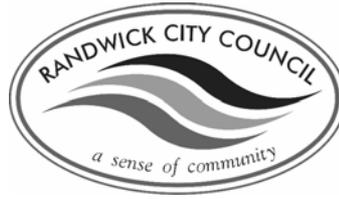


Administrative Centre
30 Frances St
Randwick 2031
Tel: 02 9399 0999
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DX 4121 Maroubra Junction
general.manager@randwick.nsw.gov.au



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

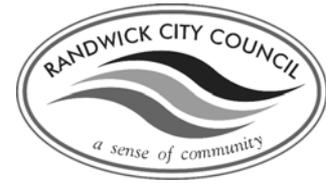
17 September 2008

EXTRAORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT AN EXTRAORDINARY COUNCIL MEETING OF THE COUNCIL OF THE CITY OF RANDWICK WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON WEDNESDAY, 12TH JULY, 2006 AT **6:00 P.M.**

- 1 Council Prayer**
- 2 Apologies**
- 3 Declaration of Pecuniary & Non-Pecuniary Interests**
- 4 Addresses to the Council by the Public**
- 5 Mayoral Minutes**
- 6 Director Governance & Financial Services Report**
- 6.1 DIRECTOR GOVERNANCE & FINANCIAL SERVICES REPORT 2
46/2006 – OPTIMAL NUMBER OF COUNCILLORS ON
RANDWICK CITY COUNCIL.
- 7 Motions Pursuant to Notice**
- 8 Confidential Reports**
- 9 Committee-of-the-Whole**
- 10 Report of the Committee-of-the-Whole**
- 11 Notice of Rescission Motions**

.....
GENERAL MANAGER



Director, Governance & Financial Services' Report 46/2006

SUBJECT:	OPTIMAL NUMBER OF COUNCILLORS ON RANDWICK CITY COUNCIL
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DATE:	7 July, 2006	FILE NO:	F2005/00751
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REPORT BY: DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

INTRODUCTION:

After the recent release of the “Independent Inquiry into the Financial Sustainability of Local Government” which suggested various governance structures for councils, the Mayor tabled a Mayor’s Minute asking Councillors and the public to examine what is the best structure for Randwick City Council.

The Local Government Amendment Act 2005 commenced by proclamation of the Governor on 15th July 2005 and provides council with a one-off opportunity to resolve to apply to the Minister for Local Government for approval to reduce the number of councillors on the Council (section 224A). However, as this would necessitate an alteration to the ward structure in Randwick City, a constitutional referendum would need to be held (section 210).

Council gave public notice in the Mayoral column of the Southern Courier on Tuesday 20th June, 2006 inviting the public to make written submissions to the General Manager by 10th July, 2006. Eleven (11) submissions were received and are attached to this report. Of these eleven (11) submissions, ten (10) are against reducing the number of councillors and one (1) is in favour. All issues raised in these eleven (11) public submissions received are addressed in this report.

ISSUES:

Investigations have determined that neither the Department of Local Government nor the Local Government Association of NSW has developed a policy in respect to the optimal level of representation in Local Government Councils. Spokespersons for each indicated that the issue was one which was considered to be for each community to determine.

Similarly, inquiries associated with the re-structure of NSW Councils in recent times have addressed the matter of representation, but no finite criteria have been recognised. The

following finding from the Inquiry on a proposal for eight Councils in the inner city and Eastern suburbs of Sydney by Professor K Sproats in April 2001 is noted –

“No information put before the Inquiry enables a definitive conclusion about the ideal number of councillors or the ideal representation ratio. What appears to be important is how opportunities are created which enhance democracy and allow the community to participate in information sharing and decision-making.

It would be appropriate that any recommended changes enhance the credibility of governance at the local government level. Leadership and the opportunities for community participation should be strengthened and recognise local communities of interest. At the same time the structure of elected representation should enhance councils’ abilities to be more strategic and outwardly focused as these are critical requirements of future local government.”

The conclusion from the above finding would seem to reinforce the view that there are no set criteria which might determine the ideal elector/Councillor ratio, notwithstanding the observation that the majority, but not all, newly established Councils during the recent structural review procedures, have been formed with nine (9) Councillors. Examples include Canada Bay, Clarence Valley and Goulburn Mulwaree Councils.

In seeking to identify those factors which might be taken into consideration in determining the optimal number of Councillors, the following summary of issues was devised.

The **advantages** of a reduction in the number of elected members may include the following:-

- The decision-making process may be more effective and efficient if the number of elected members is reduced. It is more timely to ascertain the views of a fewer number of people and decision-making may be easier. There is also more scope for team spirit and co-operation amongst a smaller number of people.
- The cost of maintaining elected members will be reduced. Currently the budget items that are dependant on the number of councillors, such as councillor allowance, printing costs, conferences and meeting expenses, total \$462,190.00 per year. A reduction in councillor numbers to twelve (12) will result in an annual saving of \$92,438.00 on these expenses, whilst a reduction to nine (9) councillors will see a saving of \$184,876.00 per year. There are other expenses which would be reduced, but which cannot be accurately determined, eg. cost of staff support.
- The impact or need for a casting vote by the Mayor would be eliminated with a reduction to nine (9) councillors, assuming all councillors were present. Also the election of the Mayor could not be decided by ballot (choosing by lot) with all nine (9) councillors present.
- Consultation with the community can be achieved through a variety of means in addition to individuals and groups contacting their local elected member.

- A reduction in the number of elected members may result in an increased commitment from those elected reflected in greater interest and participation in Council's affairs.
- Fewer elected members are more readily identifiable to the community.
- Fewer positions on Council may lead to greater interest in elections with contested elections and those elected obtaining a greater level of support from the community.
- There appears to be a trend (in newly formed Councils) for reductions in the number of elected members and that has demonstrated that fewer elected members works just as well as a higher number.

The **disadvantages** of a reduction in the number of elected members may include the following:-

- A smaller number of elected members may result in an increased workload and may lessen effectiveness. A demanding role may discourage others from nominating for Council.
- A reduction in the number of elected members may limit the diversity of interests around the Council table.
- Opportunities for community participation in Council's affairs may be reduced if there are fewer elected members for the community to contact.
- The impact or need for a casting vote by the Mayor would be evident with a reduction to twelve (12) councillors, assuming all councillors were present The election of the Mayor may come down to a ballot (choosing by lot) if votes were tied as a result of having twelve (12) councillors.

Wards

Section 210 of the Local Government Act 1993 enables a Council to –

- abolish all wards (subject to approval by a constitutional referendum);
- alter ward boundaries;
- name or rename a ward;
- divide its area into wards upon obtaining approval at a constitutional referendum.

Accordingly, the issue of possibly altering the ward structure in the Randwick LGA is brought forward for consideration as a related matter to the review of the number of Councillors.

Section 224A(9) of the Local Government Act states “a Council for an area that is divided into wards may not make an application under this section for a decrease in the number of councillors that would result in the number of councillors for each ward being fewer than

three.” Accordingly, a constitutional referendum to reduce the number of wards would need to occur prior to being able to actually reduce the number of councillors.

The options would appear to be –

- maintain the status quo with the existing five wards;
- restructure the Randwick LGA into four (4) wards consisting of three (3) councillors;
- restructure the Randwick LGA into three (3) wards consisting of four (4) councillors; or
- restructure the Randwick LGA into three (3) wards consisting of three (3) councillors.

The option of a Council comprised of nine elected representatives, with three Councillors in each of three wards, would provide a situation where an equality in the vote on an issue should not occur. The need for a casting vote should be reduced (although not eliminated due to the possibility of absences or declarations of interest by a member/s). That factor may be considered an advantage in that a Council would be less likely to be evenly split on issues.

RELATIONSHIP TO CITY PLAN:

There is no direct relationship to the City Plan.

FINANCIAL IMPACT STATEMENT:

Council would incur expenses in the holding of a constitutional referendum to change the number of wards, however these expenses would be more than offset by the annual savings in Councillor expenses detailed earlier in the report.

CONCLUSION:

Council needs to consider the public submissions received on this matter and determine what, if any, changes need to be made to the number of councillors serving on Randwick City Council. Should Council decide to reduce the number of councillors, a constitutional referendum for the change in ward structures would need to be undertaken.

RECOMMENDATION:

That council determine the optimal number of councillors to serve on Randwick City Council.

ATTACHMENTS:

Copies of the eleven (11) public submissions received on this issue

.....
GEOFF BANTING
DIRECTOR, GOVERNANCE &
FINANCIAL SERVICES

Moverly Precinct Committee

PO Box 31, Maroubra NSW 2035

Ref: 06/011
10 July 2006

MAYORAL MINUTE RE: REDUCTION IN COUNCILLOR NUMBERS

The Precinct is strongly opposed to the Mayor's proposal to reduce the numbers of Councillors on Randwick City Council.

Residents of this precinct are of the view that there are currently insufficient numbers of Councillors. This is evident by the fact that no Central Ward Councillors attend precinct meetings and they are rarely present or available at other important public meetings. The reduction in Councillors would severely reduce access to Councillors and create an unfair, unbalanced and undemocratic system.

The residents are very disappointed that such an important issue has been afforded no community consultation and that it is being managed in such a rushed manner with no time for public debate or discussion.

Further, residents see no justification or sound reasoning for the reduction in the numbers of Councillors.

This proposal should be rejected.

Yours sincerely

Felicia Harris
Secretary

10/07/2006 01:09 02-93494054

J. DEEGAN

15 Mermaid Avenue,
MAROUBRA. 2035

10 July, 2006

Cr. Ted Seng
Mayor
Randwick City Council
Frances Street
RANDWICK. Fax: 9398 4463

Dear Mayor Seng,

Re. Councillor Numbers -- Revised Submission

I ask that my letter of 28 June written in support of the suggestion that the number of Councillors be reduced from the present number of 15, be withdrawn.

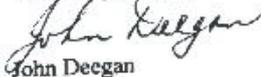
I write now to register support that the numbers remain as is.

My initial reaction was based on training and a background in Management and observation that huge corporations run successfully with many fewer than 15 Board members.

I had not given sufficient weight to the particular political circumstances that prevail in Randwick city. I have done some re-thinking and talked the matter through with friends and colleagues.

My concern now is that fewer Councillors could well result in independents and minor parties being squeezed out with domination by one party becoming a real possibility and the democratic process not being well served.

Yours respectfully,



John Deegan

Randwick City Council**10 JUL 2006****Records Received**

6 July 2006

General Manager
Randwick City Council
30 Frances Street
RANDWICK NSW 2031

Dear Sir

Re: Number of Councillors on Randwick City Council

I write to state that I am totally opposed to the idea of reducing the number of councillors on Randwick City Council.

The number of people residing in the Randwick City Council area continues to increase and it is likely that this trend will continue.

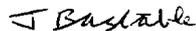
For instance, according to statistics posted on Randwick City Council's own website, the population has grown from 118,905 in 1996 to 121,497 in 2001. It is likely that the 2006 census will indicate another increase.

We currently have 15 councillors on Randwick City Council. This equates to a ratio of 1 councillor for every 8,099 residents and the number is growing.

Most of our councillors work extremely hard having to grapple with a range of issues, understand a range of laws relevant to council work and also find time to see residents in relation to a number of issues.

Reducing the number of councillors will increase their already large workload and decrease the amount of time that councillors will be able to attend to resident's concerns.

Yours sincerely



Ms Jules Bastable
122 Boyce Road
Maroubra NSW 2035

Randwick City Council

06 JUL 2006

Records Received

P.O. Box 732
 (4/57 Kensington Road)
 Kensington NSW 2033

5 July 2006

Council Led Meeting, Mayor
 Randwick City Council
 Frances Street
 Randwick NSW 2031

Dear Mayor

Re: No. of Randwick City Councillors

Thank you for the opportunity to express my opinion.

I am OPPOSED to a reduction in the number of Councillors for the following reasons:-

1. there is no evidence to suggest a NEED for change (except money?)
2. the amount of money saved by reducing numbers would be relatively insignificant. There are better ways of cost-cutting
3. there would be fewer Councillors in each Ward. I would be opposed to reducing the number of Wards.
4. fewer Councillors and/or Wards would mean less representation for residents/ratepayers.
- * 5. strategies for effective democratic processes would be loosened and/or weakened.

Thank you

Yours sincerely

J C Ryan (J. C. RYAN)

P.S. I request written acknowledgement of this letter.

Mr Ray Brownlee,
General Manager,
Randwick City Council,
30 Frances Street,
Randwick 2031.

9 July 2006

Dear Mr Brownlee,

Mayor's request for Submissions Regarding the Number of Councillors

We note the invitation in the Mayoral Column of the Southern Courier 20 June 2006 to comment upon a proposal by the Mayor, Councillor Ted Seng, to make an application to the Minister for Local Government to reduce the number of Councillors on Randwick City Council.

The next meeting of the Coogee Precinct Committee is not until after the deadline for submissions. However, from email and telephone communications, the majority of members of the Coogee Precinct Committee are very concerned about any proposal to reduce the number and hence diversity of Councillors and/or increase the size of the East Ward.

There are enormous pressures upon the area covered by the Coogee Precinct within the East Ward. These have escalated in recent years and include but are not limited to overdevelopment, inappropriate development, backpackers, density and operation of licensed premises, alcohol related anti social behaviour and crime, commercialisation of public spaces and degradation of the Coogee foreshore.

We rely heavily upon our local East Ward Councillors to represent our views and needs on these issues. In recent times we have seen considerably more attention paid to our concerns and for this we are very appreciative. It is our hope that with continued support from our Councillors, the residents of Coogee will begin to see real improvements.

Yours sincerely,

Mark England
Chair, Coogee Precinct Committee

The Mayor, Cr. Ted Seng,

Dear Cr. Seng,

While I can see that there would be practical advantages to having councillors who are able to devote more time to the role, I believe that this should be seen as a separate issue to councillor numbers.

I understand that the work load for councillors and the amount of material and decision making which they have to take on is more than a part time work load. However it must also be considered that the role of councillor is not simply an employment position. Councillors are meant to be representatives for their constituents - and representative of their constituents, that is, they should be one of them and representative of them. The role of councillor is not a public service position.

To make some council positions full time by reducing the number of representatives would just create a new type of public service job. The role of councillor would be reduced to a career, or a step in a career path in management. This is completely at odds with true representation where individuals are elected in order to be representative of their constituents, to represent their interests and reflect their views.

The role of full time councillor would no longer be distinct from public service management or bureaucracy. With a full time job and career to protect, councillors would be less willing to keep the administration honest as there would be too much to lose for them personally to put their job on the line. I see this proposal being highly problematic. What we need is more councillors who do not see the position purely as a step in a career path or a way to build up contacts for future jobs in the private sector. There must also be a division between the management at council and the elected representatives who make (at least some of) the decisions. This separation would be compromised by fewer full time councillor 'jobs'.

There are other issues to consider. Due to our system of voting a reduction in councillor numbers would favour the major parties and reduce the chances of candidates from minor parties, or independents.

There would be less of a diversity of views (and ideas) presented at Council as a result. Constituents who consider councillors from minor parties (or independents) as being most representative of them will see themselves as disenfranchised from the political system at a local government level. For that reason this proposal is not in the interests of greater democracy.

If the proposal proceeds it may be seen as the two major parties joining forces in order to remove opposition to their policies - this could also be viewed as anti-democratic. Would the Mayor Cr Seng wish to be seen as promoting a reduction of democratic rights? I hope not.

Marie McMahon
PO Box 506
Coogee NSW 2034 Tel: 02 9665 639

Mr Brownlee,

What ever happened to the idea of a referendum. The proposal to reduce the number of councillors and replace them with full time councillors should be put up as a policy by the Liberals and/or the ALP at the next Council elections. Then candidates could be subjected to a bit more public scrutiny on how they stand on the issue and why. Surely on an issue which will have such a profound and long term impact on the way voters are represented at a local government level should be subject to a more rigorous and more democratic, public, process of decision making?

Marie McMahon

--

Marie McMahon
PO Box 506
Coogee NSW 2034
Tel: 02 9665 6391

The General Manager,
Randwick City Council,
30 Frances Street,
RANDWICK 2031.

83 Beach Street
Coogee NSW 2034
10th July 2006

Randwick City Council CUSTOMER SERVICE
RANDWICK CITY COUNCIL

10 JUL 2006

10 JUL 2006

Records Received

RECEIVED

Dear Mr Brownlee,

Re: **Councillor Numbers**

Proposals for a reduction in the number of councillors arises from time to time and, in the past, have been quickly squashed. It is easy to see why. There is no good reason to change a policy that has served us reasonably well for many years.

The constantly increasing range and complexity of activities pursued by the council lead to increasing calls from residents for councillors to represent resident interests and increasing demands on councillors' time to satisfy those calls. The pressure is already excessive. To reduce the numbers would render it intolerable.

The question of councillor numbers inevitably leads on to the matter of the wards and the quota of councillors per ward. It is remarkable how many people, when discussing this topic, will volunteer that "there is no place for [national political] parties in local government." Yet governments over the years have progressively (or rather, regressively) rigged the electoral system to benefit the parties. Our current quota of three councillors per ward does result in a good representation of independents or small parties. To reduce the number would necessarily change that situation and amplify party bickering, bitterness and corruption that go with party rule. To abolish wards altogether would not seem desirable. While every member is rightly expected to represent the whole area and the whole population, it is useful that councillors can concentrate their attention on a smaller area and the smaller number of residents – and phone calls – that the ward system entails.

Probably the greatest claim on councillors' and officers' time relates to objections to DA's. An enormous saving of time and paper could be made if officers were to give greater emphasis to the enforcement of LEP and DCP rules.

Our current scheme of representation should be left alone.

Yours faithfully,



John Buchanan

I would like to object to the proposed change to the number of Councillors.

In Randwick there is currently a ratio of 1 Councillor to every 8,500 residents. This is 3 times less representation than the NSW average of 1 Councillor to every 3,000 residents.

Per capita the current representation is only a third of the state average.

Under the new proposal this could be dramatically eroded to only 1 Councillor per 14,444 residents.

That would be only one-fifth the number of Councillors compared with the state average.

We already experience difficulty in accessing our Councillors and this change will only make it worse.

There has been absolutely no community involvement in this decision. The Precincts have not had a chance to meet to discuss these changes and the average person has no idea this is about to change. I have even been on to the Council website and under Community Consultation there is no mention of these changes.

Lindsay Shurey
8 Chapman Avenue
Maroubra Beach NSW 2035
Phone: (02) 9282 8165
Fax: (02) 9267 4908
lshurey@acpmagazines.com.au

July 10, 2006

In regards to: Mayoral Minute for Reduction in Councillor Numbers

VIA E-MAIL

General Manager
Randwick City Council
30 Frances Street
RANDWICK NSW 2031

Dear Sir:

Subject: Application to minister for reduction in councillor numbers Mayoral minute 49/2006

I write with respect to the above proposal and object to the proposal on the following grounds:

There has been no public discussion/debate by Council advising the benefits to the community for this proposal.

What cost benefit analysis has been undertaken to prove the reduction of Councillors will benefit the Council in the long-term.

What direct benefits have been identified for the community with this course of action?
How does this reduction issue affect the current ward structure?

This issue will significantly impact the ratio of Councillors to residents, making it harder for residents to communicate effectively and directly access their ward councillors.

Sincerely,

ANDREW TOSTI

Dear Mr Brownlee,

I am a resident of Coogee and a long-term member of the Coogee Precinct Committee. I SUPPORT Cr Seng's proposal to change the nature of councillors from part-time to full-time, and reducing the number of councillors to facilitate such a change.

The reasons for my support are:

- 1) I think that the pressures on part-time councillors must be immense to fulfil their duties, when it would appear the complexity and size of a city such as Randwick would necessitate the role of a councillor being a full-time position.
- 2) I believe it will improve access to councillors. As a resident I admit to feeling guilty when I contact councillors as I know they are only part-time and often have to field many phone calls from residents. A full-time councillor would be available 9 to 5 to talk to residents.

Regards,

Kevin Nixon

47 Carr St
Coogee NSW 2034