



**MINUTES OF ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 24 OCTOBER 2023 AT 7.03PM**

Present:

The Mayor, Councillor P Veitch (West Ward)

Central Ward	-	Councillors K Chapple, D Parker & D Rosenfeld
East Ward	-	Councillors J McCafferty, M Olive & M Wilson
North Ward	-	Councillors C Hamilton; K Neilson & R Pandolfini
South Ward	-	Councillors B Burst, N D'Souza & D Said
West Ward	-	Councillors A Hay & A Luxford (Deputy Mayor)

Officers Present:

General Manager	Mr R Brownlee
Acting Director City Planning	Ms S Agagiotis
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
Manager Sustainability	Mr P Maganov

A minute's silence was observed to mark the passing of Aunty Esme Timbury.

Acknowledgement of Local Indigenous People & Prayer

The Acknowledgement of Local Indigenous People was read by Cr Olive. The Council Prayer was read by Cr Luxford.

Apologies/Granting of Leave of Absences

An apology was received from Cr Burst.

RESOLVED: (Rosenfeld/Hay) that the apology received from Cr Burst be accepted and leave of absence from the meeting be granted.

Requests to attend meeting by audio-visual link

A request to attend the meeting by audio-visual link was received from Crs Chapple and Said.

RESOLVED: (Luxford/Parker) that the request from Crs Chapple and Said 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 19 September 2023 & the Extraordinary Council 26 September 2023

RESOLUTION: (Rosenfeld/Hay) that the Minutes of the meetings held on:

- Ordinary Council - Tuesday 19 September 2023 (subject to the deletion of the reference to Councillors Hay & Neilson leaving the chamber for item NM63/23 and to indicate that Cr Said left the chamber during the debate and voting on that matter); and
- Extraordinary Council - Tuesday 26 September 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

- Cr Parker declared a non-significant non pecuniary interest in Item CS43/23 as he used to work with one of the speakers several years ago but no longer works with him. Cr Parker will be voting on the matter.
- Cr Said declared a non-significant non pecuniary interest in Item CS43/23 as he knows one of the speakers on this matter.
- Cr Neilson declared a non-significant non pecuniary interest in Item CP38/23 as she knows one of the speakers through the Labor Party as he stood as the number two candidate for East Ward in the recent election.
- Cr Wilson declared a non-significant non pecuniary interest in Item CP38/23 as she knows one of the speakers as a neighbour and through the Labor Party as he stood as the number two candidate for East Ward in the recent election.
- The Mayor, Cr Veitch declared a non-significant non pecuniary interest in Item CS47/23 as she knows one of the speakers as a local community member.
- Cr Neilson declared a non-significant non pecuniary interest in Item CS47/23 as she knows one of the speakers as a local community member.
- Cr Pandolfini declared a non-significant non pecuniary interest in Item MM56/23 as her children attend the school receiving the donation.

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:

MM50/23	SUPPORT OF PAEDIATRIC CARDIAC SERVICES AT SYDNEY CHILDREN'S HOSPITAL, RANDWICK
	For Dr John Awad
CP38/23	PLANNING PROPOSAL - NEW LOCAL HERITAGE ITEMS - NO. 1 AND 3 BERWICK STREET, COOGEE, IN RLEP 2012
	For Mr Maurice Cunningham
CS43/23	BAKER PARK TENNIS COURTS - MANAGEMENT OPTIONS
	Against Mr Bruce Hawker
	For Mr Paul Baker
CS47/23	KENSINGTON PARK - PLAN OF MANAGEMENT UPDATE AND LANDSCAPE CONCEPT PLAN
	For Ms Stella Calpis

PROCEDURAL MOTION: (Olive/Pandolfini) that the items subject of speakers be brought forward as the first items of business. **LOST.**

Mayoral Minutes**MM48/23 Mayoral Minute - Financial Assistance and Donations - September - October 2023 (F2023/06574)**

240/23

RESOLUTION: (Mayor, Cr P Veitch) that Council:

- a) donate plants from Council's Nursery to the value of \$500.00 to be funded from the 2023-24 Contingency Fund to the Coast Centre for their Annual Plant Stall;
- b) donate plants from Council's Nursery to the value of \$1000.00 to be funded from the 2023-24 Contingency Fund to the Royal Hospital for Women's Annual Giving Day Event;
- c) donate \$1000.00 to the Coogee Dolphins to be funded from the 2023-24 Contingency Fund towards catering at the Coogee Pavilion following the 21st Bali Memorial Ceremony;
- d) donate \$1000.00 to EastFest to be funded from the 2023-24 Contingency Fund towards catering for the event. This event will be held at Our Lady of the Sacred Heart Catholic Church, Randwick; and
- e) waive the fees associated with the Coogee Surf Life Saving Club Coogee Island Challenge being held on 26 November 2023 and 14 April 2024 totalling \$6214.00 to be funded from the 2023-24 Contingency Fund.

MOTION: (Mayor, Cr P Veitch) CARRIED - SEE RESOLUTION.**MM49/23 Mayoral Minute - Mayor's Contingency Fund (F2017/07396)**

241/23

RESOLUTION: (Mayor, Cr P Veitch) that a staff report be brought back outlining recommended criteria or guidelines for donations coming from the Mayor's Contingency Fund.**MOTION: (Mayor, Cr P Veitch) 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 Luxford
Councillor Pandolfini	Councillor Parker
Councillor Neilson	Councillor Wilson
Councillor Hay	Councillor D'Souza
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Said	
Councillor Veitch	
Total (10)	Total (4)

MM50/23 Mayoral Minute - Support of Paediatric Cardiac Services at Sydney Children's Hospital, Randwick (F2023/06574)

Note: A rescission motion on this matter was submitted by Crs Parker, Neilson and Luxford in accordance with the Code of Meeting Practice and will be dealt with at the next available meeting.

242/23

RESOLUTION: (Mayor, Cr P Veitch) that:

- 1) Council writes to the NSW Premier, the Hon Chris Minns MP, and the NSW Minister for Health and Medical Research, the Hon Ryan Park MP, requesting that the NSW State Government restore and maintain an appropriately funded paediatric cardiac surgical program including cardiac bypass surgery at the Sydney Children's Hospital Randwick;
- 2) Council reaffirm its support of the retention of paediatric cardiac surgery at Sydney Children's Hospital (SCH) at Randwick;

- 3) Council's media channels including Facebook, Instagram and the Randwick City Council's website be used to promote the petition (Change.org/SaveCardiacatRandwick) through its media channels including Facebook, Instagram and the Randwick City Council's website; and
- 4) the Mayor and General Manager request to meet with the Minister for Health in relation to this matter.

MOTION: (Mayor, Cr P Veitch) 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 Luxford
Councillor Pandolfini	Councillor Parker
Councillor Neilson	Councillor Wilson
Councillor Hay	
Councillor Chapple	
Councillor Rosenfeld	
Councillor Olive	
Councillor McCafferty	
Councillor Said	
Councillor D'Souza	
Councillor Veitch	
Total (11)	Total (3)

AMENDMENT: (Parker/Luxford) that Council defer consideration until the offered briefing to the Mayor and General Manager from the Minister for Health has been accepted and has occurred. **LOST.**

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

FOR	AGAINST
Councillor Luxford	Councillor Hamilton
Councillor Parker	Councillor Pandolfini
Councillor Wilson	Councillor Neilson
	Councillor Hay
	Councillor Chapple
	Councillor Rosenfeld
	Councillor Olive
	Councillor McCafferty
	Councillor Said
	Councillor D'Souza
	Councillor Veitch
Total (3)	Total (11)

MM51/23 Mayoral Minute - Condolences for Esme Timbery (F2005/00266)

243/23

RESOLUTION: (Mayor, Cr P Veitch) that Council express its deepest condolences to the family of Esme Russell (Timbery) who passed away peacefully on October 6, 2023; and acknowledge the passing of Aunt Esme with a minute's silence.

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

MM52/23 Mayoral Minute - Congratulating Soroptimist International Randwick and Eastern Suburbs on their 70th Birthday (F2023/00001)

244/23

RESOLUTION: (Mayor, Cr P Veitch) that Council write to the Soroptimist International Randwick and Eastern Suburbs Club to congratulate them on their 70th birthday and recognise the years of service they have provided to the local community.

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

MM53/23 Mayoral Minute - Council Support for Retention of ANZ Bank Randwick Branch (F2014/00399)

245/23

RESOLUTION: (Mayor, Cr P Veitch) that Randwick Council calls on the ANZ Bank to retain their branch in Belmore Road, Randwick.

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

MM54/23 Mayoral Minute - Support for the Disability Royal Commission (F2017/00291)

246/23

RESOLUTION: (Mayor, Cr P Veitch) that Council:

- a) acknowledge the courage and generosity of people with lived experience of disability who shared their knowledge and experiences of violence, abuse, neglect and exploitation with the Royal Commission;
- b) re-affirm our commitment to creating a genuinely inclusive society, and recognise and uphold the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation;
- c) note that the implementation of the Recommendations is not a federal government task alone, but will in many cases also require commitment from both state and local government;
- d) re-affirm its commitment to implement the 2022-26 Disability Inclusion Action Plan; and
- e) write to the Hon Anthony Albanese PM, and the Hon Bill Shorten MP, Minister for the National Disability Insurance Scheme, to ensure mainstream services, programs and policies continue to service the 4.4 million people with disability, including participants of the NDIS, and to request funding for councils to deliver outcomes of individual DIAPs.

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

MM55/23 Mayoral Minute - Outcome of the Voice to Parliament Referendum (F2023/00621)

247/23

RESOLUTION: (Mayor, Cr P Veitch) that Council:

- a) acknowledges that the majority of our community supported A Voice to Parliament and constitutional recognition of Aboriginal people as the first peoples of this country;
- b) acknowledge Christopher Ingrey, Marcia Ella-Duncan, Michael Ingrey and the La Perouse Aboriginal Land Council for the work they did in supporting the Yes campaign; and
- c) continues to build on our relationship with the La Perouse Local Aboriginal Land Council and First Nations community, and remain committed to supporting and walking alongside Aboriginal and Torres Strait Islander Australians.

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

MM56/23 Mayoral Minute - Additional Financial Assistance and Donations - September - October 2023 (F2023/06574)

248/23

RESOLUTION: (Mayor, Cr P Veitch) that Council donate plants from Council's Nursery to the value of \$500.00, to be funded from the 2023-24 Mayor's Contingency Fund to Coogee Public School P & C Trivia Night to raise funds for their classroom wish list initiative.

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

Urgent Business

Nil.

The meeting was adjourned at 9.05pm and was resumed at 9.24pm.

Petitions

An online petition was tabled by Cr Luxford from local residents objecting to the proposed development application from the University of New South Wales at 215B Anzac Parade Kensington.

General Manager's Reports

GM9/23 General Manager's Report - 2022-23 Annual Report (F2023/03005)

249/23

RESOLUTION: (Chapple/Hay) that:

- a) the Randwick City Council 2022-23 Annual Report (including the 2022-23 audited Financial Statements) be endorsed by Council;
- b) the General Manager be authorised to make any minor administrative changes to the Annual Report if required; and
- c) a copy of the Annual Report be posted on Council's website and subsequent advice made to the Minister for Local Government as to the specific URL.

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

Director City Planning Reports

CP36/23 Director City Planning Report - Making permanent Randwick's Special Rate Variation for our Environmental Levy Program (F2004/08350)

250/23

RESOLUTION: (Olive/Neilson) that Council:

- a) approve a consultation process with our community seeking their views on making permanent, Randwick's special rate variation (SRV). This SRV currently provides dedicated funding for our innovative environmental levy program;
- b) approve notification to IPART (Independent Pricing and Regulatory Tribunal) of Randwick Council's intention to apply for a permanent SRV for its environmental levy program;
- c) approve the allocation of up to \$160,000 of environmental levy funding for preparation of community consultation, communication, financial and project documentation to meet IPART requirements in relation to our special rate variation application;
- d) note that a report will be brought back to Council by February 2024, on the results of this community consultation for a Council decision on whether to apply to IPART for a permanent environmental levy;
- e) include the additional environmental levy priority and program areas of:
 - Additional urban greening and maintenance/upkeep including growing tree canopy, underplanting, native and indigenous garden planting, and rain beds following best-practice principles of water-sensitive design and urban heat-island effect across coastal, town-centre and residential areas;
 - Climate mitigation for council and community assets;
- f) that the consultation materials are updated to reflect (e); and
- g) subject to Council resolving to apply for and being granted a Special Rate Variation to make the Environmental Levy permanent, that consequential amendments are made to relevant informing strategies, the Randwick Delivery Program, resourcing strategies, and Operational Plan.

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

CP37/23 Director City Planning Report - Anzac Parade Heritage Study - Post Exhibition Report (F2019/01571)

251/23

RESOLUTION: (Neilson/Wilson) that this matter be deferred for a councillor briefing, including financial details and matters involving Anzac Parade being assigned to the Anzac Parade Monument Trust.

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

AMENDMENT: (Hamilton/Hay) that Council:

- a) consider the responses from community consultation including local knowledge, stories, and suggestions to strengthen the existing study and inform the preparation of an Interpretation Plan for Anzac Parade with targeted options for educating and promoting community awareness about the significance of this cultural route;
- b) endorse the preparation of an interpretation plan for recognising Anzac Parade as a cultural route; and
- c) assigns this heritage study and all that it involves to the Anzac Parade Monument Trust. **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 Luxford
Councillor McCafferty	Councillor Parker
Councillor D'Souza	Councillor Chapple
	Councillor Olive
	Councillor Wilson
	Councillor Said
	Councillor Veitch
Total (5)	Total (9)

CP38/23 Director City Planning Report - Planning Proposal - New Local Heritage Items - No. 1 and 3 Berwick Street, Coogee, in RLEP 2012 (RZ/2/2022)

252/23

RESOLUTION: (Chapple/Olive) that Council:

- a) adopt the Planning Proposal as exhibited and having regard to submissions received during public exhibition, to list Nos. 1 and 3 Berwick Street, Coogee, as local heritage items in Schedule 5 of the Randwick Local Environmental Plan (RLEP);
- b) resolves to make the LEP under S.3.36(2)(a) of the Environmental Planning and Assessment Act, 1979 as the local plan making authority by preparing drafting instructions for the Parliamentary Counsel Office to give effect to the Planning Proposal and referring relevant mapping to the Department of Planning and Environment for final endorsement; and
- c) authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in the Planning Proposal prior to submitting to the Department of Planning and Environment.

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

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

FOR	AGAINST
Councillor Hamilton	
Councillor Pandolfini	
Councillor Neilson	
Councillor Hay	
Councillor Luxford	
Councillor Parker	

Councillor Chapple
 Councillor Rosenfeld
 Councillor Olive
 Councillor McCafferty
 Councillor Wilson
 Councillor Said
 Councillor D'Souza
 Councillor Veitch

Total (14)

Total (0)

**CP39/23 Director City Planning Report - Temporary Alcohol Prohibited Areas
 (F2005/00853)**

253/23

RESOLUTION: (Olive/Neilson) that:

- a) pursuant to s. 632A(4) of the *Local Government Act 1993*, the Randwick City Council hereby **declares** that each of the parks and reserves contained in the Schedule of Parks and Reserves attached to this Report is to be an **alcohol prohibited area** that is to operate from:
 - i) 8.00pm on the 22 December 2023, ceasing at 6.00am on the 3 January 2024, and
 - ii) from 8.00pm on the 25 January 2024, ceasing at 6.00am on the 29 January 2024;
- b) pursuant to s. 632A(7) of the *Local Government Act 1993*, the General Manager shall install temporary notices (signs) at each of the parks and reserves, contained in the Schedule of Parks and Reserves attached to this Report, sufficient to give effect to the declaration of the Council;
- c) Council carryout a public awareness campaign that informs the public that the consumption of alcohol at all of the City's beaches, beachside parks and reserves is prohibited as provided for by the declaration contained in "a);" and
- d) the Eastern Beaches (Police Area Command) Commander be advised of the Council's decision accordingly.

MOTION: (Olive/Neilson) CARRIED – SEE RESOLUTION.

MOTION: (Hamilton/Hay) that:

- a) pursuant to s. 632A(4) of the *Local Government Act 1993*, the Randwick City Council hereby **declares** that each of the parks and reserves contained in the Schedule of Parks and Reserves attached to this Report is to be an **alcohol prohibited area** that is to operate from:
 - i) 8.00pm on the 22 December 2023, ceasing at 6.00am on the 3 January 2024, and
 - ii) from 8.00pm on the 25 January 2024, ceasing at 6.00am on the 29 January 2024;
- b) pursuant to s. 632A(7) of the *Local Government Act 1993*, the General Manager shall install temporary notices (signs) at each of the parks and reserves, contained in the Schedule of Parks and Reserves attached to this Report, sufficient to give effect to the declaration of the Council;
- c) Council carryout a public awareness campaign that informs the public that the consumption of alcohol at all of the City's beaches, beachside parks and reserves is prohibited as provided for by the declaration contained in "a);"
- d) the Eastern Beaches (Police Area Command) Commander be advised of the Council's decision accordingly; and
- e) that Goldstein Reserve to Grant Reserve be added to the temporary list of alcohol prohibited areas.

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

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

FOR

Councillor Pandolfini
 Councillor Neilson
 Councillor Luxford
 Councillor Parker
 Councillor Chapple
 Councillor Olive
 Councillor Wilson
 Councillor Said
 Councillor D'Souza
 Councillor Veitch

Total (10)**AGAINST**

Councillor Hamilton
 Councillor Hay
 Councillor Rosenfeld
 Councillor McCafferty

Total (4)

CP40/23 Director City Planning Report - Variations to Development Standards under Clause 4.6 - 1 to 30 September 2023 (F2008/00122)

254/23

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

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

CP41/23 Director City Planning Report - Development Assessment Service Level Review (F2022/00564)

255/23

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

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

Director City Services Reports

CS41/23 Director City Services Report - Learner Driver Training - Keys2drive (F2009/00390)

256/23

RESOLUTION: (Chapple/Hay) that, given the AAA is currently working to develop a new program that aligns with the National Road Safety Strategy, it is recommended that the progress of the development of the new program be monitored and once introduced, be examined to ascertain if Randwick City Council can assist with the new program, in the future.

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

CS42/23 Director City Services Report - Sense of Community Street Parties (F2009/00454)

257/23

RESOLUTION: (Chapple/Hay) that Council:

- a) support "Sense of Community" street parties in 2023 by arranging, on behalf of residents:
 - i. traffic control plans
 - ii. the preparation of traffic management plans and road occupancy licences for submission to TfNSW (if necessary), and
 - iii. all traffic control measures associated with street parties including all signage, equipment, and labour on the day of the event.
- b) allocate funding of \$20,000.00 to cover the costs associated with street party applications on an ongoing basis with funds being allocated from the Traffic Committee Budget.

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

CS43/23 Director City Services Report - Baker Park Tennis Courts - Management Options (F2019/00266)

258/23

RESOLUTION: (Chapple/D'Souza) that Council maintain the management responsibilities of the Baker Park, Coogee tennis courts as per current arrangements.

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

CS44/23 Director City Services Report - Cycleways & Bicycle Facilities Advisory Committee - August 2023 (F2018/00158)

259/23 **RESOLUTION: (Chapple/Hay)** that the minutes of the Cycleways and Bicycle Facilities Advisory Committee Meeting held on 16 August 2023 be received and noted.

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

CS45/23 Director City Services Report - Randwick City Council Administration Building - Services Upgrade and Building Relocation Feasibility (PROJ/10611/5)

260/23 **RESOLUTION: (Hay/Hamilton)** that Council:

- a) immediately commence the short-term Mechanical Services intervention to 30 Frances Street, Randwick (Option 1 Works);
- b) endorse the proposal to investigate the feasibility to relocate the Administration Centre from 30 Frances Street, Randwick to 1-11 Rainbow Street, Kingsford;
- c) undertake a feasibility study for the proposed major development 1-11 Rainbow Street, Kingsford site, including community use options, affordable housing, etc; and
- d) ensure the feasibility study additionally considers such possibilities, including but not limited to a new library, community hall/meeting rooms, performance space/lecture theatre and additional parking spaces.

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

CS46/23 Director City Services Report - Maroubra Skate Park - Shade Structure Options (F2004/08044)

261/23 **RESOLUTION: (Rosenfeld/Chapple)** that:

- a) Council receives and notes the options presented to improve shade at the Maroubra Skate Park;
- b) option 2 involving a new deck, seating, and shade structure at the western side of the Skate Park be endorsed; and
- c) the project be added to a list of open space projects for consideration in a future capital works program.

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

CS47/23 Director City Services Report - Kensington Park - Plan of Management Update and Landscape Concept Plan (F2014/00598)

262/23 **RESOLUTION: (Luxford/Hay)** that:

- a) the update on the completed and ongoing actions for the Kensington Park Plan of Management be received and noted;
- b) the Landscape Concept Plan for the south-western corner of Kensington Park be endorsed and considered in a future capital works program; and
- c) Council review 1.13 of the Kensington Park – Plan of Management because of safety concerns, loss of recreational green space and because it is now redundant, with new bike paths very close by at Houston Road and Doncaster Avenue.

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

CS48/23 Director City Services Report - Proposal for the Relocation of AFL to Heffron Park from Pioneers Park (F2019/01165)

263/23

RESOLUTION: (Olive/D'Souza) that Council approve the postponing of the relocation of AFL from Pioneers Park to Heffron Park, as all key stakeholders are not in agreement with the proposal.

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

Director Community & Culture Reports**CC24/23 Director Community & Culture Report - Space to Create Residency (F2004/08383)**

264/23

RESOLUTION: (Chapple/Hay) that:

- a) the Space to Create residency at Bowen Library continues to provide affordable spaces for local creatives to practice their art forms and meet the objectives of the Arts and Culture Strategy by 2031; and
- b) a further report come back to Council in 12 months' time as an evaluation of the program.

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

CC25/23 Director Community & Culture Report - Australia Day Citizenship Ceremony & Staff Arrangements (F2023/00413)

265/23

RESOLUTION: (Rosenfeld/Hamilton) that Council:

- a) note that under the current Local Government Award and corresponding Public Holiday Act it is not possible to offer staff the option to work on 26 January (Australia Day) with an alternative day to be taken instead;
- b) note the events that will be delivered on 26 January 2024 include a family focused event in Kensington, the Citizenship and Community Awards and Culture on Country at La Perouse; and
- c) note that consultation has been held and will continue to be held with La Perouse Aboriginal elders via onsite survey at Culture on Country and at the Elders morning tea events and the NAIDOC Football match.

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

AMENDMENT: (Pandolfini/Neilson) that Council:

- a) endorse the proposed date of Tuesday 23 January 2024 for the Citizenship and Community Service Awards, with an event to be held in the evening at the Prince Henry Centre;
- b) endorse that in future years the Citizenship and Community Service Awards event is scheduled to be held on an appropriate day 3 days prior or 3 days after 26 January;
- c) note that under the current Local Government Award and corresponding Public Holiday Act it is not possible to offer staff the option to work on 26 January (Australia Day) with an alternative day to be taken instead;
- d) note the events that will be delivered on 26 January 2024 include a family focused event in Kensington and Culture on Country at La Perouse; and
- e) note that consultation has been held and will continue to be held with La Perouse Aboriginal elders via onsite survey at Culture on Country and at the Elders morning tea events and the NAIDOC Football match. **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 Chapple	Councillor Luxford
Councillor Olive	Councillor Parker
Councillor D'Souza	Councillor Rosenfeld
Councillor Veitch	Councillor McCafferty
	Councillor Wilson
	Councillor Said

Total (6)

Total (8)

CC26/23 Director Community & Culture Report - Lurline Chamber Orchestra Performance at Randwick Town Hall (F2023/00413)

266/23

RESOLUTION: (Chapple/Hay) that Council:

- a) approve the allocation of \$13,000 from the 2023-24 Cultural Arts Program budget to stage one ticketed concert of the Lurline Chamber Orchestra in the Randwick Town Hall in November/December 2023; and
- b) note that this will be a ticketed event with tickets costing \$22.72 each, with any revenue offsetting the cost of the event.

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

Director Corporate Services Reports

CO57/23 Director Corporate Services Report - 2022-23 Financial Statements (F2022/01406)

267/23

RESOLUTION: (Rosenfeld/D'Souza) that the presentation of the audited 2022-23 Financial Statements, both General Purpose and Special Schedule for the year ending 30 June 2023 be received and noted.

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

PROCEDURAL MOTION: (Rosenfeld/Said) that Councillor addresses be limited to two minutes for the remainder of the meeting. **LOST.**

CO58/23 Director Corporate Services Report - Monthly Financial Report as at 30 September 2023 (F2021/00364)

268/23

RESOLUTION: (Chapple/Hay) that the Monthly Financial Report as at 30 September 2023 be received and noted.

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

CO59/23 Director Corporate Services Report - Investment Report - September 2023 (F2016/06527)

269/23

RESOLUTION: (Chapple/Hay) that the Investment Report for September 2023 be received and noted.

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

CO60/23 Director Corporate Services Report - 2022-23 Disclosure of Interests Returns (F2023/01361)

270/23

RESOLUTION: (Chapple/Hay) that it be noted that the Register of Disclosure of Interests Returns for 2022-23 has been tabled at the Ordinary Council Meeting of 24 October 2023.

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

CO61/23 Director Corporate Services Report - Fraud and Corruption Framework and Policy (F2023/00230)

271/23 **RESOLUTION: (Chapple/Hay)** that the Fraud and Corruption Policy (September 2023) be adopted.

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

CO62/23 Director Corporate Services Report - NSW Mandatory Notification of Data Breach (MNDB) Scheme (F2018/00107)

272/23 **RESOLUTION: (Chapple/Hay)** that the Data Breach Policy and amended Privacy Management Plan be adopted and made available on Council's website.

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

Motions Pursuant to Notice

NM70/23 Motion Pursuant to Notice - Notice of Motion from Cr Olive - Submission to Inquiry into the Planning System and the Impacts of Climate Change on the Environment and Communities (F2019/00725)

273/23 **RESOLUTION: (Olive/Neilson)** that Council:

- a) note that biodiversity offset credits were approved for the removal of Eastern Suburbs Banksia Scrub (ESBS) in the Jennifer Street (Stage 1) development by the Land and Environment Court;
- b) note that on the 29th August the Defence Department indicated biodiversity offset credits, as per the NSW scheme, could be used if ESBS was found on the proposed Bundock Street Housing development site;
- c) note that ESBS is listed as critically endangered;
- d) note that ESBS is irreplaceable and cannot be offset with biodiversity credits without reducing the current stock of ESBS; and
- e) write a submission to the NSW Upper House Inquiry into the planning system and the impacts of climate change on the environment and communities outlining the inadequacies of the current biodiversity offset credit scheme where it relates to critically endangered species and Eastern Suburbs Banksia Scrub in particular.

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

AMENDMENT: (Hay/Hamilton) that the following clauses be added to the original recommendation:

- f) Randwick Council should urgently review the height of the trees, including Banksia trees that are between the Malabar Beach Lifeguard tower and Malabar Beach, obstructing the view from the lifeguard tower to the beach; and
- g) write to the Australian National Arboretum, requesting to include Eastern Suburb Banksia Scrub in plans for any future expansion. **LOST.**

NM71/23 Motion Pursuant to Notice - Notice of Motion from Cr Hamilton - Market Street Rear to Kerb Parking Trial (F2005/00750)

274/23 **RESOLUTION: (Hamilton/Neilson)** that:

- a) the trial of angle street parking in Market Street be limited to six months;
- b) community consultation be undertaken at the conclusion of the six-month trial;
- c) a report be brought back to Council on the feasibility of making the Market Street angle parking permanent; and

- d) the proposed report to include feedback from businesses that utilise the Randwick Literary Institute and from residents within the street.

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

NM72/23 Motion Pursuant to Notice - Notice of Motion from Cr Hamilton - Israel-Hamas Conflict (F2012/00347)

This matter was withdrawn as it was dealt with at the Extraordinary Council meeting held 23 October 2023.

NM73/23 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Update on Single Use Plastic Ban with Local Businesses (F2004/07333)

275/23

RESOLUTION: (Pandolfini/D'Souza) that a report be prepared into how businesses in Randwick, including Randwick City Council venues, are adhering to the single use plastic ban and how the Council can assist, including but not restricted to:

- a) information on Randwick Council venues and whether they are all adhering to the guidelines on single use plastics and where they can be assisted in this transition;
- b) information on businesses across the LGA and whether the single use plastic ban is being implemented effectively; and
- d) potential for a social media and advertising campaign to encourage and inform people on single use plastic ban and alternatives.

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

NM74/23 Motion Pursuant to Notice - Notice of Motion from Cr Pandolfini - Rubbish Left on Randwick's Beaches (F2011/00106)

276/23

RESOLUTION: (Pandolfini/D'Souza) that a report be prepared into what can be done to curb the amount of rubbish left on Randwick's beaches and in town centres, including but not restricted to:

- a) information provided on the quantity and signposting of bins at Randwick beaches to ensure that there are both enough bins and also that the public understand clearly where they are and what bins to use;
- b) potential effectiveness of an educational campaign across both advertising and social media to encourage people to pick up their rubbish and put it in the correct bins across Randwick beaches; and
- c) a coastal and town-centre waste and cleansing service level review being added/updated to the program of reviews 22-26.

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

Questions with Notice

Nil.

Confidential Reports

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

CS49/23 Confidential - Alison Park Playground Project - Tender No. T2024-04 (F2023/00397)

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. (Tender/Procurement)

277/23

RESOLUTION: (Luxford/D'Souza) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, and subject to contractual negotiations being finalised to the reasonable satisfaction of the General Manager, GJ's Landscapes Pty Ltd be accepted as the successful tenderer for T2024-04 Alison Park Playground Project;
- 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: (Luxford/D'Souza) CARRIED UNANIMOUSLY - SEE RESOLUTION.

CO63/23 Confidential - Provision of Audiovisual Equipment and Services - Tender T2023-05 (F2022/00485)

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.

278/23

RESOLUTION: (D'Souza/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, **Videopro Pty Ltd** be accepted as the successful tenderer(s) for T2023-05 Audiovisual Equipment and Services at the proposed rates over the term of the agreement;
- b) under Section 377(1) of the Local Government Act 1993 the General Manager is authorised to enter into a contract with Videopro Pty Ltd for a period of five (5) years, with three (3) optional one (1) year extension(s); and
- c) unsuccessful tenderers are notified.

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

CO64/23 Confidential - Tender for the Operation of Maroubra Beach Volleyball Tender No. T2024-02 (F2023/00387)

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.

279/23

RESOLUTION: (D'Souza/Luxford) that:

- a) under Regulation 178(1)(a) of the Local Government (General) Regulation 2005, Option A submitted by beachvolleyball.com.au be accepted as the successful tenderer for T2024-02 for the Operation of Maroubra Beach Volleyball at their submitted rates for a period of five (5) years; and
- 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.

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

CO65/23 Confidential - Expression of Interest - Licence for Operation of Day Care/Childcare Services 23 Munda Street, Randwick (F2023/00461)

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.

280/23

RESOLUTION: (Hay/D'Souza) that:

- a) S.O.S Pre-school be accepted as the successful submission for T2024-01 Expression of Interest for Operation of Child Care/Daycare Services tenure at 23 Munda Street, Randwick for a period of five (5) years; and
- b) the General Manager is authorised to enter into a contract on behalf of Council.

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

The meeting moved back into open session.

Notice of Rescission Motions

Note: A rescission motion on item MM50/23 Mayoral Minute - Support of Paediatric Cardiac Services at Sydney Children's Hospital, Randwick was submitted by Crs Parker, Neilson and Luxford in accordance with the Code of Meeting Practice and will be dealt with at the next available meeting.

There being no further business, Her Worship the Mayor, Cr P Veitch, declared the meeting closed at 11.14pm.

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

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CHAIRPERSON