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INCORPORATED
AS A MUNICIPALITY
22 FEBRUARY 1859
PROCLAIMED AS
A CITY JULY 1990

6th August, 2002

WORKS COMMITTEE MEETING

NOTICE IS HEREBY GIVEN THAT A WORKS COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF RANDWICK WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON TUESDAY, 13TH AUGUST 2002 AT 6:00 P.M.

Committee Members: His Worship, the Mayor, Cr D. Sullivan, Crs Backes, Bastic (Chairperson), Greenwood, Schick, Seng and White (Deputy Chairperson) and Whitehead.

Quorum: Five (5) members.

NOTE: AT THE EXTRAORDINARY MEETING HELD ON 5TH SEPTEMBER, 2000, THE COUNCIL RESOLVED THAT THE WORKS COMMITTEE BE CONSTITUTED AS A COMMITTEE WITH FULL DELEGATION TO DETERMINE MATTERS ON THE AGENDA.

1 Apologies

2 Minutes

CONFIRMATION OF THE MINUTES OF THE WORKS COMMITTEE MEETING HELD ON 9TH JULY, 2002.

3 Addresses to Committee by the Public

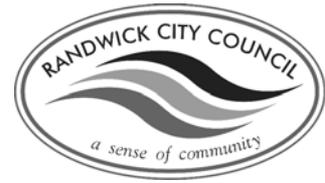
4 Mayoral Minutes

5 Works

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84/2002 - DAINTRY CRESCENT, RANDWICK - TRAFFIC
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.....
ACTING GENERAL MANAGER



Director Asset & Infrastructure Services' Report 84/2002

| | |
|-----------------|--|
| SUBJECT: | DAINTREY CRESCENT, RANDWICK - TRAFFIC CONDITIONS |
|-----------------|--|

| | | | |
|--------------|---------------|-----------------|-----------|
| DATE: | 16 July, 2002 | FILE NO: | R/0215/02 |
|--------------|---------------|-----------------|-----------|

REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

A petition has been received from residents of Daintrey Crescent, Randwick concerned with vehicles parking on both sides of the road in Daintrey Crescent restricting access for local traffic.

ISSUES:

At the traffic committee meeting held in June 2002 the following report was considered:

“In a letter dated 15 May 2002, Mr Andrew Tosti of 24 Daintrey Crescent has requested that a ‘No Stopping’ zone be introduced outside Nos 1 and 3 Daintrey Crescent. A petition has been signed by Daintrey Crescent residents, including residents of No’s 1 and 3.

The letter indicates that the road carriageway outside Nos 1 and 3 Daintrey Crescent is simply not wide enough to accommodate vehicles being parked on both sides of the road, and through traffic cannot manoeuvre safely between parked vehicles at this location.

Upon inspection of the site conditions the request to install No Stopping in front of No. 1 Daintrey Crescent is supported as the carriageway width is too narrow to cater for a traffic lane and two parking lanes. It is not considered necessary to extend the No Stopping zone to include the frontage of No 3 as the available carriageway width widens at this location.

The existing parking arrangements should be amended, as should a vehicle be parked in front of No. 1 Daintrey Crescent, access for vehicles in particular emergency vehicles would be restricted.

At the meeting the Police representative advised that the ‘No Stopping’ restriction should be extended to include the frontages of No’s 1 to 7 Daintrey Crescent in order to allow access for emergency vehicles.

It was recommended that:

1. *'No Stopping' be signposted on the eastern side of Daintrey Crescent along the frontage of No 1 Daintrey Crescent.*
2. *The extension of the 'No Stopping' on road safety grounds to include the frontages of No's 3 to 7 Daintrey Crescent be investigated."*

CONCLUSION:

The extension of the No Stopping to include the frontages of No 1 to 7 was investigated and the effected residents supported the proposal.

RECOMMENDATION:

That 'No Stopping' be signposted along the frontages of No 1 to 7 Daintrey Crescent.

ATTACHMENT/S:

Petition

.....
TIM McCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
JASON SCOUFIS
TRAFFIC ENGINEER

PETITION
NO STOPPING ZONE TO BE CREATED ON EASTERN SIDE OF
DAINTREY CRESCENT DIRECTLY OUTSIDE NOS 1 & 3
DAINTREY CRESCENT

To The Mayor of Randwick City Council.
We the undersigned residents of Daintrey Crescent wish to register our objection to vehicles being parked on the eastern side of the carriage way directly outside Numbers 1 & 3 Daintrey Crescent Randwick We request that this zone be marked "No Stopping" and that this restriction be enforced:

Objections are on the following grounds:

1. The carriageway is too narrow.
2. Possible damage to vehicles as through traffic manoeuvres between parked vehicles especially at night.
3. Difficult access for any emergency/service vehicles called to residences in Daintrey Crescent.
4. Hazardous situation for through traffic.
5. Hazardous situation for embarking/disembarking passengers of vehicles parked at this location.

| DATE | NAME | ADDRESS | SIGNATURE |
|-----------|------------|-------------------------|-------------|
| 10 APR 02 | P TOSTI | 24 DAINTREY CR RANDWICK | [Signature] |
| 10 APR 02 | M TOSTI | " " " " | [Signature] |
| 10 APR 02 | S TOSTI | " " " " | [Signature] |
| 10 APR 02 | A TOSTI | " " " " | [Signature] |
| 22/4/02 | SKUDER | 10 Daintrey Cr | [Signature] |
| 22/4/02 | SKUDER | 10 Daintrey Cr | [Signature] |
| 24/4/02 | ARK FIFEL | 1/11 Daintrey Cr | [Signature] |
| 24/4/02 | S-BUNKER | 2/10 Daintrey Cr | [Signature] |
| 24/4/02 | S-BUNKER | 2/10 Daintrey Cr | [Signature] |
| 24/4/02 | J. HARVEY | 2/11 Daintrey Crescent | [Signature] |
| 24/4/02 | J. HARVEY | 2/11 Daintrey Crescent | [Signature] |
| 24/4/02 | L. BRACKS | 2/10 Daintrey Crescent | [Signature] |
| 24/4/02 | A. ROOSENS | 2/10 Daintrey Cr | [Signature] |
| 24/4/02 | R. MORGAN | 47 Daintrey Cr | [Signature] |
| 24/4/02 | R. MORGAN | 47 Daintrey Cr | [Signature] |
| 24/4/02 | B. SCOTT | 3 Daintrey Cr | [Signature] |
| 24/4/02 | M. SCOTT | 3 Daintrey Cr | [Signature] |
| 24/4/02 | G. PAULS | 2/2 Daintrey Cr | [Signature] |
| 24/4/02 | F. PAULS | 2/2 Daintrey Cr | [Signature] |
| 24/4/02 | S. PAULS | 2/2 Daintrey Cr | [Signature] |
| 24/4/02 | L. PAULS | 2/2 Daintrey Cr | [Signature] |

Please sign petition once only

2/11
6/11

2/17
3/17
8
1/6
2/6
3/6
4/6

PETITION
NO STOPPING ZONE TO BE CREATED ON EASTERN SIDE OF
DAINTREY CRESCENT DIRECTLY OUTSIDE NOS 1 & 3
DAINTREY CRESCENT

To The Mayor of Randwick City Council.

We the undersigned residents of Daintrey Crescent wish to register our objection to vehicles being parked on the eastern side of the carriage way directly outside Numbers 1 & 3 Daintrey Crescent Randwick We request that this zone be marked "No Stopping" and that this restriction be enforced:

Objections are on the following grounds:

1. The carriageway is too narrow.
2. Possible damage to vehicles as through traffic manoeuvres between parked vehicles especially at night.
3. Difficult access for any emergency/service vehicles called to residences in Daintrey Crescent.
4. Hazardous situation for through traffic.
5. Hazardous situation for embarking/disembarking passengers of vehicles parked at this location.

4/2
5/2
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7/2
8/2

11/12
2/12
3/12
1/12
5/12
6/12
7/12
8/12
10/12

| DATE | NAME | ADDRESS | SIGNATURE |
|---------|------------------|--------------------------|-------------|
| 29/02 | Matthew Allen | Unit 3 2-4 Daintrey Cres | [Signature] |
| 24/02 | Anteje Horin | 8 Daintrey Cres | [Signature] |
| 24/2 | BRAD PETERSON | 9 DAINTREY CR | [Signature] |
| 24/2/02 | ANNIE PETERSON | 9 DAINTREY CR | [Signature] |
| 24/4/02 | Neil Whitman | 11 Daintrey Cres | [Signature] |
| 24/4/02 | David Green | 2/7 Daintrey Cres | [Signature] |
| 24/4/02 | Andrew Ferguson | " " " | [Signature] |
| 24/4/02 | Col Foster | 2/7 " " | [Signature] |
| 29/7/02 | Walter Robinson | 2/7 " " | [Signature] |
| 22/2/02 | Richard A. Scott | 4/12 Daintrey Cres | [Signature] |
| 27/2/02 | B. ROBERTS | 6/12 " " | [Signature] |
| 27/4/02 | MAN ENRIKSEN | 6/12 " " | [Signature] |
| 27/4/02 | Jim Ireland | 8/12 " " | [Signature] |
| 28/4/02 | MHS SIMMONS | 11/12 " " | [Signature] |
| " | SR QUASWART | " " " | [Signature] |
| 27/4/02 | Paul Kelly | 2/7 Daintrey Cres | [Signature] |
| 15/4/02 | V. STONE | 102 Daintrey Cres | [Signature] |
| " | V. STONE | " " " | [Signature] |
| 13/3/02 | Y. SIMMONS | 1/10 Daintrey Cres | [Signature] |
| 13/3/02 | A. SIMMONS | 1/10 Daintrey Cres | [Signature] |
| 13/3/02 | A. SIMMONS | 1/10 Daintrey Cres | [Signature] |
| 13/3/02 | A. SIMMONS | 1/10 Daintrey Cres | [Signature] |
| 13/3/02 | A. SIMMONS | 1/10 Daintrey Cres | [Signature] |

Please sign petition once only

PETITION
 NO STOPPING ZONE TO BE CREATED ON EASTERN SIDE OF
 DAINTRY CRESCENT DIRECTLY OUTSIDE NOS 1 & 3
 DAINTRY CRESCENT

To The Mayor of Randwick City Council.
 We the undersigned residents of Daintrey Crescent wish to register our objection to vehicles being parked on the eastern side of the carriage way directly outside Numbers 1 & 3 Daintrey Crescent Randwick We request that this zone be marked "No Stopping" and that this restriction be enforced:

Objections are on the following grounds:

1. The carriageway is too narrow.
2. Possible damage to vehicles as through traffic manoeuvres between parked vehicles especially at night.
3. Difficult access for any emergency/service vehicles called to residences in Daintrey Crescent.
4. Hazardous situation for through traffic.
5. Hazardous situation for embarking/disembarking passengers of vehicles parked at this location.

| DATE | NAME | ADDRESS | SIGNATURE |
|---------|-------------|-------------------------|-------------|
| 26/4/02 | H. Spence | 6/18 Daintrey Crescent | [Signature] |
| 27/4/02 | S. Spence | 6/18 Daintrey Crescent | [Signature] |
| 28/4/02 | M. Spence | 6/18 Daintrey Crescent | [Signature] |
| 26/4/02 | L. Peirse | 9/18 Daintrey Crescent | [Signature] |
| 27/4/02 | A. Chrystie | 6/18 Daintrey Crescent | [Signature] |
| 27/4/02 | R. OS MUIR | 1/3 Daintrey Crescent | [Signature] |
| 27/4/02 | R. Thompson | 2/18 Daintrey Crescent | [Signature] |
| 5/5/02 | P. HOGG | 5 Daintrey Cres | [Signature] |
| 5/5/02 | D. HOGG | 5 Daintrey Cres | [Signature] |
| 5/5/02 | J. PILNER | 7/12 Daintrey Crescent | [Signature] |
| 5/5/02 | M. Madan | 5/2 Daintrey Cres | [Signature] |
| 5/5/02 | S. Pfeiffer | 7/2 Daintrey Cres | [Signature] |
| 5/5/02 | D. Spence | 2/18 Daintrey Crescent | [Signature] |
| 5/5/02 | P. Williams | 20 Daintrey Cres | [Signature] |
| 5/5/02 | A. Smeaton | 22A Daintrey Crescent | [Signature] |
| 5/5/02 | M. DUFFY | 22A Daintrey Crescent | [Signature] |
| 7/5/02 | P. WILLIAMS | 20 DAINTRY CRES | [Signature] |
| 13/5/02 | K. L. FINN | 1 DAINTRY CRES RANDWICK | [Signature] |
| | | | |
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Please sign petition once only

Director Asset & Infrastructure Services' Report 85/2002



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| SUBJECT: | MAROUBRA BEACH - REQUEST FOR 4 HOUR PARKING |
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|--------------|---------------|-----------------|---------------------|
| DATE: | 25 July, 2002 | FILE NO: | R/0500/02 R/0537/02 |
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REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

Council's Works Manager, has requested that period parking restrictions be installed in Mons Avenue, Marine Parade and Council's Car Park at Maroubra Beach as a result of a commuter parking problem.

ISSUES:

Anecdotal evidence indicates that a significant amount of kerbside parking in Mons Avenue, Marine Parade and the Maroubra Beach Car Park is occupied by commuters who drive their vehicles to Maroubra Beach in the morning and park there all day when catching a bus to work. The installation of 4 hour parking would inhibit this activity and at the same time enable patrons of the beach and businesses adequate time to undertake activities.

The original request was for 24 hour restrictions which would deter camper vans from parking overnight, however the enforcement of these signs would be difficult and such signs are uncommon.

At the Traffic Committee meeting held in July 2002, the Police representative advised that the 4 hour parking restrictions should be located in Mons Avenue between Marine Parade and Fenton Avenue and not extended to Malabar Road as this would cause all day parking of non residents in local streets which would adversely effect local residents.

CONCLUSION:

The installation of '4 Hour Parking 8.00am-10.00pm' restrictions will increase turnover of parking in the Maroubra Beach area and provide all users with adequate time to undertake leisure and business activities whilst deterring all day commuter parking.

RECOMMENDATION:

That '4 Hour Parking 8.00am-10.00pm' restrictions be signposted in the following locations:

- on both sides of Mons Avenue between Marine Parade and Fenton Avenue.
- on the eastern side of Marine Parade between Maroubra Road and Fitzgerald Avenue.
- in the Maroubra Beach Council Car Park.

ATTACHMENT/S:

Nil

.....
TIM McCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
JASON SCOUFIS
TRAFFIC ENGINEER



Director Asset & Infrastructure Services' Report 86/2002

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| SUBJECT: | DES RENFORD AQUATIC CENTRE - REDEVELOPMENT PROJECT |
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|--------------|---------------|-----------------|----------------|
| DATE: | 30 July, 2002 | FILE NO: | 98/S/2670 Pt 7 |
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REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

Heffron Park, Matraville is a 44 – hectare Crown Reserve. In 1959 Randwick City Council was appointed Manager of the Reserve Trust.

The Des Renford Aquatic Centre is located in the northwest corner of Heffron Park and occupies 1.64 hectares of the park. The facility is located on the corner of Robey Street and Jersey Road, Matraville. Key points of the recent history of the Centre are provided in Attachment 1.

RANS Management Group had been operating the Centre on behalf of Council up to July 2002. In mid July 2002 RANS went into liquidation. It is therefore now appropriate to restart the Council's earlier intention to redevelop the Centre. The purpose of this initial report to the Committee is to restart the redevelopment, the first phase being a review of the business performance of the Centre.

ISSUES:

In July 1998, Michael King and Associates Pty Ltd completed the *Recreation Facility Management and Development Plan – Heffron Park Swimming Centre*. This comprehensive report highlighted the lack of systems in place to record usage and financial information for the Centre. Further the report recommended that Council enter into a short lease period with appropriate operators to ascertain usage/financial data on which future decisions could be made and viable redevelopment criteria established.

In late 1999 Council tendered the operation of the Centre and entered into a draft agreement with the RANS Management Group. RANS Management has been collecting relevant usage/financial information for Council since their engagement.

Council has been advised that RANS Management is being liquidated and an Administrator has been appointed. This situation expedites the need to progress the redevelopment of the Centre.

SGL Consulting Group (formerly Michael King and Associates) has been engaged to provide a review of the business performance of the Aquatic Centre (refer Proposal-Attachment 2). This review will provide necessary information to aid in the establishment of a suitable redevelopment strategy.

The initial meeting with SGL Consulting Group occurred on Friday 12th July. A 5-6 week timeframe is required for the completion of the project. Concurrently A&IS will be evolving a project strategy for the redevelopment.

The major tasks for Business Performance Review are as follows:

- Task 1: Project Clarification
- Task 2: Management Interviews
- Task 3: Operational/Business Review Update
- Task 4: Interviews with Key Stakeholders
- Task 5: Users Surveys
- Task 6: Summary of Key Issues
- Task 7: Draft Report
- Task 8: Final Report

RECOMMENDATION:

That Council be kept informed of the progress of the Business Performance Review/Update by SGL Consulting.

ATTACHMENT/S:

Key Historical Points
Consultants Proposal - (UNDER SEPARATE COVER.)

.....
TIM McCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
KERRY COLQUHOUN
PARKS & RECREATION OFFICER

Attachment 1:Key historical Points

| | |
|----------------------|--|
| 1987-1992 | Mr. Buck & Mr. Gollan enter into a Lease Agreement for Heffron Park Swimming Centre |
| 1989 | Lessees propose a capital works program and seek an extension to the Lease for a further 5 years (1992-1997). |
| 1991 | Council resolves to extend the lease to 30th September 1997. |
| 1993 | Lessee seeks to extend their lease from 1997 to 2000. Council resolves to prepare a Plan of Management for Heffron Park, Matrville and not to offer an extension of the existing terms and conditions of the lease agreements prior the completion of the Plan of Management. |
| 1995 | The lessees again request an extension of their lease to 2002. Council resolves to seek the Ministers approval for variation of the lease. Council adopts the Draft Plan of Management in principle. Plan of Management requires tenders be called for lease and licence agreements with income greater than \$10,000. |
| 1997 | Valuation report establishes fair market rental to be valued at \$315,000 for Heffron Park Swimming Centre. Council's solicitors advise to rescind its decision of 14th April 1995 to the proposal to extend the lease to 2002. Council rescinds it resolution of 14th April 1995. Council resolves to extend the lease to 30th September 1998 to permit consultants to prepare a Management Plan for the facility (Agreement not finalised). |
| 1998 | Meeting with General Manager and lessees who propose to extend their lease until April 1999 to permit the lessee to complete their summer swimming programs and 30th allow Council time to prepare its tender documents. Council resolves, on condition, to extend the lease to 30th April 1999. Council engages Michael King and Associates (Leisure Consultants) to undertake Recreation Facility Management and Development Plan |
| 1999 | Council calls tenders. |
| Late 1999 | Council enters a draft agreement for RANS Management Group to operate the Centre and provide Council with specified statistics. |
| Late 1999 to present | RANS Management Group operates the Centre and provides specified data. |



Director Asset & Infrastructure Services' Report 87/2002

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| SUBJECT: | CROMWELL PARK |
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|--------------|---------------|-----------------|------------------------------------|
| DATE: | 31 July, 2002 | FILE NO: | 98/S/1326, 98/S/1300, 98/S/1173 |
|--------------|---------------|-----------------|------------------------------------|

REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

Council at its meeting of 25th June 2002, received a petition from Mrs Nadia Fernandez of 29 Dacre Street, Malabar, where improvements to Cromwell Park and Dacre Street were requested. Council resolved **“that the petition be referred to the appropriate Committee with a report from the relevant officer”**.

The petition on behalf of 19 other local residents, stated that they were pleased with the recent improvements at Malabar, but would like to see additional protective fencing, an increase in seating and covered areas, traffic calming measures in Dacre Street and screening of the stormwater pipe on the northern side of the bay.

ISSUES:

PROTECTIVE FENCING

Council in January 2002 in accordance with the Plan of Management for Malabar installed a modified post and rail fence along the Dacre Street frontage of Cromwell Park.

A site inspection with local residents indicated an additional need for child proof fencing. The installation of child proof fencing around the reserve is neither appropriate nor in accordance with the Plan of Management. However, it is proposed that childproof fencing be installed around the playground area. Quotations have been sought and the installation of childproof fencing around the playground area will commence shortly.

ADDITIONAL SHADING & SEATING

Recent improvements to the playground area have seen the replacement of the unstable softfall sand with wet pour rubber, new landscaping and the installation of seating around the playground area.

The Plan of Management for Malabar made the provision for the installation/replacement of three picnic shelters in Cromwell Park. The request for additional picnic shelters

should be viewed in the overall context of the park and park usage. It would be appropriate to monitor visitations at the park over the summer period to determine if more picnic shelters are warranted.

TRAFFIC ISSUES

The traffic matters in the petitions were referred to Council's Traffic Engineer for consideration. The Traffic Engineer advises that the existing traffic facilities in Dacre Street are considered adequate and no proposed improvements are recommended at this time.

DRAINAGE

The matter of the unsightly drainage outlet on the northern side of Malabar Bay has been identified in the Plan of Management. Works proposed for Malabar this financial year include the rehabilitation of the northern headland. The investigation of the drainage works will be included for consideration in future works.

CONCLUSION:

The provision of child proof fencing around the playground in Cromwell Park is likely to commence the week starting 12th August, 2002.

The recent installation of park benches in the playground area has greatly improved supervision facilities for parents, however the request for additional picnic shelters will be considered over the coming summer in light of the overall need for these facilities.

RECOMMENDATION:

That the report be noted.

ATTACHMENT/S:

NIL

.....
TIM McCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
DAVID MEREDITH
LANDSCAPE TECHNICIAN
PARKS

Director Asset & Infrastructure Services' Report 88/2002



| | |
|-----------------|---|
| SUBJECT: | RECYCLING ECONOMICS - REGIONAL PROCESSING OF KERBSIDE COLLECTIONS VERSUS CONTAINER DEPOSIT LEGISLATION. |
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|--------------|----------------|-----------------|------------------------|
| DATE: | 1 August, 2002 | FILE NO: | 98/S/1773 xr 98/S/3601 |
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REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

Regional Processing of Kerbside-collected Recyclables

On 25 January 2001, the former Southern Sydney Waste Board lodged an Application with the ACCC on behalf of Southern Sydney councils to seek an authorisation under the *Trade Practices Act 1974* for the councils to collectively tender for the sorting and marketing of kerbside collected recyclable material.

In response to the ACCC's call for submissions, Council made a significant submission to the ACCC dated 29 March 2001. Council took issue with the policy context for recycling, the lack of framework for regulating market behaviour, the impact on competition of segmenting the waste stream and the cost of service for recycling.

Council was briefed on the progress of the Application at the Ordinary Council meeting on 28 August 2001 and resolved that Council be represented by the Waste Manager at discussions with the ACCC on regional recycling at a meeting with the ACCC on 19 October 2001.

At these discussions, ACCC opinion was sought on whether councils needed to seek an authorisation to collectively tender for alternative waste technologies for the disposal of putrescible waste. ACCC viewed that authorisation was not necessary, provided that there were no barriers to market entrants. The ACCC view was consistent with existing SSROC tendering practices, in which fair competition is achieved through the merits of the tender documents.

Council considered a report on this successful meeting with ACCC at the Works Committee meeting on 13 November 2001. At that time, the ACCC had indicated that it would issue a Draft Determination before the end of the year. With the abolition of the Waste Boards, Resource NSW assumed the role of Applicant and continued to work with SSROC councils on this Application.

On 8 March 2002, the ACCC issued its Draft Determination and convened a meeting of interested parties at its Sydney offices on 15 April 2002. The Draft Determination proposed that Councils be authorised to tender for regional processing of recyclables for a period of five years, which was less than the ten-year term sought.

At the meeting on 15 April, all of the interested parties expressed support for the original ten-year period. Waste Service NSW was represented at this meeting and raised no other objections to the Draft Determination. If Waste Service NSW had felt that the infrastructure requirements of the Southern Sydney councils unfairly affected the business operations of its Chullora Material Recovery Facility, then this was the final opportunity to state their case.

On 7 June 2002, the ACCC issued its Determinations A30204 and A30205, authorising councils of the Southern Sydney and Inner Sydney regions to collectively tender for the processing of recyclable materials.

Container Deposit Legislation (CDL)

At the Ordinary Council meeting on 24 April 2001, Council resolved to reaffirm Council's support for CDL and call on the State Government to implement such legislation as soon as possible. Letters to this effect were sent to the Premier on 10 May 2001 and the Minister for the Environment on 11 May 2001.

The Minister for the Environment on 28 February 2002 released the Independent Inquiry Report by Dr Stuart White from the Institute for Sustainable Futures. The report recommended that either:

1. CDL be introduced with features such as a 10 cent deposit on all beverage containers, with return to point of sale for refunds or to collection centres near retail outlets, with compensation to those meeting the cost of collecting and refunding containers, plus a provision for expanding the range of containers subject to deposit; or
2. Strengthening industry recycling targets to achieve equivalent outcomes through recovery rates set at 90% and applying the deposit to beverage containers with a provision to expand this to other container types.

LGSA issued a media release in support of the Independent Inquiry Report, advocating the early introduction of CDL due to the proven link of CDL with litter reduction plus the chance to reduce the cost to councils of kerbside collection of recyclable material.

The Packaging Council of Australia (PCA) released its own Issues Paper titled "Australian Packaging – Issues and Trends" lauding the industry's commitment to the National Packaging Covenant and the current rates of recycling, being aluminium cans 65%, glass containers 45%, steel cans 41%, plastic milk bottles 50%, plastic soft drink bottles 23% and packaging paper 75%. At this time, the PCA website still maintained that the NSW Premier did not support the introduction of CDL.

On 30 April 2002, Access Economics published a Critical Assessment of the Independent Review of Container Deposit Legislation. The Beverage Industry Environment Council on behalf of the Packaging Industry Sector commissioned Access Economics. The Critical Assessment attacked Dr Stuart White both professionally and on the methodology used, in an attempt to discredit the Independent Review. Dr White released a Response to the Critical Assessment on 8 May 2002.

On 3 March 2002, Clean Up Australia announced support for CDL to reduce litter.

On 17 May 2002, the Presidents of the Local Government Association and Shires Association wrote to the Mayor, calling on Councils to support the LGSA campaign for CDL by issuing a public statement of support for CDL, writing to the NSW Minister for the Environment expressing support for CDL, involvement in the CDL action event on World Environment Day and participating in a CDL email discussion group coordinated by LGSA. LGSA was advised on 30 May 2002 that Council would be briefed on the collective issues of the cost of kerbside recycling and CDL.

ISSUES:

Regional Processing of Kerbside-collected Recyclables

On 27 June 2002, Waste Service NSW lodged an Application with the Australian Competition Tribunal to have the ACCC Determination either set aside or varied to remove a requirement of the SSROC councils to have the tenderer construct a Material Recovery Facility (MRF) in the SSROC region.

The MRF construction requirement does not exclude Waste Service NSW from tendering, or its Chullora MRF from being considered, as it is adjacent to the SSROC area. It also does not preclude Waste Service from joint venturing with other MRF operators or potential MRF operators in the SSROC region, as occurs at the Belrose transfer station and MRF in the SHOROC region.

Waste Service NSW has argued that the ACCC's Determination did not give weight to the public detriment of MRF construction including the effect on competition, that undue weight was placed on transport benefits and that public benefits are unlikely to exceed public detriment. The ACCC is unlikely to warm to the claim that its Determination did not satisfy the public interest test.

The effect of an Australian Competition Tribunal review of the ACCC Determination will be to hold up the process of tendering, with a sixty-day period in which the Tribunal may make its own determination. Waste Service NSW is currently attempting to negotiate MRF pricing with councils on a one-on-one basis and in so doing would secure a commercial advantage over its competitors.

The Tribunal has scheduled a Directions Hearing for 8 August 2002, as advised by Resource NSW. This has left little time for councils to develop a consolidated position. Randwick City Council has taken a "lead Council" role in developing a submission to Professor Allan Fels AO, Chair of the ACCC, stating that the claims by Waste Service NSW do not have merit and seeking that the ACCC intervene to have the Waste Service

NSW Application dismissed by the Tribunal. At the least, the ACCC will be able to use Randwick's submission on market competition in its deposition to the Tribunal.

The submission also calls into question, the ability of councils to get competitive outcomes in a market that has no regulator of market behaviour and price control. The submission was dispatched to the ACCC on 31 July 2002.

The submission has outlined some of the real costs of recycling. The cost of landfill disposal through a transfer station is currently \$96 per tonne, however this is estimated to be under-valued with a real value of \$150 to over \$200 per tonne. The gate price for sorting and marketing recyclables is \$35 to \$45 per tonne, however the un-subsidised gate price is of the order of \$85 to \$150 per tonne.

Notwithstanding, the Chullora MRF has an operating efficiency of 60%, that is, only 60% of its throughput gets to market and 40% is discarded to waste. Waste Service NSW has indicated that it will improve the efficiency by making councils improve the quality of the input product and threatening councils with the payment of contamination charges.

When unsubsidised gate charges plus the total collection and distributed program costs for recycling are averaged over the net amount of material that actually gets to market, Council ratepayers are paying somewhere between five and ten times the value of the product to get it to market. The comparative unsubsidised figure for garbage collection and disposal is around \$270 to \$320 per tonne. On actual 2000/2001 costs alone, the cost of service for garbage was \$196 per tonne, while for recycling, the cost of service was \$290 per tonne. Therefore kerbside recycling distorts costs in favour of landfill.

Changes in waste legislation in 2001 shifted responsibility to councils to collectively tender for long-term waste disposal and marketing of recyclables. The action by Waste Service NSW indicates that the unregulated framework will not work in favour of getting competitive outcomes for councils and industry players. The need for market reform and an overhaul of pricing regimes has been emphasised in the submission to the ACCC.

A comprehensive price review may well point to the adoption of alternative policy and technological solutions to the return of recyclables to market. There is also a potential flow-on to the area of alternative waste technologies and landfill disposal, if Waste Service NSW were to succeed with its Application to the Tribunal.

As at 9.00am, 1 August 2002, Resource NSW notified Randwick City Council that Waste Service NSW would be withdrawing its appeal to the Tribunal and writing to councils to explain its position. Nevertheless, the matter of market reform still needs to be concluded with the ACCC.

Container Deposit Legislation (CDL)

The LGSA email discussion group has been highly successful in getting developments in CDL out to local governments. New York State has abandoned its recycling collection program to save \$40 million per year, while supporting the five-cent bottle refund law. Hawaii State and Germany have also adopted bottle refund legislation. The US Senate

Committee on Environment and Public Works has re-activated the bottle deposit debate due to falling levels of recycling.

The impact of CDL on kerbside recycling has been widely debated, with industry stating that it will make kerbside recycling unviable. The President of the LGA retorts that it is already unviable. The above figures verify that the cost of kerbside recycling is nonsense. If CDL resulted in pilfering of kerbside collection bins, then a reduction in collected tonnages would benefit Council by reducing the gate charges at the MRF.

If containers have a value, then individuals or community organizations such as scouts may take over the role of getting the containers back to the market. It is understood that one international beverage company has accrued millions of dollars in unredeemed bottle deposits. CDL in NSW should address the distribution of any accrued container deposits by industry.

Should CDL make a major impact on reducing kerbside collected material, Council would renegotiate with its collection contractor for continuous improvements in kerbside collection services. With the split bin system, Council is still well positioned to adapt to any changes that may result from the introduction of CDL. The impacts of CDL vary from council to council due to the different types of kerbside collection arrangements.

Consultation with the community is needed to raise awareness on pricing issues and Council's endeavours to get the most cost-effective arrangements for ratepayers. Consultation with the waste industry has indicated support for competitive outcomes and the removal of barriers to market. This was evident in the claims by industry at the ICAC Discussion Forum on 26 July 2002, that the price of waste disposal and recycling is distorted by current subsidies in price structuring.

CONCLUSION:

Waste Service NSW, by challenging the ACCC's Determination in relation to the public interest test, has exposed the entire argument about the real cost of recycling before the Australian Competition Tribunal. Randwick's submission will be of use in alerting the ACCC to the depth of the problem faced by local governments in the Sydney area in dealing with one dominant provider in an unregulated market.

The late notice by Resource NSW of Waste Service NSW's intention to withdraw may not preclude the ACCC from conducting a further investigation into market pricing and market behaviour. SSROC councils intend to continue the tendering process in accordance with the merits of the ACCC Determination. The ACCC may also refer the matter to the National Competition Council (NCC) in relation to the review of waste legislation in NSW that claimed benefits for competition in the waste sector.

RECOMMENDATION:

That Council:

1. Note the basis for Council's urgent submission to the ACCC in relation to the Application by Waste Service NSW to the Australian Competition Tribunal, prior

to late notification by Resource NSW of the withdrawal by Waste Service NSW of its Application;

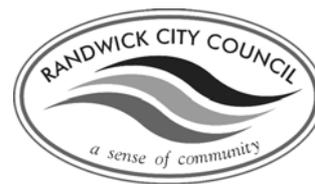
2. Note the complexity of cost subsidy issues relating to the kerbside recycling and support the rising interest in CDL as an alternative to the cost of kerbside recycling and as a means to control litter; and
3. Consult with the community on the issues of the cost of recycling and the trends in container deposit legislation.

ATTACHMENT/S:

1. Extract of ACCC Determination A30204 relating to Southern Sydney Councils.
2. LGSA letter dated 17th May, 2002 with attached CDL information. (ALL UNDER SEPARATE COVER.)

.....
TIM MCCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
RUSSELL WADE
MANAGER WASTE



Director Asset & Infrastructure Services' Report 89/2002

| | |
|-----------------|---|
| SUBJECT: | Licence Agreement for Kiosk and Boat Shed At Coogee Beach |
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|--------------|----------------|-----------------|-----------|
| DATE: | 1 August, 2002 | FILE NO: | 98/s/2265 |
|--------------|----------------|-----------------|-----------|

REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

The Coogee Surf Club has, since the redevelopment of Coogee, utilized the Boat Storage Shed and Kiosk facility on the Promenade at Coogee.

No formal Licence agreement has been entered into with Council for these facilities. The Surf Club has requested that the current arrangement be formalised by way of a Licence agreement.

ISSUES:

It would appear that the current occupation arrangements along the promenade at Coogee have come about as a result of historical use rather than any formal agreement with Council.

The kiosk area is a valuable source of funds for the club particularly during the summer period.

CONCLUSION:

It would seem reasonable that the current use arrangements at Coogee Beach in relation to the Kiosk and Boat Shed be formalised by way of a five (5) year agreement.

RECOMMENDATION:

That:

1. Council enter formal negotiations (subject to approval of the Minister of Land and Water Conservation) for a five (5) year Licence to the Coogee S.L.S.C. for the use of the promenade Kiosk and Boat Shed at Coogee Beach.
2. The Mayor and General Manager be authorised to sign all documents in relation to the Licence Agreement.

ATTACHMENT/S:

Nil

.....
TIM MCCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

Director Asset & Infrastructure Services' Report 90/2002



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| SUBJECT: | MOTION TO SSROC OPPOSING PURCHASING ENERGY FROM BURNING NATIVE FORESTS. |
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|--------------|----------------|-----------------|-----------|
| DATE: | 1 August, 2002 | FILE NO: | 98/S/1167 |
|--------------|----------------|-----------------|-----------|

REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

At the Ordinary Council meeting on 26th June 2001, Council resolved that:

- a) *The Council's SSROC delegates request that the SSROC Environmental Standing Committee report on member Councils reviewing their Purchasing Policies to refuse the buying of energy produced by burning of woodchips from native forests and upon receipt of that report, Randwick Council will promote the position by a public statement in the media; and*
- b) *A copy of the report be forwarded to the Federal Government and to the Local Government and Shires Association.*

This resolution was tabled at the Environmental Standing Committee meeting on 19 July 2001. In its response dated 31 August 2001, SSROC requested that Randwick City Council submit a report on this issue for the next Planning and Environmental Issues Committee meeting on 24 September 2001.

ISSUES:

It was not appropriate for Randwick to be undertaking a report on a matter that it had referred to SSROC for member Councils to report to SSROC. The matter was passed to Council's purchasing officer, who was unable to resolve technical aspects of this matter.

SSROC has subsequently advised that no member Councils have a ban on the buying of energy produced from the burning of woodchips from native forests. An Information Paper on Bioenergy is shown at Attachment 1. Bioenergy is the production of energy from biomass, including agricultural residues and forestry waste residues, **not** including the destruction of native forests to produce woodchips as feedstock.

As outlined in the Information Paper, there are interlocking compliance requirements for electricity retailers that are regulated by IPART, EPA, SEDA and the Ministry of Energy

and Utilities, which prohibit the marketing of “green electricity” supplies that are **not** derived from accredited renewable energy sources.

There is no requirement for member Councils of SSROC to develop purchasing policies that preclude the purchase of energy produced by burning woodchips from native forests, when energy retailers are already precluded from sourcing energy from such sources. The Nature Conservation Council’s Green Electricity Watch is a useful guide on the ranking of energy companies retailing “Green Electricity” programs.

CONCLUSION:

Councils would only need to have a purchasing policy that seeks supply contracts for electricity with retailers who rank highly in their compliance requirements and who can provide electricity at best price or provide offset benefits such as solar installations.

RECOMMENDATION:

That Council:

1. Note the Information Paper on Bioenergy; and
2. Advise SSROC that purchasing policies for energy supply should seek to optimise price and energy demand management opportunities, using the Nature Conservation Council’s “Green Electricity Watch” as a guide.

ATTACHMENT/S:

Information Paper on Bioenergy.

.....
TIM McCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
RUSSELL WADE
MANAGER - WASTE

ATTACHMENT 1***INFORMATION PAPER ON BIOENERGY***

The Biomass Task Force met in September 1997 as a working group of government and industry experts to advance the International Energy Agency's (IEA) Renewable Energy chapter tasks, including:

- Task 30 – *Short Rotation Crops for Bioenergy Systems;*
- Task 31 – *Conventional Forestry Systems for Sustainable Production of Bioenergy;*
- Task 32 – *Biomass combustion and co-firing;*
- Task 36 – *Energy from Integrated Solid Waste Management Systems; and*
- Task 38 – *Greenhouse Gas Balances of Biomass & Bioenergy systems.*

Representatives of the industries that generate biomass attended this meeting, covering forestry floor wastes, agricultural crop residues, bagasse from sugar crops, biosolids from sewage treatment and solid waste. CSIRO researchers at this meeting had quantified the amount of biomass from forestry operations that becomes residue from the felling and stripping of trees. These residues were the only forestry materials proposed for use in bioenergy systems.

In NSW, the *Electricity Supply Act 1995* provided the framework for reform of the electricity market, which included the break up electricity companies so as to separate the upstream generating assets from the transmission (wires) business and the retail business. As a condition of their licences, retailers were required to produce Greenhouse Gas Reduction Strategies, which led to the marketing of “green electricity” schemes.

Under such schemes, consumers could elect to buy “green electricity” from retailers and this puts demand on the production of electricity from renewable resources. The Nature Conservation Council's publication “Green Electricity Watch” ranks the electricity companies that retail “Green Electricity” products.

Environmental Guidelines and Requirements for Electricity Retail Suppliers Licences were developed by EPA NSW in conjunction with the former Department of Energy and released by the Minister for Energy in July 1997. The Independent Pricing and Regulatory Tribunal (IPART) carries out compliance checks on licence conditions, with advice from SEDA, the Ministry of Energy and Utilities and EPA NSW. Retailers simply cannot sell electricity that does not comply with these greenhouse gas reduction objectives.

In response to the increasing demand for energy from renewable resources, the Commonwealth's *Renewable Energy (Electricity) Act 2000*, provided for the use of biomass residues in the production of renewable energy through either co-firing or cogeneration (combined heat and power) systems. Electricity generators can seek Renewable Energy Certificates for their contribution to the reduction of greenhouse gases through the reduction of emissions from coal fired power generation.

Several major power generators trialed co-firing of woody waste material with coal and began to seek supply contracts for the provision of woody waste material. Other proponents of wood-fired power generation plants would be unlikely to get development approval, as they would not be able to secure supply contracts to energy retailers who are bound by their licence conditions and have pledged to that effect.

Environmental groups took the trial to mean the “burning of native forests for power” rather than the co-firing of woody waste residues, as intended by the forestry and power industry. The matter was made emotive and power generators scaled back trials.

There were several anomalies in the initial Prime Minister’s statement that underpinned the development of the policy on renewable energy. Landfill gas fired power was included, even though landfill gas is not a renewable source. Municipal Solid Waste was initially excluded even though it is a replenishable rather than a renewable source.

New waste to energy technologies that can divert 90% of waste from landfill will reduce landfill gas over the long term; therefore the Regulator of Renewable Energy now included with certain caveats imposes solid waste. Similarly, proposals to use biomass would be subject to review by the Regulator of Renewable Energy, as a prerequisite to the granting of Renewable Energy Certificates.

Under the Commonwealth’s Renewable Energy Commercialisation Program, a grant has been awarded to the Australian Ecogeneration Association, who will produce a guide for local governments looking to develop renewable energy systems.

A grant has also been awarded to the Waste Management Association of Australia for the production of an Industry Code of Practice and Sustainability Guide for the production of Energy from Waste. One principle of this Guide is that material including biomass will be used for its most environmentally beneficial use first, before being used for producing energy. Council has expert adviser status on the working group for this project.

The Total Environment Centre and Sustainable Energy Development Authority (SEDA) conducted a breakfast event titled “Green or Black? Renewable Energy from Margin to Mainstream” on 30 May 2002 at Darling Harbour. Council was represented at this event. The Total Environment Centre has produced a book titled “Green or Black”, which documents the arguments for renewable versus coal-fired power.

Notes: The author of this information paper formerly worked in energy policy for over five years including intergovernmental working groups on energy market reform, energy demand management and attended the inaugural meetings of the Biomass Task Force (now Bioenergy Australia) and the 2% Renewable Energy Working Group. The author was a foundation member of the Australian Cogeneration Association (now Australian Ecogeneration Association) and is a member of the Australian Institute of Energy.

Director Asset & Infrastructure Services' Report 91/2002



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| SUBJECT: | Controlling Advertising Material on Private & Public Property |
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|--------------|---------------|-----------------|-----------|
| DATE: | 31 July, 2002 | FILE NO: | 98/S/0045 |
|--------------|---------------|-----------------|-----------|

REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

At the Ordinary Meeting on 26 March 2002, it was resolved that Council:

- a) Test the effectiveness of the Randwick Local Environment Plan 1998 to deal with billposters by commencing action to prosecute under the existing provisions of the LEP;
- b) Write to Planning NSW and request that the issue of Billposters be considered by amending State Environment Planning Policy No. 64 and /or other required legislation; and
- c) Pursue the EPA in relation to amending the *Protection of the Environment Operations Act 1997* along the lines of the amendment proposed by Kogarah Council.

ISSUES:

On 7 June 2002, Council wrote to venue operators whose billposters had been removed from poles within the city area. The letter advised that this form of advertising required consent and that it was also the cause of litter when posters degraded and fell off the poles. An Information Sheet was also prepared, for handling enquiries pursuant to the letter. The Information Sheet advises that consent would not likely be granted for this type of advertising.

Two written responses have been received from venue operators, conveying apologies for the actions of promotion companies, the hirers of the venues and assuring future compliance. There has been a high level of compliance by the targeted venue operators, with one venue operator reporting that some new venue operators from outside the area were still advertising and one venue operator has been detected using a different roadway.

This has been countered through the active removal of billposters by both outdoor staff and concerned citizens. In the Southern Courier edition on 16 July 2002, Council promoted the Waste Line 1800 681 317 number for residents and businesses to report

instances of billposters. Further letters will be sent to venue operators who are reported to Council as new offenders and the outdoor staff will continue to remove such billposters.

On 18 June 2002, Council wrote to Ms Lisa Corbyn, Director General of the NSW EPA. Council recommended that the EPA adopt the provisions of the newly passed Victorian legislation, which makes specific the issue that billposting cannot occur without the owner's consent, the advertiser must disclose the name of the distributor, the person who commissions the advertising must ensure that it does not become litter and it is an offence to ask a person to commit an offence. The letter contained photographic examples of billposters forming litter and a copy of Council's Information Sheet, as shown at Attachment 1.

The EPA's disappointing response dated 9 July 2002 took no account of the merits of the Victorian legislation and referred to the anti-littering measures that commenced in year 2000, which excluded billposters as being a planning issue. Despite the compelling photographs of billposters forming litter, the EPA viewed that there were "limited circumstances" where penalty notices could be used under environmental legislation.

On 18 June 2002, Council also wrote to the Director General of Planning NSW, seeking an amendment to the State Environmental Planning Policy (SEPP) No 64 to include billposters and billboards on unhitched trailers as unauthorised advertising. No reply has been received to date.

Energy Australia has been briefed on the actions taken and is fully supportive of Council's actions. As owner of the power poles, Energy Australia has a problem with termites breeding in poles under the layers of moist posters and therefore would not give consent to billposters. Owner consent is a vital principle in developing policy to protect the property rights of owner of structures including poles and buildings.

Council will be seeking legal advice on a further letter to venue operators, which will draw together the planning constraints, the litter issues and the requirements for work method statements under the *Occupational Health and Safety Act 2000*.

CONCLUSION:

Measures taken to date have had measured success and the use of the Waste Line to receive reports of new occurrences will enable other venue operators and promoters of products to be targeted, while also directing outdoor staff to new locations.

To ensure that a more comprehensive policy is developed that integrates planning, environmental and safety statutes, Council will continue to press the relevant State Government agencies for more appropriate policy responses. Where necessary, Council will prepare recommended Drafting Instructions for amendments to legislation.

RECOMMENDATION:

That:

1. Council write to the Minister for the Environment about EPA's response and enclosing recommended Drafting Instructions for further amendments to the *Protection of the Environment Operations Act 1997*.
2. Council note the action of officers in relation to billposters

ATTACHMENT/S:

1. RCC letter to EPA dated 18 June 2002 with photographs and Information Sheet.
2. Director General EPA letter dated 9 July 2002.

.....
TIM McCARTHY
ACTING DIRECTOR ASSET &
INFRASTRUCTURE SERVICES

.....
RUSSELL WADE
WASTE MANAGER

98/S/0045
(98/S/3765)

ATTACHMENT 1

18 June 2002

Ms Lisa Corbyn
Director General
Environment Protection Authority
59-61 Goulburn Street
SYDNEY NSW 2000

Dear Ms Corbyn

LITTER CONTROLS ON BILLPOSTER ADVERTISING

Amendments to the *Protection of the Environment Operations Act 1997* that made it illegal to distribute advertising material in areas where it may become litter have had a considerable degree of success, since the measures came into effect on 1 April 2001.

These measures do not explicitly include billposters and it was advised during the EPA's presentation sessions on the litter laws that billposters were the responsibility of local governments under council planning controls.

Council has recently written to venue operators who engage promotion companies that use billposting as an advertising medium. Council advised that as shown in the attached set of photographs, billposters are an inappropriate and ineffective form of advertising for the following reasons:

1. They are subject to being removed or slashed by agents of competitor venues, causing litter and where slashed, the poster is rendered unreadable;
2. They are subject to being removed or slashed by disgruntled residents who oppose the blight of billposters in the streetscape and where slashed, the poster is rendered unreadable;
3. During wet weather, the poster falls away to become litter, which washes into and can block stormwater drains; and
4. They are a distraction to motorists, contrary to traffic planning principles, which aim to reduce the potential for rear end collisions by removing roadside distractions.

Council has produced an Information Sheet as attached, to explain the planning requirements for advertising. The prosecution of an individual who affixes a billposter to

a structure in the public place or on private property is however problematic, particularly in determining the actual party at fault.

It is understood that the Victoria Government on 14 June 2002, passed the Environment Protection (Resource Efficiency) Bill, which includes provisions for:

- Bill posting not to occur without consent from the owner, occupier or manager of the structure;
- Advertiser must disclose the name of the distributor, which applies to the person who commissions the printing of a document;
- Person who commissions document must ensure that it does not become litter; and
- Offence to ask person to commit offence.

It is considered that an offence of affixing a document without the owner's consent has greater policy strength than an offence of affixing a document to privately owned infrastructure in the public place (such as power poles) without permission from the council.

Energy Australia has been consulted on the problem with billposters and Energy Australia hold a concern that layers of billposters create a moist environment, within which termites are attacking poles. Energy Australia would not give consent to any billposter activity.

The attached set of photographs provides compelling evidence that the risks of stormwater pollution and littering can no longer be tolerated. It is recommended that the EPA adopt the provisions of the Victoria legislation in relation to billposters as amendments to the POEO Act. This would allow billposting to be controlled as an activity rather than a planning issue.

Yours sincerely,

Gordon Messiter,
GENERAL MANAGER.

- Attachment: 1. Set of photographs depicting billposters forming litter
2. Information Sheet on Billposters

Set of photographs depicting billposters forming litter



INFORMATION SHEET

Billposters ie. Advertising in the form of posters

This sheet provides advice on the planning requirements for billposters in Randwick City.

Billposters as a form of ‘outdoor advertising’ are permissible only with consent if they meet the definition of ‘Outdoor Advertising’ as outlined in Randwick Local Environmental Plan 1998. They should also comply with the design criteria set out in Council’s Development Control Plan (DCP) for Outdoor Advertising.

BILLPOSTERS ON TELEGRAPH POLES DO NOT COMPLY WITH THE DESIGN CRITERIA. This form of advertising is considered as unsightly and is potentially a litter nuisance.

Please note that any Development Application for billposters on telegraph poles is unlikely to be approved.

The only exceptions are billposters permitted without consent as noted as Exempt Development in the DCP for Exempt and Complying Development. This appears as part of the General Criteria for ‘Bus shelters’ where billposters must only be placed on panels specifically designed and provided for advertising material. This DCP does not provide for billposters on telegraph poles as Exempt or Complying development.

Any further enquiries may be directed, in person, to the Duty Planner at Council’s Customer Service Centre or by phoning Thomas Kulchar on 93990994, 8.30 – 5pm Monday to Friday.

ATTACHMENT 2

Your Reference : 98/S/0045
 Our Reference : EXF25019 HO878/10
 Contact : Steve Hartley, (02) 9995 5624



Director General

- 9 JUL 2002

Mr Gordon Messiter
 General Manager
 Randwick City Council
 30 Frances St
 RANDWICK NSW 2031

Dear Mr Messiter

Thank you for your letter dated 18 June 2002 regarding litter controls on billposter advertising.

As you may be aware, new litter laws were recently introduced in NSW under the *Protection of the Environment Operations Amendment (Littering) Act 2000*. In his second reading speech, the Minister for the Environment noted that the intent of the new legislation is not to prohibit the placement of posters and community advertising on poles. The Minister also noted that this issue is being reviewed by PlanningNSW. As such, I have forwarded your letter to PlanningNSW for its consideration.

I understand that councils may restrict the placement of advertising material on poles through local planning controls. For example, the Rockdale Local Environment Plan 2000 prohibits posters on poles or other structures in public places. These planning controls may be initiated under a council's local environment plan.

You may also be interested to know that, there may be limited circumstances in which the general littering offence in section 145 of the POEO Act may apply to pole poster related litter. If littering occurs or is likely to occur as a result of advertising detaching or blowing from a telegraph pole, the Infringement Processing Bureau may accept penalty notices relating to advertising on poles in limited circumstances.

I trust this information is of assistance.

Yours sincerely


LISA CORBYN
 Director General

RCC CORPORATE INFORMATION

Location R. Wade
 File No. 98/S/0045
 Action Officer K. Wade 17/7/02
 Document No. 160383

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