



MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 23 MAY 2023 AT 7.09PM

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	Mr R Brownlee
Director City Planning	Mr K Kyriacou
Director City Services	Mr T Clarke
Director Community & Culture	Ms K Anderson
Acting Director Corporate Services	Ms H Cram
Manager Customer & Compliance	Mr D Kelly
Communications Manager	Mr J Hay
Chief Financial Officer	Mr S Wong
Manager Information Management & Technology	Mr A Collis

Acknowledgement of Local Indigenous People & Prayer

The Acknowledgement of Local Indigenous People was read by Cr McCafferty. The Council Prayer was read by Cr D'Souza.

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 Crs Chapple and Pandolfini.

RESOLVED: (D'Souza/Veitch) that the requests from Crs Chapple and Pandolfini to attend this meeting by audio-visual link be approved.

Confirmation of the Minutes

Confirmation of the Minutes of the Ordinary Council meeting held on Tuesday 18 April 2023

89/23

RESOLUTION: (Rosenfeld/Burst) that the Minutes of the Ordinary Council meeting held on Tuesday 18 April 2023 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

Declarations of Pecuniary and Non-Pecuniary Interests

- a) Cr Said declared a non-significant non pecuniary interest in Item CP10/23 as he is a member of the Randwick Club and the board members are known to him.
- b) Cr Luxford declared a non-significant non pecuniary interest in Item MM15/23 as she is an unpaid contributor to Epistrofi and while she does not believe there is a conflict, to avoid the perception Cr Luxford will not be participating in the debate or voting on the matter.
- c) The Mayor, Cr Parker declared a non-significant non pecuniary interest in Item CP10/23 as Directors of the Board of the Randwick Club are known to him through their separate individual involvement in the Australian Labor Party. He does not believe he is currently a member of the Club. He does not participate in the management, administration or any other activities of the Randwick Club to any extent which would give rise to the perception of a particularly strong affiliation. He has not received a reportable or non-reportable donation in the last four years. The Mayor will be participating in the debate and voting on the matter.
- d) Crs Neilson & Luxford declared a non-significant non pecuniary interest in Item CP10/23 as Directors of the Board of the Randwick Club are known to them through their separate individual involvement in the Australian Labor Party. They are currently members of the Club. They do not participate in the management, administration or any other activities of the Randwick Club to any extent which would give rise to the perception of a particularly strong affiliation. They have not received a reportable or non-reportable donation within the last four years.
- e) Cr Hay declared a non-significant non pecuniary interest in Item CP9/23 as he knows one of the speakers on this matter.
- f) Crs Wilson & D'Souza declared a non-significant non pecuniary interest in Item CP10/23 as they may still be a member of the Randwick Club and the board members are known to them.
- g) The Mayor, Cr Parker declared a non-significant non pecuniary interest in Item CS14/23 as a personal friend of his is a former employee of the architects involved with this project.
- h) The Mayor, Cr Parker declared a non-significant non pecuniary interest in Item CP13/23 as he knows the speaker on this matter.

Address of Council by Members of the Public

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

CP9/23 RANDWICK COMPREHENSIVE PLANNING PROPOSAL

For Mr George Sassine

Against Mr James Phillips, Weir Phillips Heritage & Planning

Against Mr Anthony Boskovitz

CP10/23 RANDWICK JUNCTION PLANNING PROPOSAL

For Mr Michael Woodland, KEYLAN Consulting, representing the Randwick Club

NM28/23 MOTION PURSUANT TO NOTICE - NOTICE OF MOTION FROM CR VEITCH – FLOODING IN HOUSTON ROAD, KINGSFORD

For Mr Stephen Soewono, Committee of Management for the Presbyterian Church, Kingsford (via Teams)

NM29/23 MOTION PURSUANT TO NOTICE - NOTICE OF MOTION FROM CR OLIVE - REQUEST TO COMMONWEALTH TO EXTEND THE RANDWICK ENVIRONMENT PARK

For Master Shang

CP13/23 COUNCIL SUBMISSIONS: DRAFT PLANNING PROPOSAL, DRAFT DCP AND DRAFT PLANNING AGREEMENT – 118–130 EPSOM ROAD AND 905 SOUTH DOWLING STREET, ZETLAND

For Ms Deirdre Grusovin

Mayoral Minutes

MM14/23 Mayoral Minute - NSW Public Libraries Association's Early Literacy Campaign - Birth to Five - Read and Thrive (F2009/00099)

RESOLUTION: (Mayor, Cr Parker) that Council support the NSWPLA's Early Literacy Campaign – Birth to Five – Read and Thrive, to increase NSW State funding for public libraries' early literacy programs to counter declining childhood literacy levels.

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

MM15/23 Mayoral Minute - Financial Assistance and Donations - April - May 2023 (F2023/06574)

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

RESOLUTION: (Mayor, Cr Parker) that Council:

- a) donate plants from Council's Nursery to the value of \$300.00 to be funded from the June Quarterly Review to the Randwick Presbyterian Church to enhance their church garden;
- b) note the purchase of 4 tickets to the 7NEWS Young Achiever Awards NSW/ACT Gala Presentation Dinner to be held on 2 June 2023 at a total cost of \$700.00 to be funded from the Administrative Services Events budget (1400-624-660002);
- c) approve the waiving of fees, totalling \$4,415.87 to be funded from the June Quarterly Review for the Epistrofi-book launch and exhibition to be held from 23 to 25 June 2023 at the Prince Henry Centre, Little Bay; and
- d) approve the waiving of fees, totalling \$680.00 to be funded from the June Quarterly Review for the Mental Health fundraiser/awareness challenge held on 27 May 2023 on the promenade at Maroubra Beach.

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

AMENDMENT: (Pandolfini/Veitch) that the Epistrofi-book launch and exhibition to be held from 23 to 25 June 2023 at the Prince Henry Centre, Little Bay be considered via an independent process and removed from this mayoral minute. **LOST.**

MM16/23 Mayoral Minute - Memorial Bench for the Late Aboriginal Elder Tim Ella (F2006/00422)

RESOLUTION: (Mayor, Cr Parker) that Council waives the fees associated with a commemorative bench including a plaque in memory of Tim Ella totalling \$4132.73 + GST to be funded from the Capital Works Budget – General Parks Upgrade, to be installed at Bumborah Point.

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

MM17/23 Mayoral Minute - Little Bay Coastal Incident - 23rd April 2023 (F2019/01067)

93/23

RESOLUTION: (Mayor, Cr Parker) that Council:

- a) hold a minute's silence in memory of the young gentleman who drowned after being swept off rocks near Little Bay Beach;
- b) acknowledge the rescue efforts of Council's lifeguard, local community members; and
- c) note the current service level review of Coastal Public Safety (including Little Bay Beach), being conducted in the 2022/23 Operational Plan.

MOTION: (Mayor, Cr Parker) CARRIED UNANIMOUSLY - SEE RESOLUTION.**MM18/23 Mayoral Minute - Support the Promotion of the Fred Hollows Humanity Awards (F2023/01118)**

94/23

RESOLUTION: (Mayor, Cr Parker) that Council support the Fred Hollows Humanity Awards through promotion of the awards through Council's social media channels and eNewsletter.**MOTION: (Mayor, Cr Parker) CARRIED - SEE RESOLUTION.****Urgent Business**

Nil.

General Manager's Reports**GM5/23 General Manager's Report - Quarterly Progress Report - January to March 2023 (F2022/03001)**

95/23

RESOLUTION: (Hamilton/D'Souza) that the information contained in the January to March 2023 Quarterly Progress Report for the 2022-23 Operational Plan be received and noted.**MOTION: (Hamilton/D'Souza) CARRIED - SEE RESOLUTION.****Director City Planning Reports****CP9/23 Director City Planning Report - Randwick Comprehensive Planning Proposal (F2021/00188)**

96/23

RESOLUTION: (Hamilton/Luxford) that Council:

- a) amend the Housing Investigation Area Affordable Housing Plan endorsed by Council in August 2022 to 3% and 5% as exhibited in the draft Planning Proposal given that the Department has advised that a 10% affordable housing contribution is not supported;
- b) confirm its previous resolution to exclude the North Kensington Housing Investigation Areas from the draft Comprehensive LEP;
- c) authorise the Director City Planning to amend the Housing Investigation Area Affordable Housing Plan to include the North Kensington and part of West Randwick HIAs only if the Department of Planning and Environment reinstates these areas as part of the final Comprehensive LEP amendment;
- d) endorse the removal of 3 Bishops Avenue, Randwick and 41-43 Kyogle Street, Maroubra from the Comprehensive Planning Proposal and associated LEP amendment; and
- e) having regard to recent heritage advice, re-endorse the inclusion of 21 Baden Street, Coogee as a proposed heritage item under Schedule 5 of the Randwick LEP 2012.

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

AMENDMENT: (Said/Nil) that Council:

- a) consider amending the Housing Investigation Area Affordable Housing Plan endorsed by Council in August 2022 to 3% and 5% as exhibited in the draft Planning Proposal given that the Department has advised that a 10% affordable housing contribution is not supported;
 - b) consider whether to confirm its previous resolution to exclude part of the West Randwick and the North Kensington Housing Investigation Areas from the draft Comprehensive LEP;
 - c) authorise the Director City Planning to amend the Housing Investigation Area Affordable Housing Plan to include the North Kensington and part of West Randwick HIAs only if the Department of Planning and Environment reinstates these areas as part of the final Comprehensive LEP amendment; and
 - d) endorse the removal of 3 Bishops Avenue, Randwick, 41-43 Kyogle Street, Maroubra and 21 Baden Street, Coogee from the Comprehensive Planning Proposal and associated LEP amendment.
- LAPSED FOR WANT OF A SECONDER.**

AMENDMENT: (Olive/Veitch) that clause (a) be amended to read:

- a) that Council amend the HIA Affordable Housing Plan to the following staged development contributions:

<u>Contribution Rate</u>	<u>Year</u>
3% and 5%	2023
5%	2027
7%	2030
10%	2034 LOST.

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

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

PROCEDURAL MOTION: that clause (a) of the initial proposed motion be dealt with separately. **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 Said
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
Total (5)	Total (10)

CP10/23 Director City Planning Report - Randwick Junction Planning Proposal (F2015/00431)

97/23

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

- a) endorse the draft planning proposal for the Randwick Junction Town Centre (Appendix 4) for submission to the Randwick Local Planning Panel for advice; and
- b) request that the Randwick Local Planning Panel consider further measures to ensure that the integrity of heritage and contributory buildings not categorised as "Highly valued heritage properties" (as per p.68 of the business paper) is protected.

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

CP11/23 Director City Planning Report - Variation to Development Standards Under Clause 4.6 - 28 March to 26 April 2023 (F2008/00122)

98/23

RESOLUTION: (Hamilton/D'Souza) that the report be received and noted.**MOTION: (Hamilton/D'Souza) CARRIED - SEE RESOLUTION.****RESOLVED: PROCEDURAL MOTION (Rosenfeld/Hay)** that for the remainder of the meeting, speeches from Crs be limited to two minutes.

CP12/23 Director City Planning Report - Sub-Regional Approach to Affordable Housing (F2022/00598)

99/23

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

- a) note this report on the sub-regional approach to affordable housing delivery with Waverley and Woollahra councils; and
- b) supports the preparation of a joint discussion paper, to be reported back to Council, to facilitate affordable housing on a sub-regional basis.

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

CP13/23 Director City Planning Report - Council Submission: Draft Planning Proposal, Draft DCP and Draft Planning Agreement - 118-130 Epsom Road and 905 South Dowling Street, Zetland (F2022/00758)

100/23

RESOLUTION: (Hay/Luxford) that Council:

- a) endorse the submission to the City of Sydney on the draft planning proposal, draft development control plan and draft planning agreements at 118-130 Epsom Road and 905 South Dowling Street, Zetland; and
- b) authorise the Director City Planning to make minor editing and formatting changes to the submission prior to its finalisation.

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

CP14/23 Director City Planning Report - Appointment of a New Delegate to the Sydney Eastern City Planning Panel (F2005/00775)

101/23

RESOLUTION: (Said/D'Souza) that Council appoints Cr Wilson as the new delegate for the Sydney Eastern City Planning Panel until September 2023 to align with the appointment of delegates to all other committees.**MOTION: (Said/D'Souza) CARRIED - SEE RESOLUTION.**

Director City Services Reports

CS14/23 Director City Services Report - Malabar Ocean Pool Amenities - Concept Design (PROJ/10961/4)

102/23

RESOLUTION: (Burst/Said) that:

- a) Council notes the location and concept design of the proposed Malabar Pool Amenities including the project cost estimate of \$2.15 million;
- b) the concept design for the new Malabar Pool Amenities proceeds to community consultation; and
- c) the results of the community consultation be reported back to Council.

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

CS15/23 Director City Services Report - Wheelchair Access Matting at Frenchmans Bay (F2012/00584)

103/23

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

- a) note the report;
- b) not proceed with the installation of Wheelchair Access matting at Frenchman's Bay; and
- c) notes the Yarra Bay Beach accessibility works commencing in June 2023.

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

CS16/23 Director City Services Report - Review Lighting Hours at Nagle Park (Response to Notice of Motion) (F2005/00446)

104/23

RESOLUTION: (Rosenfeld/Said) that:

- a) the trialling of lights during all weeknights, Monday to Friday at Nagle Park Maroubra till 8.30pm occurs up until September 2023; and
- b) if the trial is deemed successful, a modification to the current approved hours noted in the DA occurs to formalise the change, including the consideration to usage by sporting groups as well as the community.

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

Director Community & Culture Reports

CC8/23 Director Community & Culture Report - Review of the Community Investment Program (F2020/00336)

105/23

RESOLUTION: (Luxford/Hamilton) that Council:

- a) increase the total budget for Community Connect and Community Creative by \$70 000.00, that being made up by:
 - i. an increase of \$60,000.00 to the Current Community Connect budget of \$120,000.00 bringing the new total budget to \$180,000.00;
 - ii. an increase of \$10,000.00 to the Current Community Creative budget of \$170,000.00, bringing the new total budget to \$180,000.00;

- b) approve to fund the overall increase of \$70,000.00 from the Community Development Reserve Fund;
- c) approve moving the current annualised donations of \$29,000.00 in the Mayor's contingency to the donations budget in Community Development, as per previous Council resolution; and
- d) note that a further briefing and report will come back on the guidelines for the Community Investment Funding Streams, by the August 2023 Council meeting.

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

Director Corporate Services Reports

CO18/23 Director Corporate Services Report - Investment Report - March 2023 (F2016/06527)

106/23 **RESOLUTION: (Hamilton/D'Souza)** that the Investment Report for March 2023 be received and noted.

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

CO19/23 Director Corporate Services Report - Investment Report - April 2023 (F2016/06527)

107/23 **RESOLUTION: (Hamilton/D'Souza)** that the Investment Report for April 2023 be received and noted.

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

CO20/23 Director Corporate Services Report - Monthly Financial Report as at 31 March 2023 (F2021/00364)

108/23 **RESOLUTION: (Hamilton/D'Souza)** that the Monthly Financial Report as at 31 March 2023 be received and noted.

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

CO21/23 Director Corporate Services Report - Monthly Financial Report as at 30 April 2023 (F2021/00364)

109/23 **RESOLUTION: (Hamilton/D'Souza)** that the Monthly Financial Report as at 30 April 2023 be received and noted.

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

CO22/23 Director Corporate Services Report - Quarterly Budget Review - March 2023 (F2021/00364)

110/23 **RESOLUTION: (Hamilton/D'Souza)** that Council:

- a) receives and notes the report of March 2023 Quarterly Budget Review Statements (QBRS); and
- b) adopts the proposed March 2023 budget variations shown in the QBRS attachment to this report.

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

CO23/23 Director Corporate Services Report - Investment Strategy, Ministerial Orders and OLG Investment Policy Guidelines Analysis (F2016/06527)

111/23 **RESOLUTION: (Hay/Luxford)** that Council receive and note the report.

AMENDMENT: (Hay/Luxford) CARRIED AND BECAME THE MOTION.

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

MOTION: (Olive/Veitch) that:

- (a) Council receive and note the report; and
- (b) Council officers bring back a report to Council on including A- and below credit rated investment instruments in the Investment Policy using the limits set out in the T-Corp Loan Condition Schedule 5.

Crs Veitch, Chapple, Pandolfini and Olive requested that their names be recorded as opposed to the resolution.

The meeting was adjourned at 9.43pm and was resumed at 9.55pm.

Motions Pursuant to Notice**NM25/23 Motion Pursuant to Notice - Notice of Motion from Cr Burst - Investigate Changes to Parking Alignment at Thompson Avenue, South Maroubra (F2004/06136)**

RESOLUTION: (Burst/Said) that Council's Traffic Committee investigate changes to parking (angled parking or 90 degree parking) alignment at Thompson Ave South Maroubra.

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

NM26/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Support for Public Housing in NSW (F2004/07991)

RESOLUTION: (Luxford/D'Souza) that Council reaffirms its ongoing support for the provision of additional quality social housing and the maintenance of existing stock across the Randwick local government area as everyone has a right to housing.

AMENDMENT: (Luxford/D'Souza) CARRIED AND BECAME THE MOTION.

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

MOTION: (Veitch/Neilson) that Council:

- a) believes that public housing should not just be a safety net for vulnerable people but should be a significant element of the housing system that should be available to everyone who needs it, including low income earners;
- b) notes previous Council resolutions in support of public housing including NM7/18 (Notice of Motion from Cr Veitch - Request for information on plans for the Anzac Parade planned Precinct and the status of Public Housing assets in the Randwick LGA) and NM76/20 (Notice of Motion from Cr Parker - Matraville Soldiers' Settlement Estate);
- c) notes that as of June 2022 there were 51,031 applicants listed on the NSW Housing Register, with an additional 6,519 on the priority list, with a waiting time of 5-10 year for studio or single bedroom dwellings and 10 years for 2 to 4+ bedroom dwellings in the Eastern Suburbs and Inner City;
- d) notes that of the 20,760 households in private rentals in Randwick, 4,649 (22.4%) are in rental stress;
- e) notes that it is estimated that 3,194 households have an unmet need for affordable housing in Randwick, representing 6.2% of all households;
- f) notes the significant reduction in available public housing stock in the Eastern Suburbs and Inner City between 2016-2021, dropping from 3103 to 2803 (-300) in the Randwick LGA, 2127 to 1835 (-292) in the Bayside LGA, and 6534 to 5689 (-845) in City of Sydney;
- g) notes that during the 2023 NSW election campaign, NSW Labor committed to immediately end the sale of public housing in NSW, and to implement legislation to place a moratorium on the privatisation of public housing including the sale, outsourcing, or leasing of any public housing assets or services;

and committed to urgently reviewing re-development projects which have been announced, or are underway, on public land; and

- h) write to the NSW Premier the Hon Chris Minns MP, the member for Heffron the Hon Ron Hoenig MP, and the NSW Minister for Housing the Hon Rose Jackson MLC, requesting that the NSW State Government:
- 1) institute an immediate ban on all proposed full or partial public housing privatisations and re-developments, including the Waterloo public housing estate, and the estate at Henry Kendall Crescent, Mascot;
 - 2) invest in building more public housing;
 - 3) retain all current public housing stock as public housing;
 - 4) ban no-grounds evictions and forced re-locations;
 - 5) ensure security of tenure for housing tenants;
 - 6) ensure prompt maintenance and repair of public housing - no more 'demolition by neglect;'
 - 7) protect long standing public housing communities.

NM27/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Kensington Park Plan of Management and Landscaping (F2014/00598)

114/23

RESOLUTION: (Veitch/Said) that Council receive a report detailing:

- a) completed and outstanding actions contained in the Kensington Park Plan of Management; and
- b) options to beautify and improve landscaping along the western edge of the park, including landscaping and physical treatment around the carpark and public toilet to improve the visual and general amenity for residents and park users.

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

NM28/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Flooding in Houston Road, Kingsford (F2014/00518)

115/23

RESOLUTION: (Luxford/Hay) that it be noted:

- (a) to date, Council has arranged for a contractor to undertake clearing of the pipeline on 28 February, 6 March and 12 April;
- (b) a large quantity of concrete and debris has been removed;
- (c) civil works will be required to fix remaining issues which include reconstruction of a pit to improve access and longer-term reconstruction of part of a pipe; and
- (d) works have been programmed and will be undertaken as soon as possible.

AMENDMENT: (Luxford/Hay) CARRIED AND BECAME THE MOTION.

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

MOTION: (Veitch/Olive) that Council:

- a) notes community complaints regarding severe flooding and stormwater drain blockages in the vicinity of the Houston Road/Southern Cross Lane/Gardeners Lane intersection in Kingsford which are continuing to impact local properties including the Indonesian Presbyterian Church and The Design Ark;
- b) notes complaints of sewage flowing to the surface during heavy rainstorms;
- c) notes blocked or collapsed drains are resulting in water from rainfall, storms and dewatering activities from an adjacent construction site staying on the surface for months at a time;
- d) thank council officers for their work to investigate and attempt to clear blockages thus far;

- e) investigate complaints of excessive unfiltered de-watering from an adjacent construction site which may be leading to sand, cement and other debris blocking the drain, and take necessary action to address any issues and recover costs if discovered;
- f) receive a report on the funds required to commence and complete the repair of the affected stormwater infrastructure in the current or upcoming 2023-24 financial year and to undertake all necessary repairs as soon as practicable; and
- g) receive the report on or before the September 2023 ordinary council meeting.

NM29/23 Motion Pursuant to Notice - Notice of Motion from Cr Olive - Request to Commonwealth to Extend the Randwick Environment Park (F2010/00407)

MOTION: (Olive/Neilson) that Council:

- a) note the statement from the Member for Kingsford and Assistant Minister for Defence, the Honorary Matt Thistlethwaite, that the Live-In Accommodation (LIA) proposal at Randwick Barracks will not proceed for at least four years due to changes in Defence planning;
- b) note the LIA area: is located adjacent to the Randwick Environment Park (REP); has been left undeveloped for many years; and contains mature trees and critically endangered native plant species such as Eastern Suburbs Banksia Scrub and Sunshine Wattle;
- c) note that this area forms part of the habitat for birds and terrestrial wildlife in and around the Randwick Environment Park;
- d) note that ownership of Randwick Environment Park transferred from Defence to Randwick City Council in 2010 for the purposes of bushland conservation and community enjoyment;
- e) note statements from the Minister for the Environment and Water, Tanya Plibersek, on Building a Nature Positive Australia;
- f) write to the Prime Minister, Anthony Albanese, the Minister for Environment and Water, Tanya Plibersek, the Minister for Defence, Richard Marles, the Minister for Defence Industry, Pat Conroy, and the Assistant Minister for Defence, Matt Thistlethwaite, requesting that ownership of the LIA area (or a section of) be transferred from Defence to Randwick City Council for the purposes of extending the Randwick Environment Park and bushland conservation and repair; and
- g) indicate that this transference of ownership is to be done through a negotiated deed of agreement which includes the cost of upkeep and repair. **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 Said
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
Total (6)	Total (9)

NM30/23 Motion Pursuant to Notice - Notice of Motion from Cr Chapple - Bike Commute Subsidy Report (F2004/06576)

MOTION: (Chapple/Veitch) that Council officers prepare a report outlining potential options for staff and Councillors to encourage the use of electric or pedal bikes as an alternative to car transport including options for expense reimbursement on a kilometre rate. **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 Said
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
Total (5)	Total (10)

NM31/23 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Assess Review Panel for Community Grants (F2020/00338)

MOTION: (Pandolfini/Veitch) that Council officers look at similar community grants panels across other Councils and provide advice on best practice regarding membership of review panels. **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 Said	Councillor Wilson
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
Total (6)	Total (9)

NM32/23 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Report into a North Ward Street Festival (F2004/07082)

RESOLUTION: (Pandolfini/Neilson) that Council consider a street festival to be held on Clovelly Road or other locations as part of the Event Review, including:

- bringing back a report on the potential of a unique street festival focusing on food and visual and creative arts in collaboration with small businesses in North Ward; and
- Council officers consulting with creatives and all businesses from the area on the design of the festival so that it reflects the community.

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

RESOLVED: PROCEDURAL MOTION (Said/Burst) that the meeting be extended to 12.00am.

NM33/23 Motion Pursuant to Notice - Notice of Motion from Cr Chapple - Proposed Shade Structure at Maroubra Skate Park (F2004/08044)

RESOLUTION: (Chapple/Said) that Council officers prepare a report looking at the installation of shade structures over some of the seating at the Maroubra skate park in Arthur Byrne Reserve.

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

NM34/23 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Investigate Lighting at Pedestrian Crossing - Todman Ave & Carminya St, Kensington (F2004/06173)

118/23

RESOLUTION: (Luxford/Hay) that Council investigate the lighting of the pedestrian crossing on Todman Avenue and Carminya Street Kensington and liaise with relevant stakeholders to improve safety and vision to drivers and pedestrians.

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

NM35/23 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Investigate Reintroducing Parking on Anzac Parade, Kensington (F2015/00045)

119/23

RESOLUTION: (Luxford/Hay) that Council work closely with TfNSW to explore and determine all available opportunities to reintroduce parking along Anzac Parade in Kensington and Kingsford; even if only in non-peak traffic times.

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

Questions with Notice

QN4/23 Question with Notice - Question with Notice from Cr Chapple - Inglis Park Facilities Access (F2015/00102)

Question:

- a) What arrangements are in place to ensure parents and children visiting the playground at Inglis have access to suitable bathroom facilities?
- b) What steps can Council take to ensure that bathrooms are available to those attending the park on weekday evenings and weekends particularly?
- c) Is it a condition of this development that public toilet facilities are available to the broader community?

Response from Director City Planning:

Response to part a)

Inglis Park is serviced by the sanitary facilities at the ground floor of the adjacent shop top housing development. The sanitary facilities include:

- Closet pan and washbasins – female sanitary facility,
- Closet pan, urinals and washbasins – male sanitary facility.
- An accessible unisex sanitary compartment along with at least one ambulant toilet in each of the bathrooms (male and female)

A public toilet block was not required to be incorporated into the park as the above facilities would be available for the public to utilise. This allowed for more passive recreation area and landscaping to be provided in the park.

Response to part b)

Cbus Property (Cbus) have advised Council that the above facilities are able to be accessed by the public during the following hours:

- Monday – Wednesday 07:00 – 15:00 open public access
- Thursday – Friday 07:00 – 15:00 & 18:00 – 21:30 open public access
- Saturday – Sunday 09:00 – 15:00 & 18:00 – 21:30 open public access

Toilets are accessible to customers of the retail, food and commercial premises 24/7, however they require a fob to access the facilities outside of the above hours.

The sanitary facilities in the shop top housing development are required under the approval and must be made available to the public when the retail, food and commercial premises are open to

the public. As referred to above, a stand-alone sanitary facility was not required in the park as it was understood that the above facilities would be freely available to the public to utilise during the operating hours of the commercial premises. Council has raised this issue with Cbus and is awaiting a response.

Response to part c)

There isn't a specific condition of the development consent that requires access to the sanitary facilities for the general public. As discussed above, the sanitary facilities are required to be made available whilst the retail, food and commercial premises are open to the public. Access to the general public after 3pm should be provided as it is a popular time for not only the use of the park but also the commercial premises and plaza space. The requirement for sanitary facilities under the National Construction Code is to ensure that such amenities are provided to meet the needs of the general public in accessing commercial premises and associated publicly accessible areas. Council will pursue this issue with Cbus and advise accordingly.

Petitions

Nil.

Confidential Reports

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

CC5/23 Confidential - Tender for Production Printing Equipment and Services - T2023-17 (Deferred from 28 March 2023 Council Meeting) (F2022/00769)

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: (Rosenfeld/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, FUJIFILM Business Innovation Australia be accepted as the successful tenderer for T2023-17 Production Printing Equipment and Services;
- 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: (Rosenfeld/Luxford) CARRIED UNANIMOUSLY - SEE RESOLUTION.

CO24/23 Confidential - T2023-10 Asset Management Solution - Not Progressing with Contract or Project (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.

RESOLUTION: (Said/Burst) that the Council receive and note that it will not be entering into a contract for an Asset Management Solution.

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

**CO25/23 Confidential - Council Property - Licence Agreements - Foyer Coffee Cart
Lionel Bowen Library and Day Care Centre, 23 Munda Street Randwick
(F2023/07367)**

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.

Note: A rescission motion on this matter was submitted by Crs Chapple, Veitch, Pandolfini and Olive and will be heard at the ordinary Council meeting to be held 27th June 2023.

RESOLUTION: (Luxford/Rosenfeld) that:

- a) Council approve the proposed new Licence Agreement with Richard Howard Sidney T/As Morningshot Espresso Bar as per the terms and conditions listed in this report;
- b) Council approves the offer of a five (5) year lease for day care/childcare services at 23 Munda Street, Randwick; and
- c) the General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to these matters.

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

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

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

AMENDMENT: (Chapple/Olive) that point (c) be replaced to read: "a report on the tender applications be brought back to a council meeting for approval." **LOST.**

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

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

The meeting moved back into open session.

Notice of Rescission Motions

A rescission motion on Item CO25/23 - Council Property - Licence Agreements - Foyer Coffee Cart Lionel Bowen Library and Day Care Centre, 23 Munda Street Randwick was submitted by Crs Chapple, Veitch, Pandolfini and Olive and will be heard at the Ordinary Council meeting to be held 27th June 2023.

There being no further business, His Worship the Mayor, Cr D Parker, declared the meeting closed at 11.20pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of Randwick City Council held on Tuesday, 27 June 2023.

.....
CHAIRPERSON