



## **MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 19 SEPTEMBER 2023 AT 7.06PM**

### **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
Acting Director City Planning	Ms S Agagiotis
Manager Customer & Compliance	Mr D Kelly
Communications Manager	Mr J Hay

### **Acknowledgement of Local Indigenous People & Prayer**

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

Note: A minutes' silence was observed to mark the passing of former Randwick Councillor and Mayor, John Scullion.

### **Apologies/Granting of Leave of Absences**

Nil.

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

A request to attend the meeting by audio-visual link was received from Cr Pandolfini.

**RESOLVED: (Olive/Chapple)** that the request from Cr 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 22 August 2023**

**RESOLUTION: (Burst/Rosenfeld)** that the Minutes of the Ordinary Council meeting held on Tuesday 22 August 2023 and the Extraordinary Council meeting held 29<sup>th</sup> August 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 Neilson declared a non-significant non pecuniary interest in Item CP33/23 Randwick Junction Planning Proposal as the Directors of the Board of the Randwick Club are known to her through her involvement in the Australian Labor Party. She is currently a member of the Club. She 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. She has not received a reportable or non-reportable donation within the last four years.
- b) Cr Neilson declared a significant pecuniary interest in Item NM64/23 Notice of Motion from Cr Veitch - Active Super ASIC investigation as she is a member of the superannuation fund, Active Super. Cr Neilson will not be taking part in the debate or voting on the matter.
- c) Cr Said declared a non-significant, non-pecuniary interest in Item CP33/23 Randwick Junction Planning Proposal as the Directors of the Board of the Randwick Club are known to him. 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. Cr Said will be participating in the matter.
- d) Cr Said declared a non-pecuniary non-significant interest in Item CP33/23 Randwick Junction Planning Proposal as Dr Brian & Kay Jarvie are known to him as my father and I were once patients. Cr Said will be participating in the matter.
- e) Cr Said declared a significant non-pecuniary interest in Item NM63/23 Notice of Motion from Cr Rosenfeld - Honoring former Mayor Ted Seng as at his place of employment Mr Ted Seng is his direct Manager. Cr Said will not be taking part in the debate or voting on the matter.
- f) Cr Hay declared a non-significant, non-pecuniary interest in Item NM64/23 Notice of Motion from Cr Veitch - Active Super ASIC investigation, as through his work with EPIQ Global he has been involved as a neutral third party in the matter of ASIC v Union Standard NSD2064/2019, a matter before The Hon. Justice Wigney of the Federal Court of Australia, which is pending judgment. To protect the integrity of that decision, as well as to allow for the possibility that he may work on future matters, he will not make any comments on ASIC or the Federal Court, and will therefore not participate or vote on the matter.
- g) Cr Chapple declared a non-significant, non-pecuniary interest in Item CS38/23 as her partner is a former player with the Randwick Saints club.
- h) Cr Chapple declared a non-significant, non-pecuniary interest in Item CO47/23 as she worked on the Federal law reforms underpinning this item.
- i) Cr D'Souza declared a non-significant, non-pecuniary interest in Item CP33/23 as he knows the speaker on this matter.
- j) Cr D'Souza declared a non-significant, non-pecuniary interest in Item NM63/23 as he served as a councillor with former Mayor Ted Seng and has known him for many years.
- k) Crs Luxford and Wilson declared a non-significant, non-pecuniary interest in Item CP33/23 Randwick Junction Planning Proposal as the Directors of the Board of the Randwick Club are known to them. They are not currently members of the club. They have not received a reportable or non-reportable donation from the Club for many years. Crs Luxford and Wilson will be participating in the matter.
- l) The Mayor, Cr Parker declared a non-significant non pecuniary interest in Item CP33/23 as the directors of the Board of the Randwick Club are known to him through their separate, individual involvement in the Australian Labor Party. To the best of his knowledge he does not believe he is currently a member of the Club. He may have been in the past. 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.

### 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:

CP33/23 RANDWICK JUNCTION PLANNING PROPOSAL

**Against** Kay Jarvie

### Mayoral Minutes

**MM39/23 Mayoral Minute - Code Red - Code Blue Homeless Emergency Response Plans (F2023/06574)**

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

- a) support the development of uniform local emergency response plans in extreme weather events for people experiencing homelessness;
- b) write to the Federal and State Ministers for Homelessness indicating support for a nationally uniform approach to the roll-out of emergency response plans;
- c) request a report be brought back outlining the proposed roadmap for both planning and implementing a local emergency response plan for extreme weather events affecting people experiencing homelessness in the Randwick LGA;
- d) request a report be brought back outlining Council's current homelessness mitigation strategies and into having a Homelessness Action Plan aimed at reducing homelessness in the LGA;
- e) review its Emergency Response Plan in line with any and all changes determined by the NSW State Government given the change in government;
- f) liaise with the Emergency Services Ministers office, the Hon. Jihad Dib to ensure Randwick is equipped to meet its obligations locally; and
- g) bring back a report outlining the proposed roadmap for both planning and implementing a local emergency response plan for extreme weather events in the Randwick LGA.

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

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

- a) review its Emergency Response Plan in line with any and all changes determined by the NSW State Government given the change in government;
- b) liaise with the Emergency Services Ministers office, the Hon. Jihad Dib to ensure Randwick is equipped to meet its obligations locally; and
- c) bring back a report outlining the proposed roadmap for both planning and implementing a local emergency response plan for extreme weather events in the Randwick LGA. **LOST.**

**MM40/23 Mayoral Minute - Financial Assistance and Donations - August - September 2023 (F2023/06574)**

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

- a) donate plants from Council's Nursery to the value of \$500.00 to be funded from the 2023-24 Mayor's Contingency Fund to the not-for-profit SOS Preschool to update the plants in their garden;
- b) donate plants from Council's Nursery to the value of \$500.00 to be funded from the 2023-24 Mayor's Contingency Fund to the not-for-profit Youth Off The Streets Ltd to update the plants in their garden;
- c) waive the fees associated with the Maroubra Diggers Junior Swimming Club's Swimming Carnival to be held at the Des Renford Leisure Centre on 21 October 2023, totalling \$1,220.00 to be funded from the 2023-24 Contingency Fund; and
- d) donate \$750.00 to be funded from the 2023-24 Contingency Fund towards catering to the Friends of La Perouse Museum for their Civic Event and visit by the NSW Governor which will be held on 21 October 2023.

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

**MM41/23 Mayoral Minute - Interactive Christmas Tree (F2023/00357)**

**RESOLUTION: (Mayor, Cr Parker)** that Council receive a report on the implementation of an interactive Christmas tree alongside other proposed Christmas 2023 activations.

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

**MM42/23 Mayoral Minute - Recognising Randwick Galloping Greens Historic Shute Shield 2023 Premiership Win (F2013/00155)**

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

- a) the Randwick Rugby Club be congratulated on their 2023 premiership win and that Council staff determine an appropriate way to recognise this wonderful achievement; and
- b) Council hold a special congratulatory lunch to include all players, directors of the club and councillors to show our support.

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

**MM43/23 Mayoral Minute - Continuation of Sister City Scholarship with Temora Shire Council (F2008/00461)**

**RESOLUTION: (Mayor, Cr Parker)** that Council approve a sponsorship of \$1,500.00, to be donated to the Temora & District Education Fund Incorporated, from the Mayor's Contingency Fund to provide a scholarship opportunity to the youth of our Sister City, Temora, by further advancing their education, employment and personal goals.

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

**MM44/23 Mayoral Minute - Request for Permission for Family Event at Arthur Byrne Reserve (F2004/08114)**

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

- a) note the proposed event in commemoration of Peter Byrne OAM in Arthur Byrne Reserve, Maroubra; and
- b) endorse the waiving for fees to the value of \$1,332.00 for the event. **LOST.**

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

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

#### **MM45/23 Mayoral Minute - Vale John Scullion (F2023/06574)**

**RESOLUTION: (Mayor, Cr Parker)** that Council hold a minute's silence to acknowledge the recent passing of former Randwick Mayor John Scullion and celebrate his contribution to the City of Randwick.

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

#### **MM46/23 Mayoral Minute - Support for Changing Tides Event at The Ritz (F2023/00621)**

**RESOLUTION: (Mayor, Cr Parker)** that Council supports Surfers for Climate with their screening of 'Changing Tides' at The Ritz Cinema through financial support of \$1250.00 and assists with promoting this event through Council's communication channels.

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

### **Urgent Business**

#### **UB5/23 Cr Christie Hamilton - Activate a Randwick Resident Respect Campaign**

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

- form a committee to bring together key community experts, on support mechanisms for domestic violence, from within Randwick LGA;
- ensure Councillors receive a briefing on the current situation as it pertains to Randwick residents in October in time for the next ordinary meeting on 24<sup>th</sup> October 2023;
- work on a Council initiative promoting respect for all Randwick residents; and
- find out what else Randwick City Council can do.

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

#### **UB6/23 Cr Christie Hamilton - Promotion of the Referendum**

**MOTION: (Hamilton/Rosenfeld)** that Council use 50% of the already endorsed and allocated amount of \$28,900.00 toward the YES vote for equal promotion of the NO vote. **LOST.**

### **General Manager's Reports**

Nil.

### **Director City Planning Reports**

#### **CP31/23 Director City Planning Report - Creative Hoardings Program (F2023/00332)**

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

- a) note this report on the research undertaken to guide a creative hoardings program for Randwick City Council;
- b) note that details of the creative hoardings program will be incorporated as part of the Stage 2 DCP review and reported to Council;
- c) endorse preparation of a guideline with corresponding details within the upcoming Cultural Vision and Public Art Plan that addresses:
  - (i) a Council managed folio of creative works, including Council-commissioned artworks and pre-approved heritage images licensed for display; and
  - (ii) bespoke artworks to be prepared and selected by development proponents who separately engage and commission an artist to create a new artwork or license their existing work for approval by Council for display.

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

**CP32/23 Director City Planning Report - Purchase of the Property at 3-7 Lexington Place, Maroubra (F2022/00598)**

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

- a) receive and note this report.
- b) congratulate all the staff involved in facilitating this purchase.

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

**CP33/23 Director City Planning Report - Randwick Junction Planning Proposal (F2015/00431)**

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

- a) consider the advice provided by the Randwick Local Planning Panel at its meeting of 8 June 2023 and 26 July 2023 and endorse the attached draft Randwick Junction Planning Proposal to amend the Randwick LEP 2012;
- b) forward the attached draft Randwick Junction Planning Proposal to the Department of Planning and Environment as delegate to the Minister for Planning requesting 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- c) exhibit the draft Randwick Junction Planning Proposal following 'Gateway Determination' in accordance with conditions of the Gateway Determination and bring back a report to Council detailing the results of the community consultation for final consideration by Council; and
- d) authorise the Director City Planning to make typographical, grammatical or formatting changes to the documentation prior to submission to the Department of Planning and Environment.

**MOTION: (Neilson/Hamilton) 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 Neilson	
Councillor Hay	
Councillor Luxford	
Councillor Chapple	
Councillor Rosenfeld	

Councillor Olive  
 Councillor McCafferty  
 Councillor Wilson  
 Councillor Said  
 Councillor Burst  
 Councillor D'Souza  
 Councillor Parker

**Total (14)**

**Total (1)**

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

- a) consider the advice provided by the Randwick Local Planning Panel at its meeting of 8 June 2023 and 26 July 2023 and endorse the attached draft Randwick Junction Planning Proposal to amend the Randwick LEP 2012;
- b) forward the attached draft Randwick Junction Planning Proposal to the Department of Planning and Environment as delegate to the Minister for Planning requesting 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- c) exhibit the draft Randwick Junction Planning Proposal following 'Gateway Determination' in accordance with conditions of the Gateway Determination and bring back a report to Council detailing the results of the community consultation for final consideration by Council;
- d) authorise the Director City Planning to make typographical, grammatical or formatting changes to the documentation prior to submission to the Department of Planning and Environment; and
- e) remove 60 High Street from the contributory building status and the site be included in the boundary for rezoning from residential to business and be afforded increased height and FSR in line with adjoining sites to the east. **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 Hay	Councillor Hamilton
Councillor Rosenfeld	Councillor Pandolfini
Councillor Said	Councillor Neilson
Councillor Burst	Councillor Veitch
Councillor D'Souza	Councillor Luxford
	Councillor Chapple
	Councillor Olive
	Councillor McCafferty
	Councillor Wilson
	Councillor Parker
<b>Total (5)</b>	<b>Total (10)</b>

**AMENDMENT: (Olive/Veitch)** that Council postpone a decision on the Randwick Junction Planning Proposal until it can be certain that new housing under the plan will be diversified and included in Council's housing target. **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)**

Note: The meeting was adjourned at 8.52pm and was resumed at 9.09pm.

**CP34/23 Director City Planning Report - Kensington North and West Randwick E7 HIA  
Draft DCP (F2021/00188)**

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

- a) endorse draft Randwick DCP section E7 Housing Investigation Areas (Rev02), including new objectives and block development controls for the Kensington North HIA and the R3 zoned part of the Randwick West HIA as interim policy for the purposes of development assessment;
- b) endorse the public exhibition of the draft Randwick DCP section E7 Housing Investigation Areas (Rev02) at the same time as the Randwick DCP Stage 2 Review; and
- c) authorises the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in the draft Randwick DCP section E7 HIAs (Rev02).

**MOTION: (Hamilton/Rosenfeld) 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 Hamilton	Councillor Hay
Councillor Pandolfini	Councillor Luxford
Councillor Neilson	
Councillor Veitch	
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor Burst	
Councillor D'Souza	
Councillor Parker	
<b>Total (13)</b>	<b>Total (2)</b>

**AMENDMENT: (Veitch/Chapple)**

Add a new point (k) under Sustainability/Energy (p96 of attachment) to read "All new residential developments are to include electric cooktops, ovens and space heating systems (where applicable), and must be clearly marked on DA plans." **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)****CP35/23 Director City Planning Report - Variation to Development Standards Under Clause 4.6 - 1 to 31 August 2023 (F2008/00122)**

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

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

**Director City Services Reports****CS36/23 Director City Services Report - Feasibility of Introducing FOGO Bins in Council's Parks and Public Places (F2019/00906)**

**RESOLUTION: (Rosenfeld/Wilson)** that Council notes the:

- a) outcome of the investigation on the feasibility of introducing Food Organics and Garden Organics (FOGO) and recycling services in public places;
- b) expansion of the public place recycling program is not environmentally and financially effective; and
- c) public place FOGO service is not feasible due to the small amount of food waste, potentially contaminated, that is available for collection and the extremely high cost of resource recovery.

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

**CS37/23 Director City Services Report - Shaw Reserve - Playground Assessment (F2019/00243)**

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

noting that:

- Council did not vote on or assent to the condition of play equipment scores as recorded on page 89 of the 19 September Business Paper, where the corresponding section of the Draft Play Space Strategy (page 26, table 6) merely declares all to have a Quality Score of "Low"; and
- the Draft Play Space Strategy at page 35, Table 10 – which was replicated in the August 2023 business paper at page 168 - regards Shaw Reserve as the 7<sup>th</sup> highest overall priority;

Council resolves that:

- a) the Shaw Reserve playground renewal be undertaken in accordance with our asset management principles and the recently adopted Play Space Strategy;
- b) the sentence "Table 10 below lists the recommended play spaces in Randwick City for priority upgrade in the next 10-15 years" on page 35 of the Draft Play Space Strategy be replaced with "Table 10 below lists the recommended play spaces in Randwick City for priority upgrade, with a view to completing all upgrades in the next 10-15 years; and
- c) Council look for opportunities to deliver playground upgrades in a timely manner.

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

**CS38/23 Director City Services Report - Proposed Relocation of AFL from Pioneers Park to Heffron Park (F2019/01165)**

**RESOLUTION: (Chapple/Olive)** that Council postpone consideration of this item pending further discussion with stakeholders, including the Randwick Saints Football Club.

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

## **Director Community & Culture Reports**

**CC21/23 Director Community & Culture Report - Randwick Art Collection - Audit and Policy Proposal (F2021/00311)**

**RESOLUTION: (McCafferty/Hamilton)** that Council note that:

- a) the Randwick Art Collection Audit and Policy Proposal report be received and noted;
- b) the RCC collection policy be considered by the new Head of Arts & Culture over the next 24 months to potentially mitigate consultation fees;
- c) a formal audit and significance assessment of current works in Council's possession is required; as is the conduct of an audit of possible venues for display and preparation of a suite of collection documentation, that would govern a Randwick Council Art Collection and support its future growth; and
- d) no further costs should be incurred until a Head of Arts & Culture is appointed.

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

**CC22/23 Director Community & Culture Report - Review of Public Comment to the Media Policy (F2023/02116)**

**RESOLUTION: (McCafferty/Hamilton)** that Council adopt the Public Comment to the Media Policy.

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

## **Director Corporate Services Reports**

**CO44/23 Director Corporate Services Report - Long Term Financial Plan 2023-33 (F2021/00364)**

**RESOLUTION: (Chapple/Luxford)** that the Long-Term Financial Plan 2023-33 be adopted.

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

**CO45/23 Director Corporate Services Report - Monthly Financial Report as at 31 August 2023 (F2021/00364)**

**RESOLUTION: (Rosenfeld/Wilson)** that the Monthly Financial Report as at 31 August 2023 be received and noted.

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

**CO46/23 Director Corporate Services Report - Investment Report - August 2023 (F2016/06527)**

**RESOLUTION: (Rosenfeld/Wilson)** that the Investment Report for August 2023 be received and noted.

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

**CO47/23 Director Corporate Services Report - Public Interest Disclosures Act 2022 (F2005/00303)**

**RESOLUTION: (Rosenfeld/Wilson)** that the Public Interest Disclosure Policy – 1 October 2023 (which is based on the NSW Ombudsman's Model Policy) be adopted.

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

**Resolved: (Procedural Motion) (Hay/Luxford)** that Council move into closed session to consider CO48/23.

The meeting returned to open session at 10.20pm.

**CO48/23 Director Corporate Services Report - Fraud and Corruption Framework and Policy (F2023/00230)**

**RESOLUTION: (Olive/Chapple)** that this matter be deferred to the October Council meeting to allow further consideration of the Fraud & Corruption Guidelines by Councillors.

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

**Motions Pursuant to Notice**

**NM62/23 Motion Pursuant to Notice - Notice of Motion from Cr D'Souza - Nominating Kevin Kelly as an Inductee in the Hall of Sporting Champions (F2015/00375)**

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

- formally congratulate Little Bay resident Kevin Kelly on being inducted into the Australian Boxing Hall of Fame by sending a letter from the Mayor;
- communicate Mr Kelly's achievements through Council's communications channels; and
- refer the nomination of Mr Kelly for the 2024 Randwick City's Hall of Sporting Champions at the Heffron Centre, for consideration by the judging panel.

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

**NM63/23 Motion Pursuant to Notice - Notice of Motion from Cr Rosenfeld - Honouring Former Mayor Ted Seng (F2004/06577)**

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

**RESOLUTION: (Rosenfeld/Hamilton)** that Council honour the long service of former Councillor, Mayor and Deputy Mayor Ted Seng by naming a Council owned building/place after him. A report is to come back to Council with a recommended building/place that is suitable.

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

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

- Council receive a report regarding place names in the Randwick LGA, including details with respect to gender, Aboriginal and Torres Strait Islander descent, and reason for naming; and
- the report also investigate establishing a naming policy and a panel to consider and make recommendations with respect to creating new place names in the Randwick LGA. **LOST.**

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

FOR	AGAINST
Councillor Pandolfini	Councillor Hamilton
Councillor Neilson	Councillor Hay
Councillor Veitch	Councillor Luxford
Councillor Chapple	Councillor Rosenfeld
Councillor Olive	Councillor McCafferty
Councillor Wilson	Councillor Burst
	Councillor D'Souza
	Councillor Parker
<b>Total (6)</b>	<b>Total (8)</b>

**RESOLVED: (PROCEDURAL MOTION) (Rosenfeld/Burst)** that all further addresses from Councillors be limited to two minutes.

#### **NM64/23 Motion Pursuant to Notice - Notice of Motion from Cr Veitch - Active Super ASIC Investigation (F2012/00347)**

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

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

- a) notes that Active Super (formerly known as Local Government Super) is a superannuation fund with approximately \$13.5 billion in superannuation assets, and approximately 89,000 members, many of whom are or have been employed in the NSW Local Government sector;
- b) notes that ASIC has commenced civil penalty proceedings in the Federal Court against LGSS Pty Limited (Active Super) alleging misleading conduct and misrepresentations to the market relating to claims it was an ethical and responsible superannuation fund and allegedly exposing members to investments it claimed to restrict or eliminate; and
- c) write to Active Super and LGNSW requesting that councils and members be informed about the proceedings; any actions Active Super intends to take to either update the website and other communication channels, or divest from the companies concerned; and any financial impacts on members resulting from the case. **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 Luxford
Councillor Chapple	Councillor Rosenfeld
Councillor Olive	Councillor McCafferty
Councillor Said	Councillor Wilson
	Councillor Burst
	Councillor D'Souza
	Councillor Parker
<b>Total (5)</b>	<b>Total (8)</b>

#### **NM65/23 Motion Pursuant to Notice - Notice of Motion from Cr Luxford - Reinstate Roundabouts in Kingsford and Kensington (F2023/02312)**

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

- a) Council notes Section 3 of the Kingsford to Centennial Park bike track will not be proceeding and calls upon Transport for New South Wales to reinstate the roundabout at Houston Road and Barker Streets Kingsford and Day Avenue and Doncaster Avenue Kensington and that the pedestrian crossing on Houston Road north of Barker Street be moved to a better location; and
- b) a report come back to Council with options for the reinstatement of the roundabouts after discussion with TfNSW.

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

Cr Veitch requested her name be recorded as opposed to the resolution.

#### **NM66/23 Motion Pursuant to Notice - Notice of Motion from Cr Burst - Missing Path to La Perouse Museum (F2021/00266)**

**RESOLUTION: (Burst/Said)** that Council investigate the missing path to La Perouse Museum on the northern side, which also connects the museum to the tower and the main road.

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

**NM67/23 Motion Pursuant to Notice - Notice of Motion from Cr Chapple - Connection to South Maroubra Surf Club (F2021/00124)**

Note: This motion was withdrawn with the consent of Council.

**NM68/23 Motion Pursuant to Notice - Notice of Motion from Cr Said - Appreciation Event for Mr Gary Lavelle PSM (F2008/00461)**

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

- a) the General Manager organise an appropriate event to acknowledge and thank the outstanding contribution the retiring Temora Shire Council General Manager, Mr Gary Lavelle PSM has made in enhancing the Sister City relationship between Temora Shire Council and Randwick City Council; and
- b) during this event, the General Manager and Mayor record a video message for former Mayor, Margaret Martin who initiated this sister city relationship.

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

**Questions with Notice**

Nil.

**Petitions**

Nil.

**Confidential Reports**

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

**CC23/23 Confidential - Randwick City Awards for Sporting Achievements (Sports Awards) 2023 (F2023/00440)**

*This matter is considered to be confidential under Section 10A(2) (a) Of the Local Government Act, as it deals with personnel matters concerning particular individuals (other than Councillors). (The winners of the Awards for Sporting Achievements to remain confidential until announced at the presentation ceremony October 26, 2023. )*

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

- a) the Council endorse the judging panel's recommendations as outlined in the conclusion of this report, for the 2023 Randwick City Junior Sports Awards (male and female); the 2023 Bradley Matthews Memorial Award for Sporting Excellence; the 2023 Randwick City Hall of Sporting Champions; the 2023 Sporting Excellence - Junior with a Disability; and the 2023 Randwick Coach of the Year;
- b) Council notes that there were no nominations received in 2023 for Sporting Excellence – Youth with a Disability and such no recommendations have been presented for endorsement;
- c) the announcement and presentation of the winners of the Randwick City Awards for Sporting Achievements 2023 be announced at a presentation hosted by the Mayor on Thursday 26 October 2023;
- d) winners in each category are presented with Winners Certificates under Council's Seal, and the Junior Sports Awards; the 2023 Bradley Matthews Memorial Award for Sporting Excellence; the 2023 Sporting Excellence - Junior with a Disability; and the 2023 Randwick Coach of the Year category winners are all presented with an engraved trophy on Thursday 26 October 2023;
- e) the remaining nominees for all Sports Awards are given 'Certificates of Commendation' or 'Highly Commended' under the Seal of Council which are presented to them on Thursday 26 October 2023;

- f) the perpetual Trophy for the Bradley Matthews Memorial Award is updated to reflect the 2023 winner;
- g) the Randwick City Hall of Champions Board located at the Heffron Park Centre of Excellence is updated to reflect the 2023 inductees, after the announcement;
- h) the details of the 2023 Sports Awards remain confidential until formally announced on Thursday 26 October 2023;
- i) Council endorses changing the name of the Randwick City Coach of the Year to be the Randwick City Community Coach of the year from 2024 onwards; and
- j) Council endorses a further revised nomination criteria for the Randwick City Awards for Sporting Achievements to be used for the 2024 nominations as outlined in this report and attached.

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

**CS39/23 Confidential - Coogee Beach, Lower Promenade Amenities External Door Replacement T2024-03 (F2023/00371)**

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

**RESOLUTION: (Hamilton/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, Sullivans Constructions Pty Ltd be accepted as the successful tenderer(s) for T2024-03;
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into a contract on behalf of Council; and
- c) unsuccessful tenderers are notified.

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

**CS40/23 Confidential - Tender for Storey Street Depot Female Amenities Upgrade T2024-06 (F2023/00460)**

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

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

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2021, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, Every Trade Building Services Pty Ltd be accepted as the successful tenderer(s) for T2024-03;
- 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) the unsuccessful tenderers are notified.

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

**CO49/23 Confidential - Tender for the Provision and Delivery of Hardware, Protective Clothing and Apparels - SSROC Tender T2022-04 (F2021/00582)**

*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: (D'Souza/Burst) 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, Aqua Terra Oil and Mineral Service & Supply Co. Pty Ltd, Bunnings Group Limited, J. Blackwood & Son Pty Ltd t/a Blackwoods, Marque Haus Pty Ltd, Onsite Safety Australia Pty Ltd and Winc Australia Pty Ltd be accepted as the successful tenderer(s) for SSROC T2022-04 Provision and Delivery of Hardware, Protective Clothing and Apparels at the schedule of rates submitted for the term of the agreement; and
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into a preferred supplier agreement with Aqua Terra Oil and Mineral Service & Supply Co. Pty Ltd, Bunnings Group Limited, J. Blackwood & Son Pty Ltd t/a Blackwoods, Marque Haus Pty Ltd, Onsite Safety Australia Pty Ltd and Winc Australia Pty Ltd for a period of 3 years, with 2 optional 1-year extension(s).

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

The meeting moved back into open session.

**Notice of Rescission Motions**

Nil.

There being no further business, His Worship the Mayor, Cr D Parker, declared the meeting closed at 11.27pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of Randwick City Council held on Tuesday, 24 October 2023.**

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**CHAIRPERSON**