



**MINUTES OF ORDINARY COUNCIL MEETING  
HELD ON TUESDAY, 27 JUNE 2023 AT 7.10PM**

**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:**

Acting General Manager	Mr K Kyriacou
Acting Director City Planning	Mr R Wereszczynski
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 and Technology	Mr A Collis

**Acknowledgement of Local Indigenous People & Prayer**

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

A minute's silence was held as a mark of respect for 13-year-old Zenn Pemberton who tragically died recently in a motocross accident.

**Apologies/Granting of Leave of Absences**

Nil.

**Requests to Attend Meeting by Audio-Visual Link**

Nil.

## Confirmation of the Minutes

### Confirmation of the Minutes of the Ordinary Council meeting held on Tuesday 23 May 2023

123/23

**RESOLUTION: (Burst/Rosenfeld)** that the Minutes of the Ordinary Council meeting held on Tuesday 23 May 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 D'Souza declared a significant non pecuniary interest in Item CP21/23 as this is the church where he practices his faith and he also has an education scholarship at the Sacred Heart School.
- b) Cr Said declared a non-significant non pecuniary interest in Item CP21/23 as his wife works at the school and the speakers, some staff and families of the School are known to him.
- c) Cr Chapple declared a non-significant non pecuniary interest in Item MM23/23 as her daughters go to Maroubra Bay Public School and she is involved with fundraising, but not directly with this request.
- d) Cr Neilson declared a non-significant non pecuniary interest in Item CP16/23 as she owns a property in a heritage conservation area but there are no changes proposed in this area.
- e) Cr Hay declared a pecuniary interest in Item NM40/23 as the proposed development is very close to his mother's property. Cr Hay will be taking no part in the debate or voting on this matter.
- f) Cr Hay declared a non-significant non pecuniary interest in Item CP19/23 as the solicitor who spoke on this matter at the last Council meeting is known to him. As he does not know the developer and has not discussed the case with the solicitor, he will participate in the debate and voting on the matter.
- g) The Mayor, Cr Parker declared a non-significant non pecuniary interest in Item CS24/23 as he is a volunteer patrolling and occasionally competing member of Maroubra Surf Life Saving Club. He does not hold any office, actively participate in the management/administration of the organisation, nor does he engage in other activities to any significant extent which could be considered as giving rise to a particularly strong affiliation.
- h) Crs McCafferty and Wilson declared a significant non pecuniary interest in Item CP21/23 as they are delegates on the Eastern Sydney Planning Panel. Both Councillors will not be taking any part in the debate or voting on this matter.
- i) Cr D'Souza declared a significant non pecuniary interest in Item CP16/23 as he knows the speaker on this matter.
- j) The Mayor and Crs Wilson, Luxford and Neilson declared a non-significant non pecuniary interest in Item CP19/23 as they know the speaker on this matter through the Labor Party, as he was a candidate for East Ward during the 2021 local government election.
- k) Cr Olive declared a non-significant non pecuniary interest in Item CP19/23 as he knows the speaker on this matter through the precinct committee.

## 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:

CP16/23      RANDWICK DCP STAGE 1 - POST EXHIBITION REPORT - CONSULTATION OUTCOMES AND FINAL STAGE 1 DCP

**For**                      Mr James Conlan (via Microsoft Teams)

**Against**                Mr Joe Sassine

**Against**                Mr Kwok Cheng

CP19/23 LAND AND ENVIRONMENT COURT PROCEEDINGS - 3 BERWICK STREET, COOGEE

**For** Mr Patrick Cunningham

CP21/23 509-511 BUNNERONG ROAD, MATRAVILLE (DA/199/2022)

**For** Mr Carlo L'Aurora (representing the applicant)

NM39/23 NOTICE OF MOTION FROM CR VEITCH - KAMAY FERRY WHARVES - STATE SIGNIFICANT INFRASTRUCTURE DA SSI-10049

**For** Mr Charles Abela

### Mayoral Minutes

#### **MM19/23 Mayoral Minute - Leading a Reform Agenda on Waste - SSROC Waste Summit Motion (F2019/00905)**

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

- a) note councils have a key role to play in reducing waste and its impact on the environment;
- b) note across the Sydney metropolitan area, 55 per cent of household and commercial waste goes to landfill each year, resulting in loss of valuable resources, costing businesses and households more than \$750 million in waste levies each year;
- c) work with other Sydney councils on
  - reducing waste
  - improving environmental outcomes where waste must be processed and
  - finding solutions for the residual waste that is left after reuse and recycling; and
- d) ask the NSW Government to invest the revenue from its waste levy for council and industry initiatives that:
  - accelerate the transition to a circular economy
  - build the waste infrastructure needed to meet the growing pressures of population growth, loss of landfill capacity and a lack of competition in the sector
  - elevate community awareness of waste generation, source separation and processing through appropriate level of engagement and communication

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

#### **MM20/23 Mayoral Minute - Donation of Library Resources to the Sir Buri Kidhu Library in Papua New Guinea (F2004/08383)**

**RESOLUTION: (Mayor, Cr Parker)** that Council support the donation of library resources to the Sir Buri Kidhu Library in Papua New Guinea, up to a number of 100 library resources or greater if considered appropriate by the Manager Library Services.

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

#### **MM21/23 Mayoral Minute - A Voice to Parliament, Randwick Says Yes (F2004/06272)**

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

- a) supports the Australian Government's proposal to amend the Constitution to include the Aboriginal and Torres Strait Islander Voice.

- b) endorses and promotes to the community a vote for Yes in the upcoming referendum on a Voice to Parliament and a 'Randwick says Yes' campaign.
- c) allocates a budget of \$28,900.00 towards the cost of a number of actions that can be taken to promote 'Randwick says Yes' including;
  - o waive of hire fees for events held at Council venues for forums on The Voice, on all aspects of the discussion including "Yes" and "No" campaigns
  - o utilise Council's communication channels available to:
    - Provide content and education to the community in understanding the Yes vote;
    - Support the La Perouse Local Aboriginal Land Council on their position;
    - Provide opportunity for greater cultural awareness; and
    - Raise general community awareness about the referendum.
  - o support the La Perouse Aboriginal Land Council with holding an event and include the LPLALC's logo on Council's collateral if they wish to do so.

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

Cr Rosenfeld requested that his name be recorded as against the resolution.

**AMENDMENT: (Hamilton/Burst) that Council:**

- a) acknowledges the La Perouse Aboriginal Land Council position to support the Government's proposal to amend the Constitution to include the Aboriginal and Torres Strait Islander Voice;
- b) notes that to be an informed voter in a referendum, it's important to know what the Australian Constitution is and the role it plays in society. Also noting that the constitution overrides any other laws and can't be changed by the Parliament of the day. The only change to the constitution can be made by the vote of the people via a referendum;
- c) allocates a budget of no more than \$28,900.00 towards the cost of a number of actions that can be taken to educate Randwick residents on the Constitution, including;
  - waiving of hire fees for events held at Council venues for forums on The Voice, on all aspects of the discussion including "Yes" and "No" campaigns;
  - utilise Council's communication channels available to:
    - provide content and education to the community in understanding the Constitution;
    - support the La Perouse Local Aboriginal Land Council on their position;
    - provide opportunity for greater cultural awareness;
    - raise general community awareness about the referendum; and
- d) supports the La Perouse Aboriginal Land Council with holding an event and include the LPLALC's logo on Council's collateral if they wish to do so. **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 Rosenfeld	Councillor Veitch
Councillor McCafferty	Councillor Luxford
Councillor Burst	Councillor Chapple
	Councillor Olive
	Councillor Wilson
	Councillor Said
	Councillor D'Souza
	Councillor Parker
<b>Total (5)</b>	<b>Total (10)</b>

**MM22/23 Mayoral Minute - Randwick's Success at the 2023 Local Government Professionals Excellence Awards (F2019/01262)**

---

127/23

**RESOLUTION: (Mayor, Cr Parker)** that Council notes the success of programs and projects recognised at the recent Local Government Professionals Excellence Awards and expresses our appreciation to the General Manager, all relevant staff and teams across Council for their efforts and commitment to our community.

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

**MM23/23 Mayoral Minute - Financial Assistance and Donations - May to June 2023 (F2023/06574)**

---

128/23

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

- a) contribute an amount of \$1000.00 to be funded from the 2023-24 Contingency Fund to the Maroubra Bay Public School for their centenary fundraising for a weatherproof shelter over the basketball courts;
- b) approve the waiving of fees, totalling \$930.00 to be funded from the 2023-24 Contingency Fund for the Maroubra Swimming Club Carnival Meet to be held on 23 July 2023 at the DRLC Training Pool; and
- c) contribute an amount of \$1000 to be funded from the 2023-24 Contingency Fund to the Save Yarra Bay Celebration Day towards the cost of catering for the event.

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

**MM24/23 Mayoral Minute - Food Trucks in Randwick (F2023/06574)**

---

129/23

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

- a) Council officers bring a report back seeking to develop a policy and accompanying resourcing strategy with the objective of encouraging/increasing food truck activity across Randwick City and an expanded Eat, Drink, Play program;
- b) this policy and accompanying resource strategy investigate additional suitable locations across our city focusing on a geographical spread; and
- c) Council look at encouraging a diversity of food truck offerings and businesses to Randwick residents including expanding the list of food trucks engaged to include those outside the Randwick LGA.

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

**MM25/23 Mayoral Minute - Condolences for Zenn Pemberton (F2005/00266)**

---

130/23

**RESOLUTION: (Mayor, Cr Parker)** that Council express its deepest condolences to the family of 13-year-old Zenn Pemberton who tragically died recently in a motocross accident.

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

**MM26/23 Mayoral Minute - NAIDOC Festival Event - Request for Fee Waiver (F2004/07684)**

---

131/23

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

- a) Council supports the Souths Cares 2023 NAIDOC Festival by making a financial contribution by waiving fees for the event to the value of \$5,741.00 to be funded from the 2023-24 Mayor's Contingency Fund; and

- b) Council's contribution towards this event will be acknowledged in all promotional material and all Councillors be extended an invitation to attend the event.

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

Note: The meeting was adjourned at 8.49pm and was resumed at 9.10pm.

**RESOLVED: (Procedural Motion) (Rosenfeld/Hamilton)** that Councillor addresses be limited to two minutes for the remainder of the meeting.

## Urgent Business

### **UB4/23 Cr Rafaela Pandolfini - Staff Working Arrangements**

Council voted that this matter was not classified as urgent business for Council to deal with. Councillors will be briefed on this matter as soon as possible.

## General Manager's Reports

### **GM6/23 General Manager's Report - 2023-24 Operational Plan and Budget (F2023/03002)**

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

- a) the 2023-24 Operational Plan be adopted as per the attached, and that the General Manager be authorised to make minor administrative changes if required;
- b) the Budget for 2023-24 be adopted as per the attached;
- c) the Fees and Charges be adopted for 2023-24 as per the attached;
- d) the Confidential Fees and Charges be adopted for 2023-24 as per the attached;
- e) Council make and levy the ordinary Residential Rate for 2023-24 under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.095368 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Residential;
- f) Council make and levy the ordinary Business Rate for 2023-24, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.422731 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Business;
- g) Council make and levy the ordinary Port Botany Business Rate for 2023-24, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.675273 cents in the dollar on the land value of all rateable land within the Port Botany Business sub-category area, defined by the SP1 Special Activities zone of the Three Ports SEPP 2013;
- h) Council make and levy the Environmental Levy Special Rate for 2023-24, under s.495 and s.498(1)(b) and (2) of the Local Government Act 1993, as a rate of 0.008156 cents in the dollar on the land value of all rateable land within the City of Randwick;
- i) Council make and levy the ordinary Residential minimum rate for 2023-24 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$972.60;
- j) Council make and levy the ordinary Business minimum rate for 2023-24 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,567.30;
- k) Council make and levy the Port Botany Business minimum rate for 2023-24 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,567.30;
- l) Council make and levy the Domestic Waste Management Charge for 2023-24 under s.496 of the Local Government Act 1993, as \$663.35;
- m) Council make and levy a Domestic Waste Management Charge for an upgrade service for additional capacity for 2023-24 under s.496 of the Local Government Act 1993, as \$319.15;

- n) Council make and levy a Domestic Waste Management Availability Charge for vacant/unoccupied Residential land for 2023-24 under s.496 of the Local Government Act 1993, as \$332.35;
- o) Council make and levy the Stormwater Management Service Charge for residential properties for 2023-24 under s.496A of the Local Government Act 1993, as \$25.00;
- p) Council make and levy the Stormwater Management Service Charge for residential strata/Company titled properties for 2023-24 under s.496A of the Local Government Act 1993, as \$12.50;
- q) Council make and levy the Stormwater Management Service Charge for business properties for 2023-24 under s.496A of the Local Government Act 1993, as \$25.00 plus an additional \$25.00 for each 350m<sup>2</sup> or part thereof by which the parcel of land exceeds 350m<sup>2</sup>;
- r) Council make and levy the Stormwater Management Service Charge for business strata/Company titled properties for 2023-24 under s.496A of the Local Government Act 1993, calculated in accordance with the land area as per business properties and then apportioned by unit entitlement subject to a minimum charge of \$5.00 per business strata lot.
- s) the interest rate on overdue rates for 2023-24 be set at the maximum rate as determined by the Minister for Local Government under s.566(3) of the Local Government Act 1993, of 9 per cent per annum;
- t) Council grant a further \$100 rebate in addition to the existing statutory \$250 pensioner concession in 2023-24 for eligible pensioners, with the additional rebate to be split \$75 to the Domestic Waste Management Charge and \$25 to the Environmental Levy; and
- u) by way of separate report, Council consider the funding allocations for the Bundock Street/Sturt Street intersection and request that this be a priority for consideration by the State Government.

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

**AMENDMENT: (Chapple/Olive)**

P72

Delete - A20.5

Subject to quadruple bottom line assessment, provide additional multipurpose synthetic fields in appropriate locations to increase capacity of existing fields in high demand.

Delete A20.5.1

Undertake a research study, that considers the quadruple bottom line, to assess the appropriateness of additional synthetic fields, and their locations. **LOST.**

**AMENDMENT: (Neilson/Veitch)** that the original motion on the business paper be moved. **LOST.**

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

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

**Director City Planning Reports****CP15/23 Director City Planning Report - Update on K2K: Planning, Economic Development and Placemaking Matters (F2015/00419)**

133/23

**RESOLUTION: (Luxford/Hamilton)** that Council receive and note this report.**MOTION: (Luxford/Hamilton) CARRIED - SEE RESOLUTION.****CP16/23 Director City Planning Report - Randwick DCP Stage 1 - Post Exhibition Report - Consultation Outcomes and Final Stage 1 DCP (F2022/00332)**

134/23

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

- a) note the issues raised in submissions received during the public exhibition of the Stage 1 Draft DCP, and note that these issues have been thoroughly considered and are not of such significance as to warrant a further re-exhibition of the Draft DCP;
- b) endorse the Stage 1 Draft DCP as amended and shown in highlights and tracked changes in Appendix 1 to 4 for finalisation (and with further amendments indicated in b1), in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021, to commence when published via a public notice on Council's website;
- b1) amend the Housing mix controls so at least 30% of the total number of dwellings (to the nearest whole number of dwellings) within a development are to be one or two bedroom dwellings, or both
- c) endorse the repeal of Parts B2 Heritage, C1 Low Density Residential and E2 Randwick Education and Health Specialised Centre of the Randwick Development Control Plan 2013 in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021, to take effect when published via a public notice on Council's website; and
- d) authorise the Director City Planning to make minor modifications to rectify any numerical, typographical, graphical, interpretation or formatting issues.
- e) keep statistics on number of new dwellings that do and don't add PV rooftop solar, battery storage and gas to their property.

**MOTION: (Olive/Neilson) CARRIED UNANIMOUSLY - SEE RESOLUTION.****MOTION: (Hamilton/Burst)** that Council adopt the recommendation on the business paper.**AMENDMENT: (Veitch/Luxford)****Attachment E7 - Housing Investigation Areas**

Magill St HIA (see map p56)

Remove pedestrian link in Block B between Magill and Hay Streets. **LOST**The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

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



**Total (6)****Total (9)****AMENDMENT: (Veitch/Chapple)**

P.84 - Housing Mix

- b) At least 30% of the total number of dwellings (to the nearest whole number of dwellings) within a development are to be one or two bedroom dwellings, or both. **CARRIED AND WAS INCORPORATED INTO THE MOTION.**

The **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 Rosenfeld
Councillor Luxford	Councillor McCafferty
Councillor Chapple	
Councillor Olive	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (11)</b>	<b>Total (4)</b>

**AMENDMENT: (Chapple/Olive)**

P.98 Table 2. - Deep soil etc

Kingsford South HIA - increase deep soil permeable area to 20%. **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Pandolfini	Councillor Hamilton
Councillor Veitch	Councillor Neilson
Councillor Chapple	Councillor Hay
Councillor Olive	Councillor Luxford
Councillor D'Souza	Councillor Rosenfeld
	Councillor McCafferty
	Councillor Wilson
	Councillor Said
	Councillor Burst
	Councillor Parker
<b>Total (5)</b>	<b>Total (10)</b>

**AMENDMENT: (Chapple/Olive)****Sustainability - Energy (p.106)**

New developments are to be 100% electric (no natural gas). **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor 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)**

**AMENDMENT: (Olive/Neilson)** that recommendation (b) be amended to read: "That Council keep statistics on number of new dwellings that include PV rooftop solar, battery storage and gas to their property. **CARRIED AND WAS INCORPORATED INTO THE MOTION.**

The **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 Rosenfeld
Councillor Luxford	Councillor McCafferty
Councillor Chapple	Councillor Burst
Councillor Olive	
Councillor Wilson	
Councillor Said	
Councillor D'Souza	
Councillor Parker	
<b>Total (10)</b>	<b>Total (5)</b>

**CP17/23 Director City Planning Report - Conflict of Interest Policy for Council-Related Development - Outcome of Public Exhibition (F2023/00201)**

135/23

**RESOLUTION: (Hay/Pandolfini)** that Randwick City Council's Conflict of Interest Policy - Dealing with Council-related development as attached be adopted.

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

**CP18/23 Director City Planning Report - Variations to Development Standards Under Clause 4.6 - 27 April to 31 May 2023 (F2008/00122)**

136/23

**RESOLUTION: (Hay/Pandolfini)** that the report be received and noted.

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

**CP21/23 Director City Planning Report - 509-511 Bunnerong Road, Matraville (DA/199/2022)**

137/23

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

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

- Council receive and note the determination meeting date set by the Sydney Eastern City Planning Panel and the attached final assessment report of the development application for DA/199/2022 in relation to 509-511 Bunnerong Road, Matraville;
- Council supports the proposed development of St Agnes school as it will provide a valuable educational asset for the local community in meeting the future demand for student places whilst also increasing the number of childcare places in the locality; and
- this school has provided education to the diverse community of Matraville for over one hundred years, starting as a school for the poor children of illiterate parents, the influx of European migrant children in the 1950's, to the mix of children it has today. Current enrolment

figures are a testament to its diversity and inclusion. At present there are 323 students enrolled,

- 18 Indigenous students;
- 193 Language background other English students;
- 112 ESL;
- 16 Visa;
- 239 Families.

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

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

FOR	AGAINST
Councillor Hamilton	Councillor Pandolfini
Councillor Neilson	Councillor Veitch
Councillor Hay	Councillor Chapple
Councillor Luxford	Councillor Olive
Councillor Rosenfeld	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (9)</b>	<b>Total (4)</b>

**AMENDMENT: (Neilson/Veitch)** that this matter be deferred for amended plans to address the issues raised in the report. **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 Said
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
<b>Total (5)</b>	<b>Total (8)</b>

## Director City Services Reports

### **CS17/23 Director City Services Report - Pioneers Park Bushland Management - Entrance to the Malabar Headland National Park (F2004/06759)**

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

- a) note the meeting facilitated with FoMH on the 3 November 2022 to discuss the ongoing management of the site;
- b) notes the ongoing dialogue between the FoMH and Council;
- c) notes the contractors facilitating Bushcare in this area mitigate the need for a dedicated Bushcare group; and
- d) endorse the continued use of herbicide spraying in this area in line with the National Standards for the Practice of Ecological Restoration in Australia currently followed by the Bushcare team.

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

Crs Veitch, Chapple, Pandolfini and Olive requested that their names be recorded as voting against the above resolution.

**AMENDMENT: (Olive/Neilson):** that a new clause (e) be added to read: “That Council note, where practical, a reduction in the use of herbicide spray is desirable” and a new clause (f) be added to read: “That Council staff consider developing a bushcare group for the Pioneer Park entrance to MHNP as part of the Bushland and Coastal Walk Unit Service Level Review.” **LOST.**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor 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>

**CS18/23 Director City Services Report - Clovelly Road/Burnie Street Pocket Park and Streetscape Upgrade: Concept Plan (F2022/00265)**

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

- Council notes the draft concept plan for the Clovelly Road/Burnie Street Pocket Park;
- Council supports the concept being placed on exhibition for Stage 2 community consultation to receive feedback;
- a report with the final concept design and outcome of the community consultation be brought back to council; and
- a pop up stall be held onsite as part of the second round of consultation.

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

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

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

**CS19/23 Director City Services Report - Update on Status of Removal of Significant Weed Infestation at Fred Hollows Reserve (F2004/07551)**

**RESOLUTION: (Hay/Pandolfini)** that Council:

- receives and notes this report;

- b) notes that additional bushland maintenance activities have commenced within Fred Hollows Reserve and additional funds allocated; and
- c) notes the extensive progress made on weed removal.

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

**CS20/23 Director City Services Report - Maroubra Junction Public Domain Public Exhibition and Final Report (F2021/00233)**

---

141/23 **RESOLUTION: (Rosenfeld/Burst) that:**

- a) Council notes the final Consultation Outcomes Report;
- b) Council endorses the final Draft Maroubra Junction Public Town Centre Urban Design Framework and Public Domain Masterplan;
- c) excluding the closure of Wild Street slip lane as it travels South from Maroubra Road to Bunnerong Road and associated proposal for a Wild Street Plaza;
- d) Council develop a 4-year resourcing strategy and delivery program for phase one (short term) actions; and
- e) where possible, the progressing of the Maroubra Junction Masterplan be separated from the consideration and resourcing of a potential Maroubra Road Cycleway.

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

**RESOLVED: (Procedural Motion) (Burst/Wilson) that the meeting be extended for an hour.**

**CS21/23 Director City Services Report - Evaluation of the Need for an Additional Bushcare Officer (F2019/00686)**

---

142/23 **RESOLUTION: (Olive/Chapple) that in the 2023/24 financial year, a Service Level Review of the Bushland and Coast Walk Unit is conducted.**

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

**CS22/23 Director City Services Report - La Perouse Snake Pit - Shade Options (F2013/00139)**

---

143/23 **RESOLUTION: (Burst/D'Souza) that Council donate a 3m x 3m Heavy Duty Gazebo to the Hawkesbury Herpetological Society for use when conducting the Snake Show at the La Perouse Snake Pit.**

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

## **Director Community & Culture Reports**

**CC9/23 Director Community & Culture Report - Activation of Barrett House and Randwick Town Hall for Arts and Culture Purposes (F2021/00311)**

---

144/23 **RESOLUTION: (Hay/Pandolfini) that:**

- a) Council approves prioritising the Town Hall as primarily an arts and culture venue with preference to creative hirers via a twice-yearly EOJ process from August 2023 until June 2024 initially;
- b) Council notes that following investigations on arts infrastructure best fit for purpose at the Town Hall, expenditure is required of approximately \$50,000 currently allocated in the 23/24 budget;

- c) Council approves a reduced one-off bond of \$500 for arts and culture Town Hall hirers;
- d) Barrett House is repurposed as primarily an arts and culture venue/residency space whilst honouring the bequest requirements made by the Barrett family via an EOI process from August 2023 until June 2024 initially;
- e) Council notes that expenditure for infrastructure at Barrett House is required of approximately \$15,000 currently allocated in the 23/24 budget;
- f) Council approves that for the trial of Barrett House as an arts venue, no fees and charges will apply;
- g) Council approves interpretation signage to be installed at Barrett House to celebrate the legacy of the original owners, the Barrett family; and
- h) Council promotes the arts events at both venues through its communications channels as a way to support the activation of the venues.

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

**CC10/23 Director Community & Culture Report - Randwick City Awards for Sporting Achievements - Review of Criteria for 2023 Awards Program (F2023/00440)**

145/23 **RESOLUTION: (Hay/Pandolfini)** that Council endorse the revised nomination criteria for the Randwick City Awards for Sporting Achievements.

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

**CC11/23 Director Community & Culture Report - Flying of Flags Policy (F2005/00176)**

146/23 **RESOLUTION: (Chapple/Neilson)** that:

- a. Council endorses the Flying of Flags Policy;
- b. in recognition of the Australian Government's longstanding support for a two-state solution, the Palestinian flag be flown on 29<sup>th</sup> November 2023; and
- c. no other foreign flags be flown thereafter except in accordance with the Randwick Flying of Flags Policy or in accordance with an express resolution of Council.

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

Cr Rosenfeld requested that his name be recorded as voting against the above resolution.

## Director Corporate Services Reports

**CO26/23 Director Corporate Services Report - Delegations of Authority (F2004/06895)**

147/23 **RESOLUTION: (Hamilton/Neilson)** that:

- a) the General Manager's current delegations be re-affirmed by Council, delegating to the General Manager, or to the person acting in the position of General Manager, all the powers and functions of the Council that it may under any Act of Parliament lawfully delegate, subject to the limitations set out below:
  - i. those functions designated in Section 377(1) of the Local Government Act 1993 as functions which may not be delegated.
  - ii. any function designated in any other Act of Parliament as a function which may not be delegated.

- iii. the writing off of debts over the amount of \$10,000 in accordance with clause 213(2) of the *Local Government (General) Regulation 2005*, in that the amount above which debts to the Council may be written off only by resolution of the Council is set at \$10,000.
  - iv. the writing off of an individual rate or charge over the amount of \$1,000 in accordance with clause 131(1) of the *Local Government (General) Regulation 2005*, in that the amount above which any individual rate or charge may be written off only by resolution of the council is set at \$1,000.
  - v. any adopted policy, decisions or directions of the Council.
- b) in accordance with section 381 of the *Local Government Act 1993*, the Council re-affirms and delegates to the General Manager of the Council, or to the person acting in the position of General Manager, the plan making functions under Section 3.36 of the *Environmental Planning & Assessment Act 1979*.

**MOTION: (Veitch/Olive)** that Council reaffirms the delegations of authority adopted in August 2022. **LOST.**

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

Cr Veitch requested that her name be recorded as voting against the above resolution.

**CO27/23 Director Corporate Services Report - Long Term Financial Plan 2023-33 (F2021/00364)**

148/23

**RESOLUTION: (Hay/Pandolfini)** that Council considers and approves the Long-Term Financial Plan 2023-33 for a 28-day public exhibition and consultation.

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

**CO28/23 Director Corporate Services Report - Monthly Financial Report as at 31 May 2023 (F2021/00364)**

149/23

**RESOLUTION: (Hay/Pandolfini)** that the Monthly Financial Report as at 31 May 2023 be received and noted.

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

**CO29/23 Director Corporate Services Report - Investment Report - May 2023 (F2016/06527)**

150/23

**RESOLUTION: (Hay/Pandolfini)** that the Investment Report for May 2023 be received and noted.

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

**Motions Pursuant to Notice**

**NM36/23 Motion Pursuant to Notice - Notice of Motion from Cr Rosenfeld - Installation of Bollards at Glanfield Street Maroubra between Bunnerong Road & Royal Street (F2022/02312)**

151/23

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

- a) Council request the Traffic Committee to look at the following for Glanfield Street Maroubra between Bunnerong Road and Royal Street:
  - the feasibility of installing bollards at sections of the road on both sides;
  - the possibility of installing signs that instruct residents of the correct parking method; and
- b) consultation is to take place with impacted residents.

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

**NM37/23 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Investigate Making Lenthall Street, Kensington, One Way (F2022/02312)**

152/23

**RESOLUTION: (Luxford/D'Souza)** that Council investigate making Lenthall Street Kensington one way to Epsom Road from Todman Avenue and traffic travelling west to east be prohibited from entering Lenthall Street.

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

**NM38/23 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Investigate 2 Tonne Limit Signage in Lenthall Street, Kensington (F2022/02312)**

153/23

**RESOLUTION: (Luxford/Hay)** that Council investigate installing 2 Tonne limit signage (buses excluded) at Todman Avenue, Lenthall Street and Epsom Road and identify the enforcement options including any penalties.

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

**NM39/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Kamay Ferry Wharves - State Significant Infrastructure DA SSI-10049 (F2021/01408)**

154/23

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

- a) notes that initial construction work on the Kamay Ferry Wharves – State Significant Infrastructure DA SSI-10049 is due to commence in June 2023;
- b) notes Randwick City Council's previous opposition to the project prior to planning approval and the signing of contracts;
- c) notes that in 2018, the former Office of Environment and Heritage completed the Kamay Botany Bay Masterplan which included the reinstatement of wharves at La Perouse and Kurnell and that this masterplan was accompanied by a \$50 million announcement by former Prime Minister The Hon. Malcolm Turnbull, former Treasurer the Hon. Scott Morrison and Member for Cronulla Mark Speakman;
- d) notes that planning approval has been granted by both the NSW and Federal Governments and that in July of 2022 former Minister for Transport, the Hon. David Elliot awarded the construction contract;
- e) notes that an answer dated 11 May to a Question on Notice by the Hon. Jo Haylen, Minister for Transport advised that "...cancelling the project is estimated to cost at least \$46 million and with 98% of the project's value locked into contracts..."; and
- f) works collaboratively with the NSW Government, the La Perouse Local Aboriginal Land Council and community through the construction phase and afterwards to ensure the best available amenity, parking, traffic, infrastructure, and environmental outcome.

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

Cr Veitch requested that her name be recorded as voting against the above resolution.

**MOTION: (Veitch/D'Souza)** that Council:

- a) notes that initial construction work on the Kamay Ferry Wharves – State Significant Infrastructure DA SSI-10049 is due to commence in June 2023;



- b) reaffirms its strong opposition to the project due to the significant biodiversity and contamination risks, scale, costs, and other impacts on the local community;
- c) notes that a senior transport staff member confirmed in Parliament 4th March, 2022, that the project was not to provide a public transport service, only to provide wharves, and also notes that the selective wording used in a KFW Q&A on 16 June 2023 does not decisively commit to a timetabled public ferry service on the immediate completion of the wharves. A timetabled public ferry service was what Council and the Public were led to believe was the primary purpose of the wharves as expressed in the EIS; and
- d) writes to the NSW Premier, Chris Minns, the member for Maroubra, the Hon. Michael Daley MP, the member for Coogee, the Hon. Dr Marjorie O'Neill MP, the member for Heffron the Hon. Ron Hoenig MP, and the Minister for Transport the Hon Jo Haylen MP as a matter of urgency, requesting that the TfNSW Kamay Ferry Wharves project, approved by NSW Planning Minister 21st July, 2022, with final Commonwealth approval under EPBC Referral 2020/8825 16th March, 2023, not proceed, and requesting that the savings be allocated to bus services to the South East in Maroubra, Heffron and Coogee electorates that were cut by the previous government.

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

**NM40/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Student Accommodation - UNSW Western Carpark - 215B Anzac Parade, Kensington (DA/168/2023)**

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

**RESOLUTION: (Veitch/Luxford) that Council:**

- a) notes the development application (DA/168/2023) lodged by UNSW for Construction and use of five buildings with a total gross floor area of 31,749 m<sup>2</sup> and 1066 student accommodation rooms on the UNSW Western Carpark 215B Anzac Pde Kensington, to be operated by Iglu; <https://onlineservices.randwick.nsw.gov.au/ePathway/Production/Web/GeneralEnquiry/EnquiryDetailView.aspx?Id=909296>
- b) notes that the site will contain 1 x 19-23 story tower (542 student accommodation rooms + 3 story podium), 1 x 20 story tower (382 student accommodation rooms + 2 story podium), 1 x 7 story building (63 student accommodation rooms), 2 x 4 story buildings (39 and 40 student accommodation rooms), with retail, communal and university space;
- c) notes that rooms will cost in the vicinity of \$650 / week, with rooms on higher levels likely to cost significantly higher;
- d) notes that the current student allowance is \$562.80 / fortnight;
- e) notes that the DA only includes provision for 14 accessible rooms;
- f) notes strong objections from UNSW students regarding the lack of affordable accommodation provided for in this project and other UNSW student accommodation, with the cheapest on-campus currently being charged at a rate of \$653 / fortnight (16% more than youth allowance);
- g) notes strong objections from neighbouring residents regarding scale, construction noise, overshadowing, parking loss and other impacts from this development;
- h) notes significant impacts on NIDA (National Institute for Dramatic Arts) especially construction noise, access, parking loss and pedestrian safety which will have significant adverse impacts on classes, productions and commercial operations, and which could severely compromise NIDA's ability to operate during (and potentially after) the construction phase of the project;

- i) write to UNSW requesting a one month extension of the exhibition period and additional face to face consultations to allow for additional feedback from all affected residents, students and other stakeholders; and
- j) make a submission and write to the Vice Chancellor of UNSW Mr Attila Brungs noting all the concerns detailed above, voicing our objection to the project and calling for any new student accommodation to be university owned and operated, affordable for students including those on student allowance, fully accessible, and designed in full consultation with all stakeholders to minimise any impacts on neighbouring properties.

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

The meeting was adjourned at 11.52pm and was resumed at 11.58pm.

**NM41/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Support for Asylum Seekers (F2004/06281)**

---

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

1. acknowledges and supports the aspirations of National Refugee week 2023;
2. calls on the Australian Government to support the Back Your Neighbour campaign by the Mayoral Taskforce Supporting People Seeking Asylum and:
  - a) reaffirm Randwick Council's support for Asylum Seekers as a member of the local government Mayoral Taskforce Supporting People Seeking Asylum;
  - b) acknowledge and welcome the federal government's pathway to permanency for over 19,000 Temporary Protection Visas and Safe Haven Enterprise Visas holders;
  - c) acknowledge the contrasting federal government policy towards the remaining 12,000 people who have been failed by, or are still subjected to the Fast Track Refugee Status Determination (RSD) process;
  - d) invest resources to urgently clear the backlog of asylum applications/appeals in order to create an efficient system;
  - e) provide consistent access to Medicare, income support, employment support, mental health, NDIS, and other vital services, including revised eligibility for SRSS support;
  - f) ensure people seeking asylum have work and study rights, including access to local fees for university and TAFE;
  - g) replace the existing 'Fast Track' system with a single Refugee Status Determination process and an independent, timely and fair merits review;
  - h) stop the practice of offshore detention and bring all offshore detainees to Australia; and
  - i) sends a copy of the motion to the:
    - Minister for Immigration Andrew Giles [andrew.giles.mp@aph.gov.au](mailto:andrew.giles.mp@aph.gov.au)
    - Minister for Home Affairs Clare O'Neil [clare.oneil.mp@aph.gov.au](mailto:clare.oneil.mp@aph.gov.au)
    - Federal Member for Kingsford Smith Matt Thistlethwaite - Assistant Minister for Defence, Assistant Minister for Veterans' Affairs, Assistant Minister for the Republic

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

**NM42/23 Motion Pursuant to Notice - Notice of Motion from Cr Chapple - Removal of Redundant Signage (F2022/02312)**

157/23

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

- a) notes the positive investment of Federal programs including Roads to Recovery in our area which since 2001 has enabled roads to be safer for our local community and deal with significant backlogs;
- b) recognises that some projects for which funding was received are now over 10 years old, and some of the signage announcing the funding is now significantly faded and illegible; and
- c) officers conduct an audit of these signs in the LGA with a view to undertaking the removal process for those that are significantly faded, out of date, or creating unnecessary visual clutter.

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

**NM43/23 Motion Pursuant to Notice - Notice of Motion from Cr Hamilton - Tree Data Survey Update (F2020/00634)**

158/23

**RESOLUTION: (Hamilton/Burst)** that Council provides an update by way of a timeline of the service level review and policy development regarding tree management across the entire Local Government Area of Randwick.

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

### Questions with Notice

Nil.

### Petitions

Nil.

### Confidential Reports

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

**NR3/23 Confidential - Notice of Rescission Motion submitted by Councillors Veitch, Chapple, Pandolfini & Olive - 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.*

159/23

**RESOLUTION: (Veitch/Chapple)** that the resolution passed at the Ordinary Council meeting held on 23 May 2023 reading as follows:

That:

- a) Council approve the proposed new License 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 daycare/childcare services at 23 Munda St Randwick; and
- c) The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

**BE AND IS HEREBY RESCINDED.**

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

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

160/23

- a) Council approve the proposed new License Agreement with Richard Howard Sidney T/As Morningshot Espresso Bar as per the terms and conditions listed in this report;
- b) Council approves the seeking of an expression of interest for a five (5) year lease for daycare/childcare services at 23 Munda St Randwick; and
- c) the General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

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

**CS23/23 Confidential - Coogee Beach Plan of Management and Masterplan  
Tender No T2023-18 (F2022/00775)**

*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.*

161/23

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

- a) under Regulation 178(1)(f) of the Local Government (General) Regulation 2021, Council decline to accept the tenders submitted for tender T2023-18 for Coogee Beach Plan of Management and Masterplan;
- b) under Regulation 178(3)(f) of the Local Government (General) Regulation 2021, Council carry out the requirements of the proposed contract itself; and
- c) the unsuccessful tenderers are notified.

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

**CO30/23 Confidential - Tender for the Supply of Plants, Trees and Associated Services -  
Tender No SSROC T2022-07 (F2021/00574)**

*This matter is considered to be confidential under Section 10A(2) (d) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

162/23

**RESOLUTION: (Chapple/Burst) that the consideration of this tender be deferred for a month.**

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

**CS24/23 Confidential - Tender for the Provision of Lead Design Consultant Services  
(Architect) for Maroubra SLSC Redevelopment - Tender No: T2023-25  
(F2023/00171)**

*This matter is considered to be confidential under Section 10A(2) (d) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

163/23

**RESOLUTION: (D'Souza/Chapple) 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, Adriano Pupilli Architects be accepted as the successful tenderer for T2023-25 Lead Design Consultant for the Maroubra SLSC Redevelopment;

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

**CC12/23 Confidential - Extension of MOU with The Deli - Women's and Children's Centre (F2013/00153)**

*This matter is considered to be confidential under Section 10A(2) (b) of the Local Government Act, as it deals with discussion in relation to the personal hardship of a resident or ratepayer.*

164/23

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

- a) endorse funding The Deli outreach program to the value of \$60,000.00 per annum for an additional 5 years (2023 – 2028) to provide outreach Counselling and Casework services for Randwick residents; and
- b) authorise the Acting General Manager to enter into a 5-year (July 2023 – June 2028) Memorandum of Understanding between The Deli and Randwick City Council.

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

**CC13/23 Confidential - Induction to the Australian Film Walk of Fame at The Spot Randwick (F2022/00266)**

*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).*

165/23

**RESOLUTION: (Luxford/Hamilton) that Council supports the induction of Sigrud Thornton into the Australian Film Walk of Fame.**

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

**CO31/23 Confidential - Debt Write Off (F2019/06521)**

*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.*

166/23

**RESOLUTION: (D'Souza/Rosenfeld) that the debt of \$56,220.60 incurred by GN Residential Construction Pty Ltd be approved for write off.**

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

**CP19/23 Confidential - Land and Environment Court Proceedings - 3 Berwick Street, Coogee (RZ/2/2022)**

*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. (The report involves litigation matters relating to an IHO and CDC affecting 3 Berwick Street, Coogee and contains privileged legal advice pertaining to these matters.)*

167/23

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

- a) resolve to appeal the decision of Dickson C in Belle Living Pty Ltd v Randwick City Council [2023] NSWLEC 1282 to revoke the Interim Heritage Order for 3 Berwick Street, Coogee; and
- b) continue to prosecute the current Land and Environment Court Class 4 proceedings seeking a declaration that Complying Development Certificate CCDC-3BER/2022, issued by a Private Certifier on the 7 June 2023, for the demolition of 3 Berwick Street, Coogee is invalid and of no effect.

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

**CP20/23 Confidential - Land and Environment Court Appeal - Proceedings No. 2022/00319871 (229 Anzac Parade, Kensington - DA/415/2022) (DA/415/2022)**

*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.*

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

- a) the Court granting approval to the development; and
- b) the subsequent endorsement of a Voluntary Planning Agreement.

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

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

FOR	AGAINST
Councillor Hamilton	Councillor Veitch
Councillor Pandolfini	Councillor Hay
Councillor Neilson	Councillor Luxford
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (12)</b>	<b>Total (3)</b>

The meeting moved back into open session.

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

**The minutes of this meeting were confirmed at the Ordinary Meeting of Randwick City Council held on Tuesday, 25 July 2023.**

.....  
**CHAIRPERSON**