Mr Ryan Elliott - via Teams

CS67/22 COMMUNITY HIGH PERFORMANCE CENTRE NAMING REQUEST - HEFFRON CENTRE

**For** Mr Adam Cosgrove (South Sydney Football Club)

Cr Olive arrived at the meeting at this point 6:38pm.

## Mayoral Minutes

**MM51/22 Mayoral Minute - Financial Assistance and Donations - December 2022 to January 2023 (F2022/06574)**

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

- a) donate plants from Council's Nursery to the value of \$400, to be funded from the 2022-23 Contingency Fund, to the Prince Henry Hospital Nurses Association for the Coast Chapel Nurses War Memorial Garden; and

- b) waive the fees associated with the Surfing NSW Regional titles being held at Maroubra Beach on 25 March 2023, totalling \$885.00 to be funded from the 2022-2023 Contingency Fund.

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

**MM52/22 Mayoral Minute - Australia V Argentina Live screening at Maroubra Beach (F2022/06574)**

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358/22

**RESOLUTION: (Mayor, Cr Parker)** that Council note the contribution of \$10,496.05 + GST, funded from the 2022-23 Contingency Fund, towards the Australia V Argentina Live screening event that was held at Maroubra on 4 December 2022 and thanks the staff involved for organising a fantastic morning for the community at such short notice.

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

**MM53/22 Mayoral Minute - Maroubra Pro Surfing Event 2023 (F2022/00096)**

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359/22

**RESOLUTION: (Mayor, Cr Parker)** that Council waive the fees associated with holding the Maroubra Pro surfing event at Maroubra Beach 3-5 March 2023, totalling \$8,325 inc GST to be funded from the 2022-23 Contingency Fund.

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

**MM54/22 Mayoral Minute - Natalya Mendelevich - LGNSW's Excellence in the Environment Awards (F2004/06066)**

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360/22

**RESOLUTION: (Mayor, Cr Parker)** that Council acknowledge Natalya Mendelevich from Randwick's Sustainability team, for her great achievement at being recognised as the winner of this year's Louise Petchell Individual Sustainability award at LGNSW's Excellence in the Environment Awards.

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

### **Urgent Business**

**UB50/22 Cr Alexandra Luxford - Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland**

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**RESOLVED (PROCEDURAL MOTION): (Luxford/Veitch)** that Item No. UB50/22 be considered a matter of urgency as Sydney City Council has resolved to send the matter to gateway determination.

361/22

**RESOLUTION: (Luxford/Veitch)** that Council seek legal advice from Senior Counsel with the view to taking urgent action to restrain the City of Sydney and / or the New South Wales Government from making any further determinations on the draft Planning Proposal for the site formerly known as Suttons, 118-130 Epsom Road and 905 South Dowling Street Zetland, and if determination has been made have it set aside until a complete and thorough traffic study has been done to include the Randwick LGA.

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

**GM31/22 General Manager's Report - Clovelly Surf Lifesaving Club - Installation of Temporary Public Art Mural (F2020/00342)**

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**RESOLVED (PROCEDURAL MOTION): (Said/Hamilton)** that Item No. GM31/22 be considered as a matter of urgency as the painting of the building needs to occur next week if the public art mural proposal is to proceed.

362/22

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

- a) acknowledge and endorse the temporary public art mural proposal on the exterior north facing elevation of the Clovelly Surf Lifesaving Club to celebrate the 10-year partnership between Dulux and Surf Life Saving NSW; and
- b) note the club will be repainted to its existing colour palette at the end of the 2023 beach season (April/May 2023).

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

A **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 Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (10)</b>	<b>Total (5)</b>

## Director City Planning Reports

### CP76/22 Director City Planning Report - Disability Inclusion Action Plan (F2022/00218)

363/22

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

1. the Disability Inclusion Action Plan 2022-2026 be adopted subject to section 3.2 of the plan including a new point that Council sets targets for staff with a disability employed directly by Randwick City Council with increases over the next 4 years.
2. a review be conducted of council's Community Development budget with a view to substantially increasing funding for this Business Unit in 2023-2024 and beyond;
3. Council commit to measurable improvements to the accessibility of the built environment and Council processes through the following actions:
  - a) conduct Access Audits of all Council premises, infrastructure, parks, playgrounds, sporting facilities, kerbs and footpaths;
  - b) provide comment on Development Applications with regard to Access to Premises, Universal Design and any other relevant standards;
  - c) implement Access Audit recommendations through annual budget expenditure;
  - d) undertake a review of the accessibility of bus stops in the Randwick LGA;
  - e) provide accessible public toilets in locations identified through the Access Audit;
  - f) ensure events organised by Council are accessible to all members of the community through the development of an accessibility checklist;
  - g) actively recruit interested community members and relevant organisations to join the Access Advisory Committee and publish minutes of the quarterly meetings in the Ordinary Council meeting business papers;
  - h) receive a report on these and other actions from the Disability Inclusion Action Plan on an annual basis.

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

**CP77/22 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 - Post Exhibition report (RZ/1/2022)**

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

Cr Pandolfini (Deputy Mayor) assumed the Chair (7:41pm).

364/22

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

- a) adopts the Planning Proposal as exhibited, which proposes to list 11A Marcel Avenue, Coogee, as a local heritage item and to extend the boundary of the Moira Crescent Heritage Conservation Area to include 11A Marcel Avenue, Coogee.
- b) authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in the Planning Proposal prior to submitting to the Department of Planning and Environment.
- c) resolves to make the LEP as the local plan making authority by preparing drafting instructions for the Parliamentary Counsel Office to draft the LEP and referring relevant mapping to the Department of Planning and Environment for endorsement. Carried unanimously.

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

The Mayor (Cr Parker) returned to the Chair.

**CP78/22 Director City Planning Report - Planning Proposal - New Local Heritage Items - Nos. 1 and 3 Berwick Street, Coogee, in RLEP 2012 (RZ/2/2022)**

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365/22

**RESOLUTION: (Olive/Wilson)** that Council:

- a) consider the advice provided by the Randwick Local Planning Panel at its meeting of 24 November 2022 and endorse the attached draft Planning Proposal to amend Schedule 5 to include No.1 Berwick Street and No 3 Berwick Street, Coogee, as local heritage items.
- b) 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.
- c) exhibit the draft Planning Proposal following 'Gateway Determination' in accordance with conditions of the Gateway Determination and bring back a report to Council detailing the results of the community consultation for final consideration by Council;
- d) 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. Councillors.

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

**CP79/22 Director City Planning Report - Public Notification of Voluntary Planning Agreement - 31- 41 Anzac Parade, Kensington (DA/672/2019)**

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366/22

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

- a) agree to enter into the Voluntary Planning Agreement in **Attachments 1 and 2** pursuant to Section 7.5 of the Environmental Planning and Assessment Act 1979; and
- b) authorise the General Manager to make minor drafting changes to the draft Voluntary Planning Agreement as required, prior to its execution.

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

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

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

**CP80/22 Director City Planning Report - Public Notification of Voluntary Planning Agreement - 137-151 Anzac Parade, Kensington (DA/810/2021)**

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

367/22

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

- a) agree to enter into the Voluntary Planning Agreement in **Attachments 1 and 2** pursuant to Section 7.5 of the Environmental Planning and Assessment Act 1979; and
- b) authorise the General Manager to make minor drafting changes to the draft Voluntary Planning Agreement as required, prior to its execution.

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

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

FOR	AGAINST
Councillor Hamilton	Councillor Veitch
Councillor Pandolfini	Councillor Hay
Councillor Neilson	Councillor Luxford
Councillor Olive	Councillor Chapple
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (10)</b>	<b>Total (4)</b>

**Cr Rosenfeld returned to the meeting at this point.**

**CP81/22 Director City Planning Report - JOLT public electric vehicle chargers (F2019/00856)**

368/22

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

- a) Council note the preparation of Randwick's draft Public EV Charging Strategy, developed in conjunction with Waverley and Woollahra Councils as part of our 3-Council Regional Environment Program;
- b) Council notes expansion of the 3-Council network to around 30 public EV charging stations by mid 2023 but a need for approximately 200 public stations by 2025 and 400 public stations

by 2030 to meet expected demand and take-up of electric vehicles across the eastern suburbs;

- c) Council advertises a proposed interim annual fee of \$1,000 per car space for the approved public electric vehicle charging facilities accompanied by advertising screens and components;
- d) provided that no substantive objections are received, this fee is endorsed for such applications;
- e) that the nominated fee be reviewed via Council's budget process for the 2023-24 year and a new or modified fee be considered for adoption to take effect 1 July 2023; and
- f) regular reports on applications for public vehicle chargers and approvals are provided to councillors for noting.

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

### Director City Services Reports

#### **CS66/22 Director City Services Report - Draft Maroubra Junction Public Domain Masterplan (F2021/00233)**

369/22

**RESOLUTION: (Rosenfeld/Burst)** that Council endorses the Draft Maroubra Junction Public Domain Masterplan for Public Exhibition.

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

**RESOLVED (PROCEDURAL MOTION): (Rosenfeld/Hamilton)** that debate on the remaining items be limited to two minutes per speaker.

#### **CS67/22 Director City Services Report - Community High Performance Centre Naming Request - Heffron Centre (F2019/10812)**

370/22

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

- a) note the overall facility remains known as the "Heffron Centre".
- b) as per Clause 22(b) of the Agreement for Lease and Licence with the Rabbitohs football club, endorse the Club's request to name the community high performance centre (only) the "USANA Rabbitohs Centre".

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

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

**AMENDMENT: (Neilson/Chapple)** that Council:

- a) note the overall facility remains known as the "Heffron Centre".

- b) refuse the Rabbitoh Club's request to name the Community High Performance Centre (only) the "USANA Rabbitohs Centre".
- c) request the Rabbitohs football club suggest a more appropriate name for the Community High Performance Centre which would be permanent and would potentially not include the name of a sponsor. **LOST.**

A **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 Wilson
Councillor Olive	Councillor Said
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
<b>Total (6)</b>	<b>Total (9)</b>

### Director Corporate Services Reports

#### CO63/22 Director Corporate Services Report - Randwick City Council Family Day (F2013/00379)

371/22

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

- a) endorse the changes to the Randwick City Council (RCC) Leave Policy; and
- b) approve the budget increase to the staff and wages budget for 2023-24.

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

#### CO64/22 Director Corporate Services Report - Investment Policy (F2016/06527)

372/22

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

- a) the Investment policy be adopted;
- b) it be noted that Point 7 of the Investment Policy is titled Ethical Investments and has criteria for determining when Council should invest in these financial assets.
- c) Council provide the details of its Ethical Investments Portfolio, as per (b), in its regular Investment Reports.

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

### Motions Pursuant to Notice

#### NM111/22 Notice of Motion from Cr Burst - Investigate a park gym in Woomera Reserve (F2022/00634)

373/22

**RESOLUTION: (Burst/Said)** that Council investigate a park gym at Woomera Reserve, Little Bay.

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



**NM112/22 Notice of Motion from Cr Burst - Installation of water bubbler at Kooloora Community Centre (F2004/07676)**

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374/22

**RESOLUTION: (Burst/Said)** that Council investigate the installation of a water bubbler, with a dog drink dish below, at the rear of the Kooloora Community Centre.

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

**NM113/22 Notice of Motion from Cr Said - Plaque for Heffron Centre (F2019/10812)**

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375/22

**RESOLUTION: (Said/Rosenfeld)** that, given construction on the Heffron Centre project is due to be completed in early 2023 and given the significance of the Heffron Centre project to Council, it is fitting that the plaque for the project include the names of all Randwick City Councillors on this current term of Council. Councillors who wish for their name not to be included on the plaque, however, would be entitled to do so by informing the Mayor.

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

**RESOLVED (PROCEDURAL MOTION): (Burst/Hamilton)** that NM114/22 and NM115/22 be considered together. **LOST.**

**NM114/22 Notice of Motion from Cr Hay - Large outdoor broadcast locations for sporting events and the 2024 Olympics (F2021/00020)**

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376/22

**RESOLUTION: (Hay/Luxford)** that Randwick Council consider offering more outdoor public broadcasts of sporting events and other uses, which can be discussed as part of the 2023 Event Review.

Events such as the 2022 Soccer World Cup and the 2023 Rugby World Cup will provide information on how other live broadcast sporting events can be managed, such as the 2024 Olympics.

Should Council proceed with this concept following the event review, we should consider:

- A variety of suitable locations across the Local Government Area
- Proximity to local businesses and economic benefits.
- Wear and tear on grass, if too many events are held in the same location consecutively
- Whether large venues such as Randwick Racecourse, UNSW would be interested in broadcasts on their facilities
- Whether community BBQ, food trucks, coffee carts etc. can be provided to reimburse costs.

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

**NM115/22 Notice of Motion from Cr Chapple - Screenings of Matilda's Games (F2021/00020)**

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377/22

**RESOLUTION: (Chapple/Luxford)** that Council Officers bring back a report on the feasibility of showing all Matilda's games during the 2023 Women's World Cup on public screens in our area. The report to include consideration of additional resourcing for screening costs and staffing.

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

**Questions with Notice****QN7/22 Question with Notice from Cr Veitch - Completion and community access to the Heffron Centre (F2019/10812)**

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**Question:**

1. What date is construction of the Heffron Centre due for completion?
2. When will Council receive the next detailed progress report, project cost and cashflow position and will these be publicly available?

3. What date will the Gymnastics and Indoor Sports Centre commence operations?
4. How many spaces in the Rabbitoh's High Performance Centre will be made available for community use?
5. How many hours per week will there be guaranteed community use of these spaces, what fees will be charged, and how will the bookings be managed?
6. What facilities, support and access time will be allocated to the proposed Rabbitohs NRLW team?

### Response from Director City Services:

1. As of November 2022, the date for practical completion of the Heffron Centre Construction Project is 17 January 2023. It is likely that this date will extend given inclement weather conditions that are predicted. Council will continue to be advised of any change to the completion date. It is expected that an official opening date will be able to be provided to Council and the community in the new year once the project becomes "water tight" in the coming weeks.
2. A Heffron Centre Progress Update is being reported to the Ordinary Council Meeting on 13 December 2022.

Since the commencement of construction, as recommended in the Office of Local Government (OLG) approved *Heffron Centre Capital Expenditure Review*, project financial reporting is made publicly available at each Monthly and Quarterly financial report to Council. The following reports have been specifically made available to Council and publicly:

#### Monthly Report

- 26 October 2021
- 23 November 2021
- 22 February 2022
- 22 March 2022
- 26 April 2022
- 24 May 2022
- 28 June 2022
- 23 August 2022
- 27 September 2022
- 22 November 2022

#### Quarterly Report

- 23 November 2021
- 22 February 2022
- 24 May 2022
- 22 November 2022

Project Performance (contractual) reporting for the Heffron Centre Project has been made available to Council on a confidential basis (including but not limited to) on the following dates:

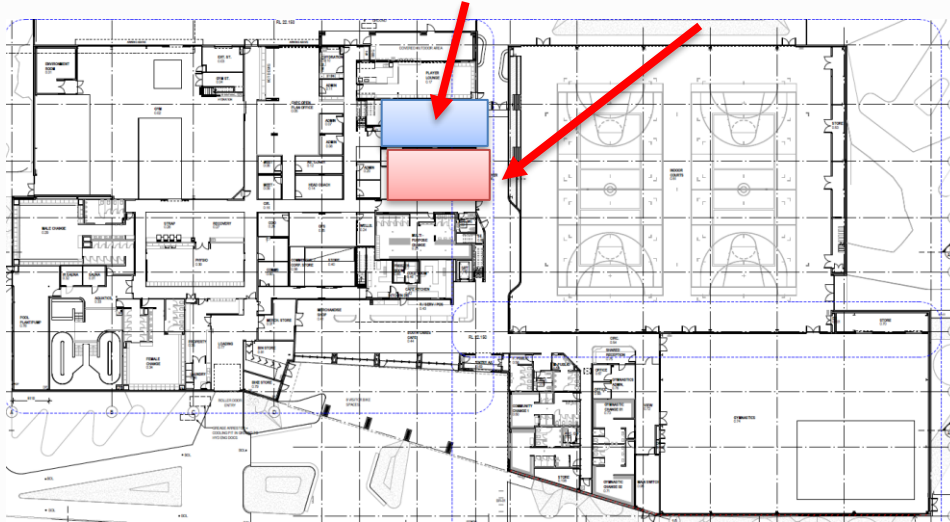
- 28 July 2020
- 26 April 2022
- 26 July 2022
- 28 June 2022
- 23 August 2022

As per the reasoning cited in the reports, the Project Cost and Cashflow position has been reported confidentially to Council since the commencement of construction. *"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."*

3. The date for commencement of the indoor sports and gymnastics operations is currently being finalised with operator. Council officers meet with the operator *Belgravia Leisure* fortnightly to discuss their required fit out design and implementation. It is expected that the operator will commence fit out prior to the practical completion date.

A date for future operations commencement will be made publicly available in late January 2022.

4. In addition to the community service(s) provided by Souths Cares within the Community High Performance Centre, public access to passive and recreational use of the café, fan experience zone and merchandise store, as per the Council endorsed Agreement for Lease and Licence (AFL) on the 26 February 2019, Council and the community will have access to the “Meeting Facility” and “Lecture Theatre” within the CHPC.



5. The meeting facility (classroom) and lecture theatre will be managed under a booking system by the South Sydney Rabbitohs Football Club as per the conditions of the Council endorsed AFL as per below:

#### **Meeting Facilities**

- a) *The lessee must manage efficiently the booking system for use of the meeting facilities*
- b) *The Lessee must at its cost clean the meeting facilities and keep them tidy for each booking and supply and ancillary meeting resources and stationery for users at its cost.*
- c) *A minimum of 520 hours per annum must be available for use by the Lessor and the Lessor's invitees and authorised users at no cost to the lessor. The Lessee must give the Lessor access to the booking system to book the meeting facilities up to the minimum numbers of hours per annum*

#### **Lecture Theatre**

- a) *The lessee must manage efficiently the booking system for use of the Lecture Theatre*
- b) *The Lessee must at its cost clean the Lecture Theatre and keep them tidy for each booking and supply and ancillary meeting resources and stationery for users at its cost.*
- c) *A minimum of 520 hours per annum must be available for use by the Lessor and the Lessor's invitees and authorised users at no cost to the lessor. The Lessee must give the Lessor access to the booking system to book the Lecture Theatre up to the minimum numbers of hours per annum*

6. The Rabbitohs expect the NRL to open bids for new entrants to the NRLW competition in 2023 (for entry in 2024 or 2025). I am advised that the Rabbitohs will again submit the strongest possible bid for entry into the competition. A key part of this bid will be the use of the Heffron Centre for the NRLW team. The team will be based at the Rabbitohs new Community and High Performance Centre at Heffron Park in Maroubra. The facilities and access for the NRLW team within the CHPC are equal to those allocated to the men's program (eg. dedicated NRLW change area, medical area and full access to gym/recovery facilities).

The Club currently participates in all NSWRL-administered women's and girl's elite development programs.

## Notice of Rescission Motions

### NR4/22 Notice of Rescission Motion - Notice of Rescission Motion submitted by Councillors Said, Burst and Rosenfeld - Community Engagement Strategy - Outcome of public exhibition (F2022/00271)

378/22

**RESOLUTION: (Said/Burst)** that the resolution passed at the Ordinary Council meeting held on Tuesday 22 November 2022 and reading as follows:

“That Council resolve to adopt the attached Community Engagement Strategy, subject to:

- (a) on page 33 of the Community Engagement Strategy document:  
Change the following Level 1 notifications to Level 2 notifications:
- Property boundary adjustment
  - Tree works not affecting other properties
  - Any other development which in the opinion of a senior council planning officer is of minimal environmental impact or ancillary in nature; and is not likely to result in any adverse impacts on the broader community or adjoining/neighbouring
- (b) on page 33 at the bottom of page:  
Remove “A development may be exempt from requiring site notices, if in the opinion of a Senior Council Planning Officer, the proposal will not result in adverse impacts on the broader community.”
- (c) on page 34 – Section 5.5.2 Amended Applications (Re-Notification)  
At top of page, end of first paragraph amend to say:

“For amendments prior to determination of an application, Council **will** renotify.”

Adjust table 3. Public notification requirements for modification applications as follows:  
Section 4.55 (1) application – notify.  
Section 4.55 (1A) application – notify.”

BE AND IS HEREBY RESCINDED.

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

379/22

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

- a) note the draft Community Engagement Strategy has been developed following extensive community consultation; and
- b) resolve to adopt the Community Engagement Strategy.

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

**AMENDMENT: (Olive/Veitch)** that Council:

- a) note the draft Community Engagement Strategy has been developed following extensive community consultation; and
- b) resolve to adopt the Community Engagement Strategy with the removal of the line at the bottom of page 33, “A development may be exempt from requiring site notices, if in the opinion of a Senior Council Planning Officer, the proposal will not result in adverse impacts on the broader community. **LOST.**

## Confidential reports (closed session)

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

**Closed Session****GM30/22 Confidential - Supply of Production Printing Equipment and Services - Tender No. T2022-22 (F2022/00249)**

*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.*

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380/22

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

- a) under Regulation 178(1)(b) of the Local Government (General) Regulation 2021, Council decline to accept the tenders submitted for T2022-22 Supply of Production Printing Equipment and Services;
- b) under Regulation 178(3)(b) of the Local Government (General) Regulation 2021 invite, in accordance with section 167, 168 or 169, fresh tenders based on the same or different details, and
- c) the unsuccessful tenderers are notified.

**MOTION: (Hamilton/Luxford) CARRIED UNANIMOUSLY - SEE RESOLUTION.****CP82/22 Confidential - Community Service Awards 2022-2023 (F2022/02438)**

*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). (Award recipients for the 2023 Australia day)*

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381/22

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

- a) agrees to the Community Service Award recipients as selected by the Inclusive Randwick Portfolio Committee; and
- b) note that all names from each category be kept confidential until publicly announced at the presentation event in January 2023. All award winners will be notified of the outcome one week prior to the award presentation day.

**MOTION: (Rosenfeld/Burst) CARRIED - SEE RESOLUTION.****CS68/22 Confidential - Ella Reserve Playground Project - Tender No. T2023-07 (F2022/00487)**

*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)*

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382/22

**RESOLUTION: (Burst/D'Souza)** 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, GJ's Landscapes Pty Ltd be accepted as the successful tenderer for T2023-07 Ella Reserve Playground 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: (Burst/D'Souza) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**CS69/22 Confidential - Fitzpatrick Park Playground Project - Tender No. T2023-06 (F2022/00486)**

*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 )*

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383/22

**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, Growth Civil Landscapes Pty Ltd be accepted as the successful tenderer for T2023-06 Fitzpatrick Park Playground 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: (Hay/Luxford) CARRIED UNANIMOUSLY - SEE RESOLUTION.****CS70/22 Confidential - Waratah Avenue Plaza Project - Tender No. T2023-04 (F2022/00457)**

*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. (Tender/ Procurement )*

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

384/22

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, Statewide Civil Pty Ltd be accepted as the successful tenderer for T2023-04 Waratah Avenue Plaza 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: (Hamilton/Luxford) CARRIED UNANIMOUSLY - SEE RESOLUTION.****Cr Hay returned to the meeting at this point.****CS71/22 Confidential - Heffron Centre Update - December 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.*

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385/22

**RESOLUTION: (Rosenfeld/D'Souza)** that Council receive and note this report.**MOTION: (Rosenfeld/D'Souza) CARRIED - SEE RESOLUTION.****AMENDMENT: (Veitch/Chapple)** that:

- a) Council receive and note this report;
- b) all variations to agreed expenses be subject to approval of the elected council body;

- d) all variations to agreed expenses relating to the Souths High Performance Centre and Showcase field be funded by South Rabbitoh's, as council's expenditure on this project is already well in excess of the agreed \$3M contribution; and
- e) Council acknowledge variation 28 and that it be assigned to Souths **LOST**.

**CO65/22 Confidential - Supply and Implementation of an Asset Management Solution - Tender No. T2023-10 (F2021/00516)**

*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.*

386/22

**RESOLUTION: (Hamilton/Hay) 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, Brightly Australia Pty Ltd be accepted as the successful tenderer for T2023-10 Supply and Implementation of an Asset Management Solution;
- 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; and
- c) unsuccessful tenderers are notified.

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

**CO66/22 Confidential - Crown Land Property - Licence Agreement - Randwick & Coogee Ladies Swimming Association Inc. - Mclvers Ladies Baths (F2022/07367)**

*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.*

387/22

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

- a) Council approve the proposed new Licence Agreement with the Randwick & Coogee Ladies Swimming Association Inc. for the management of Mclvers Ladies Baths as per the terms and conditions listed in this report;
- b) the Acting General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter; and
- c) the requirements to report to Council for leases and licences be limited to only Council owned community and operational classified properties (excluding residential properties).
- d) Council approach the Randwick & Coogee Ladies Swimming Association to discuss how Council could support delayed 100<sup>th</sup> year anniversary celebrations or projects through financial and other support.

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

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

- a) Council approve the proposed new Licence Agreement with the Randwick & Coogee Ladies Swimming Association Inc. for the management of Mclvers Ladies Baths as per the terms and conditions listed in this report;
- b) the Acting General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter; and

- c) a report be presented evaluating the granting of licenses and leases to all Crown land property managed by Council when these functions have not been delegated. The names and locations of tenants to be included in this report.
- d) Council approach the Randwick & Coogee Ladies Swimming Association to discuss how council could support delayed 100<sup>th</sup> year anniversary celebrations or projects through financial and other support. **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
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
<b>Total (7)</b>	<b>Total (8)</b>

### **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 9.53 pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 28 February 2023.**

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**CHAIRPERSON**