

ORDINARY COUNCIL MEETING
SUPPLEMENTARY BUSINESS PAPER
MAYORAL MINUTES

TUESDAY 17 SEPTEMBER 2013

Administrative Centre 30 Frances Street Randwick 2031
Telephone: 02 9399 0999 or
1300 722 542 (for Sydney metropolitan area)
Fax: 02 9319 1510
general.manager@randwick.nsw.gov.au
www.randwick.nsw.gov.au



ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Council Meeting of the Council of the City of Randwick will be held in the Council Chamber, First Floor, 90 Avoca Street, Randwick, 30 Frances Street, Randwick, on Tuesday, 17 September 2013 at 6:00 p.m..

MM68/13	Ride for Life - Request for Financial Assistance.....	1
MM69/13	Coogee Minnows - Request for Financial Support for 50th Anniversary	3
MM70/13	Waiving of fees - Rainbow Club Australia Inc - Murray Rose's Malabar Magic Ocean Swim.....	5
MM71/13	Local Government Chief Officers' Group	7
MM72/13	Waiving of Fees - St Mark's Anglican Church - Carols by Candlelight	9
MM73/13	Proposed Establishment of Port Botany Forum	11
MM74/13	Tasnim Ahsan Sydney Girls High School - Request for Financial Assistance	13
MM75/13	Local Government NSW Letter to the NSW Government Regarding the Proposed White Paper Planning Bill	15

Mayoral Minute No. MM68/13



Subject: Ride for Life - Request for Financial Assistance

Folder No: F2005/00163

Author: Councillor Bowen, Mayor

Introduction

A request for financial assistance has been received from the organisers of the annual "Ride for Life" event. This year the event organisers again propose to hold the event at Heffron Park, Maroubra. The tentative date for the event is Sunday, 17 November 2013.

Issues

The Ride for Life is an established cycling event that has become a feature on the NSW Cycling calendar and has raised in excess of \$400,000 for the Prince of Wales Department of Medical Oncology and the NSW Cancer Survivors Centre.

Funds raised so far, have been allocated towards a number of programs including:

1. An exercise program known as "Fighting Fit for Cancer" for patients undergoing chemotherapy;
2. A Fatigue Clinic which is conducting research into speeding up recovery times for cancer patients after treatment; and
3. Co-funding together with the Milton Stedman Foundation, the salary of Dr Kate Weber a medical oncologist who is the inaugural Fellow in Cancer Survivorship and has been working hard to establish the Cancer Survivorship program at the UNSW; and

This year the beneficiary is the NSW Cancer Survivor Centre on the corner of Botany and High Streets, Randwick. It is the only clinic that delivers strength training to cancer survivors to assist them in recovering from treatment in a timely fashion.

More specifically the funds raised will be used to pay for a research fellowship into the issues faced by cancer survivors, an important issue particularly as more and more people are surviving cancer for longer.

Financial impact statement

The organisers of the "Ride for Life" are requesting Council's sponsorship of a public risk insurance policy premium in the sum of \$798.77. Racing cyclists are insured by Cycling Australia however the funding of public risk insurance is an expense the event needs to cover.

Council also resolved previously to continue to sponsor this event on an annual basis while it is held in Heffron Park, Maroubra, by waiving the fees for the use of the park. Application fees, hire fees and waste management costs would be in the vicinity of \$3,000.00. Such funds have been allowed for in the Council Contingency Fund 2013-14.

MM68/13

Conclusion

This is a very worthwhile community fundraiser, which Council has supported in past years. The event has substantial support from the community and businesses and attracts many cycling enthusiasts from the region and across the state.

Recommendation

That:

- a) Council sponsor the Ride for Life fundraising event being held at Heffron Park, Maroubra on Sunday, 17 November 2013 by paying for the public risk insurance policy premium in the sum of \$798.77, with funds being allocated from the Council Contingency Fund 2013-14;
- b) as resolved previously, Council continue to waive the application fees, hire fees and waste management fees for the use of the park which would be in the vicinity of \$3,000.00. and
- c) an advertisement for this event be included in the Mayoral Column.

Attachment/s:

Nil

MM68/13

Mayoral Minute No. MM69/13



Subject: Coogee Minnows - Request for Financial Support for 50th Anniversary

Folder No: F2004/06257

Author: Councillor Bowen, Mayor

Introduction

The Coogee Minnows are celebrating their 50 year anniversary (1963-2013) and they have asked that Council consider putting up banners along Arden Street to celebrate the occasion.

Issues

Coogee Minnows is Australia's longest continually running Junior Surf Lifesaving Club and is a dynamic part of the Coogee Beach community. The Minnows offers a fun and active lifestyle choice for children between the ages of 5 and 13, as well as a solid base for learning and competition in beach activities. Kids in Minnows are taught everything from sun and surf safety, beach sprints and board paddling, all the way to life saving skills like CPR and water rescues.

The Minnows have asked that Council consider waiving the hire fees for the banner poles on Arden Street and 50% of the banner installation fee. The Minnows will pay the balance.

Financial impact statement

If the report recommendation is adopted, the cost to Council will be \$1,191.24 (being \$927.24 for waiver of the banner poles hire fee + \$264 for half the installation fee). It is recommended that this be funded from the 2013-14 Contingency Fund.

Conclusion

The Coogee Minnows is Australia's longest continually running Junior Surf Lifesaving Club and the 50th Anniversary is an event worthy of celebration in the local community.

Recommendation

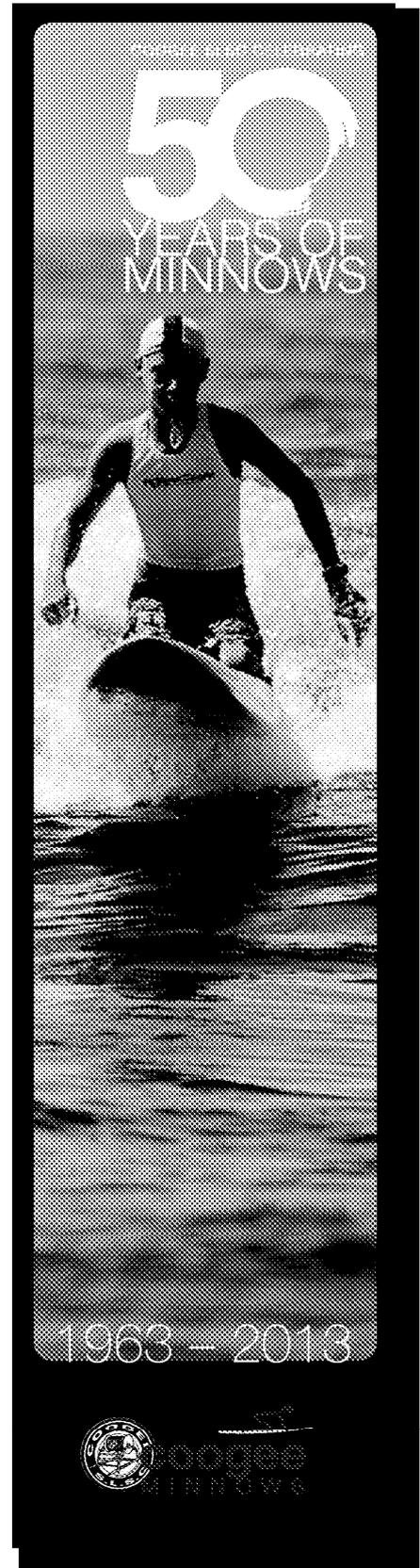
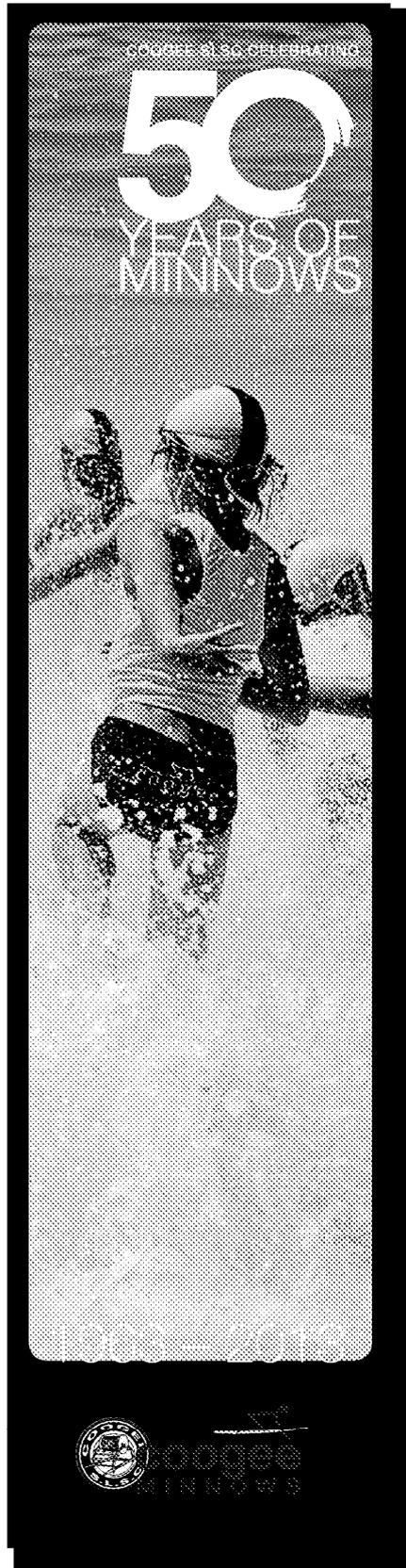
That Council approve the display of banners along Arden Street to celebrate the 50th anniversary of the Coogee Minnows and agree to waive the banner poles hire fee (\$927.24) and half the banners installation fee (\$264), this amount to be funded from the 2013-14 Contingency Fund.

Attachment/s:

1. Sample banners - Coogee Minnows 50th anniversary

MM69/13

MM69/13



Mayoral Minute No. MM70/13



Subject: Waiving of fees - Rainbow Club
Australia Inc - Murray Rose's Malabar
Magic Ocean Swim

Folder No: F2005/00145

Author: Councillor Bowen, Mayor

Introduction

Rainbow Club Australia Inc has written to Council thanking it for its support of Murray Rose's Malabar Magic Ocean Swim since its inception in 2009.

Since 2009 this swim has successfully established itself as one of the premier ocean swims on the Australian calendar with over 1,000 swimmers participating and the numbers growing each year. All funds raised from this annual event go to Rainbow Club Australia Inc.

Issues

Last year the event name was changed to reflect the high esteem that Rainbow Club Australia held for its first patron, Murray Rose. Murray was a great ambassador for swimming and had a life long affinity with the beaches of the eastern suburbs of Sydney.

In May 2010 Council resolved to 'waive all associated fees for the Rainbow Club Australia Inc's annual ocean swim for five (5) years from 2010-2015.' Rainbow Club Australia has asked Council to extend the agreement for a further five (5) years from 2016-2020.

The fees waived for this event in 2013, were are follows:

Application fee:		\$385.00
Beach hire and toilet cleaning:		\$460.10
Lifeguards:	14 lifeguards @ \$208.50 p/h x 4 hours	\$11,676.00
	2 jet-skis @ \$62.00 p/h x 4 hours	\$496.00
Waste removal:	10 bins @ \$75.00 per bin	\$750.00
Total:		\$13,767.10

Financial impact statement

If Council agrees to continue to support this event for a further five (5) years from 2016-2020, the cost will be approximately \$14,500 per annum plus CPI (based on the 2013 figures detailed above). If approved, this will be funded from the Contingency Fund.

Conclusion

Rainbow Club Australia Inc is a non-profit organisation that gives children with a disability the opportunity and confidence to extend their abilities through swimming. It is recommended that Council continue to support this, now established, local event by providing a commitment to waive the fees for the event for a further five (5) years (from 2016-2020). This will give the event organisers the security of knowing that Council's support is assured for this period.

MM70/13

Recommendation

That:

- a) Council waive all associated fees for the Rainbow Club Australia Inc's annual ocean swim for five (5) years from 2016-2020;
- b) The organiser of the event undertake to appropriately and prominently acknowledge and promote Council's contribution to the swim; and
- c) The Mayor (or representative) be given the opportunity to address the event on behalf of Council.

Attachment/s:

Nil

MM70/13

Mayoral Minute No. MM71/13



Subject: Local Government Chief Officers' Group

Folder No: F2008/00390

Author: Councillor Bowen, Mayor

Introduction

At its ordinary meeting held 24 June, 2008 Council resolved to endorse the General Manager's membership application for the Local Government Chief Officers' Group. The purpose of this report is to advise Council of the General Manager's attendance at the 2013 group meeting to be held in Bussleton, Western Australia in November 2013.

Issues

The Local Government Chief Officers' Group is the peak professional development network of Australia and New Zealand Local Government Chief Executives. The objectives of the Local Government Chief Officers Group are:

1. To act as a forum for the exchange of experience and information between Chief Officers to benefit their Councils in particular and local government in general.
2. To utilise the experience and knowledge of Chief Officers at various government and organisational levels.
3. To facilitate the professional development and training of Chief Officers.

As always, another major benefit of this Group is the opportunity to network one on one with other CEO's and industry leaders to see exactly how they are dealing with the myriad of challenges currently being faced by local government.

Financial impact statement

The cost of travel, accommodation and meals has been allowed for in the 2013-14 training budget.

Conclusion

Randwick City Council is recognised within the Local Government industry as a leader and an innovator. The ongoing exchange of experiences and information within this leading group will keep Randwick at the forefront of local government and provide exciting opportunities for Council to explore.

Recommendation

That Council note the General Manager's attendance at the annual group meeting of the Local Government Chief Executive Officers' Group to be held in Bussleton, Western Australia in November 2013.

Attachment/s:

Nil

MM71/13

Mayoral Minute No. MM72/13



Subject: Waiving of Fees - St Mark's Anglican Church - Carols by Candlelight

Folder No: F2013/00096

Author: Councillor Bowen, Mayor

Introduction

An application has been received from Rev. Simon Roberts, St Mark's Anglican Church, seeking assistance with the waiving of associated fees for its annual community event of "Carols by Candlelight, The event is planned for Saturday 7 December, 2013 in Pioneer Park, Malabar.

Issues

The St Mark's Anglican Church has been running a carols event since 2005 and it has been both well run and well received by the local community. Rev. Roberts has advised that this is a non profit activity. Various businesses from the local area partner with St Mark's Anglican Church to sponsor aspects of the event so that much of the evening is provided free of charge to local residents. Attendance at the Malabar Carols by Candlelight has been growing over the years with approximately 1,000 people attending last year.

Rev Roberts has asked that given this is a non-profit community event, Council provide in-kind financial assistance with the following costs:

Application Fee:	\$ 514.00
Extended Opening Hours of toilets	\$ 170.00
Supply and Removal of five bins	\$ 390.00
Usage Fee:	\$ 347.00
Food Registration Fees:	\$ 300.00
TOTAL:	\$1,721.00

Financial impact statement

Should Council accept the report recommendation, the financial implication to Council is \$1,421.00 and currently there are sufficient funds in the Contingency Fund 2013-14 to cover this contribution.

Conclusion

Whilst Council holds a carols by candlelight event at Coogee Beach, financial assistance for this event in Malabar will enable residents residing in the southern part of the city to attend a carols by candlelight event in their area.

Recommendation

That:

- a) Council vote \$1,721.00 to cover the fees associated with the Malabar "Carols By Candlelight" to be held on 7 December, 2013, and that these funds be allocated from the 2013-14 Contingency Fund.
- b) The event organiser undertake to appropriately and prominently acknowledge

and promote Council's contribution prior to and during the event.

- c) The Mayor or his representative be given the opportunity to address the event on behalf of Council.
- d) The organizer provide Council with information following the event on the number of attendees.

Attachment/s:

Nil

MM72/13

Mayoral Minute No. MM73/13



Subject: Proposed Establishment of Port Botany Forum

Folder No: F2004/07460

Author: Councillor Bowen, Mayor

Introduction

The operation of Port Botany and its effects on our local residents has been an ongoing issue for many years. The purpose of this Mayoral Minute is to establish an ongoing Port Botany Forum to provide an opportunity for all levels of government and the community for enhanced communications on a range of Port-related issues affecting our residents.

Issues

Council currently participates in two separate quarterly meetings held by NSW Ports, including the Port Botany Neighbourhood Liaison Group, on issues relating to current port activities, and the Port Botany Community Consultative Committee, on issues relating to the Port expansion, including both construction and operation. When these expansion works have been completed, the two committees are proposed to be merged, given the overlapping representation. These groups include Council and local community and precinct representatives and are updated and provide input on issues including noise, traffic and community safety.

To supplement these and to enhance communication with NSW Ports, it is envisaged that the establishment of a Port Botany Forum, meeting at least yearly and preferably every six months, with the following members would facilitate greater access to NSW Ports and allow further opportunities to be involved in solutions to the many problems facing our residents on a daily basis.

It is proposed that membership of the Port Botany Community Forum would include:

- The Mayor of Randwick City Council;
- The Minister for Ports;
- The Federal Member for Kingsford-Smith;
- The State Members for Maroubra and Heffron;
- A representative from NSW Ports;
- Representatives from relevant State agencies (including EPA, RMS etc); and
- Representatives from the local precinct groups.

Financial impact statement

There is no direct financial impact for this matter.

Conclusion

It is envisaged that this Forum would facilitate greater discussion and resolution on Port-related matters which are affecting our local residents.

MM73/13

Recommendation

That:

- a) Council facilitate the establishment of a Port Botany Forum to provide an opportunity for enhanced communications between all levels of government and the community with NSW Ports on a range of Port-related issues affecting our residents; and
- b) Membership of the Port Botany Forum would be as detailed in this report.

Attachment/s:

Nil

MM73/13

Mayoral Minute No. MM74/13



Subject: Tasnim Ahsan Sydney Girls High School - Request for Financial Assistance

Folder No: F2004/07396

Author: Councillor Bowen, Mayor

Introduction

I have received a request for financial assistance from Ms Tasnim Ahsan who is a Grade 9 student at Sydney Girls High School.

Issues

Tasnim has been selected to represent Maroubra at the YMCA Junior Youth Parliament 2013. Tasnim is seeking a sponsorship of \$350.00 from Randwick City Council to assist her in attending the one week preparation camp at Camp Yarramundi from 23 to 27 September 2013.

The YMCA New South Wales Junior Parliament is a program that gives young people a voice in the running of NSW. It is a place where the opinions and concerns of young people in NSW are heard by those who have the power to make laws. Run by young people, for young people, the program aims to promote youth-led advocacy, active community leadership and legal and parliamentary education.

Financial impact statement

Sponsorships of this kind have been allowed for in the 2013-14 Contingency Fund.

Conclusion

Junior Parliament is a great opportunity for young people to develop their public speaking and debating skills, and also a great opportunity for young people to tell our decision makers what concerns today's youth, to meet and talk with our State leaders, and to learn more about government. But above all, Junior Parliament aims to give young people the necessary skills to take back into our communities and create that change themselves.

Recommendation

That Council congratulates Ms Tasnim Ahsan on her selection to represent Maroubra at the YMCA Junior Youth Parliament 2013 and agrees to provide sponsorship of \$350.00 to assist her in attending the one week preparation camp at Camp Yarramundi from 23 to 27 September 2013.

Attachment/s:

Nil

MM74/13

Mayoral Minute No. MM75/13



Subject: Local Government NSW Letter to the NSW Government Regarding the Proposed White Paper Planning Bill

Folder No: F2007/00562

Author: Councillor Bowen, Mayor

Introduction

I recently received advice from Local Government NSW (LGNSW) on its correspondence to the NSW Government raising concerns about the proposed Planning Bill (see attached).

The letter to both the NSW Premier and the Minister for Planning and Infrastructure, requests that changes be made to the Planning Bill before it is brought before the Parliament, to ensure a more balanced new planning system. The letter requests the following issues be addressed in the Planning Bill:

- Further strengthening of councils' local plan making powers
- Rebalancing the triple bottom line in terms of economic, social and environmental considerations
- Retaining rights of councils and communities to be involved in local high impact and contentious development
- Providing greater certainty and public confidence in the planning system
- Retaining council primacy within the Subregional delivery model with a say in defining the Subregional Delivery Plan
- Legislating to provide mechanisms to require early consultation with councils in high level plans
- Removing the proposed three year limit on holding infrastructure contributions
- Need for clearer transitional arrangements with respect to Subregional models for regional NSW.

Randwick City Council made an extensive submission on the White Paper Planning Reforms in June 2013 raising a range of issues pertaining to the draft Planning Bill including local plan making, triple bottom line considerations and support for early consultation in strategic planning. I note that Council's submission is generally consistent with the issues raised in this LGNSW correspondence to the NSW Government

Financial impact statement

There is no direct financial impact for this matter.

Conclusion

The key matters raised by LGNSW in its correspondence to the NSW Premier and Minister for Planning and Infrastructure on the Planning Bill, are generally consistent with the issues that Council raised in our submission on the White Paper Reforms.

Recommendation

That Council notes the Local Government NSW letter to the NSW Premier and NSW Minister for Planning and Infrastructure.

MM75/13

Attachment/s:

1. Local Government NSW Request to Premier for Urgent Changes to the Proposed Planning Bill

MM75/13



Our ref: R13/0015 Out - 21863

10 September 2013

Dear Mayors and General Managers

Request to Premier for urgent changes to the proposed Planning Bill

We write with an important update on the latest action we have taken on the critical issue of the proposed Planning Bill.

Yesterday we wrote to the Premier, the Hon Barry O'Farrell MP seeking that he intervene to ensure fundamental amendments are made to planning Bill before it is brought before Parliament.

A copy of this letter was also sent yesterday to the Minister for Planning and Infrastructure, the Hon. Brad Hazzard MP, and the Minister for Local Government, the Hon. Don Page MP.

For your information we are setting out below the text of that letter to the Premier:

We write to express our grave concerns about several aspects of the proposed new planning system for NSW and to urge you to make a number of key amendments to the draft legislation. These key amendments are spelt out in more detail below. LGNSW considers these changes necessary to provide balance between the interests of the community and the imperatives of development.

In line with our submission on the White Paper and the Draft Exposure Bills, as well as other representations including those below, we urge you to delay the passage of the legislation in Parliament to enable these amendments to be made.

We are seeking your response within 14 days. The planning issue and member council concerns are high on the agenda for our forthcoming Annual Conference, and, given the mood of member councils, it is likely that some form of direct action campaign against the legislation with significant community support will be proposed unless the Government is prepared to make the changes sought.

Local Government warns that many of the proposed provisions will have dire consequences for the NSW planning system and the wellbeing of the State as a whole. It is in everyone's interest to have a balanced planning system

Councils do not accept the argument that your government has a mandate to introduce the new planning system as currently proposed. The Coalition's election *Contract with NSW* promised the return of planning powers to the community. The Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, has repeated this promise on many occasions referring to the return of planning powers to councils and communities. Councils and the broader community do not accept that the proposed new system as embodied in the Bill is delivering on this promise. Many believe that it is doing quite the opposite.

This perception has been confirmed in the numerous submissions from Local Government, various professional peak bodies and the broader community. It has also been reinforced by independent surveys of planning professionals and the general public.

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
L8, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 853 913 882

MM75/13

The major concerns settle around a number of key fundamentals. Confidence in the implementation of a new planning system would be enhanced by making a number of key amendments to the proposed system, including some amendments to the draft Planning Bill 2013.

LGNSW proposes:

1. Retaining councils' local plan making powers

LGNSW seeks to strengthen local plan making powers in line with the Government's undertakings to return local planning powers to councils.

LGNSW is concerned that Development Guides will be watered down and we oppose specific provisions that intend to do this. This would be partially addressed by deletion of Subclause (2) of Clause 3.27.

2. Rebalancing the triple bottom line

LGNSW believe that "all three bottom lines" – economic, social and environmental – should play equal part in planning decisions and principles of intergenerational equity be reflected in the objects of the legislation (see LGNSW Submission to White Paper p14).

This would be achieved by amending Strategic Planning Principles 1, 9 and 10 under section 3.3 to provide a balanced triple bottom line.

3. Retaining rights of councils and communities to be involved in local high impact and contentious development

This can be partially achieved through:

- introducing a definition on code assessable development.
- allowing more development to be advertised in that category.
- restricting variations to simple complying applications.

LGNSW opposes the level of reduction of community engagement at the assessment level. This reduction risks reducing transparency.

LGNSW calls for the following amendments:

On code assessable development:

- Redefining code assessable development to restrict it to low risk and low impact development.
- Certain classes of code assessable development should be able to be advertised.

On complying development:

- Variations to complying development (approved by the certifier) need to be restricted to a narrow range, after which council consent would be required.

Transitioning to code assessable development:

- A code assessable development code should be inapplicable unless the regional or subregional plan has approved the code, so that appropriate public scrutiny of the code is achieved.

4. Providing greater certainty and public confidence in the strategic planning system

LGNSW supports:

- Capturing in the Bill greater flexibility for councils to adopt relevant local zones by amending clause 3.19.
- Restrict applicants' rights to appeal to the regional planning panels to support an application for re-zoning, by adding criteria for such appeals.
- Strategic compatibility certificates only being an interim measure until Local Plans have been made.
- Strategic compatibility certificates requiring concurrence of the relevant council.

5. Retaining council primacy within the subregional delivery model with a say in defining the subregional delivery plan.

This would be reinforced by specifying that the Chair of the subregional planning boards should be elected by the members of the board, not appointed by the Minister.

6. Enabling grassroots community engagement to be delivered into higher order plans.

Legislating to provide mechanisms that require early consultation with councils to ensure there is input of evidence based local planning information during the development of higher level plans (i.e. Regional Growth Plans, Strategic Regional Land Use Plans etc.).

7. Removing the proposed three year limit on holding infrastructure contributions.

As has been clearly demonstrated the proposed three year limit on holding infrastructure contributions is unworkable and unwarranted. This requires deletion of Clause 7.9(5).

8. Sub-regional model in regional NSW

Transitional arrangements need to be spelt out to provide for a realistic cost benefit based implementation roll out to regional NSW and to ensure that "non-growth" areas are not disadvantaged in the provision of infrastructure because of the absence or delay of development of a regional and/or subregional plan.

We can provide more technical detail on each of these proposed changes if you wish to see them in advance or if you would like to meet to discuss them.

We concluded the letter to the Premier stressing that we believe that the proposed changes are more than reasonable, allowing the core improvements to the Planning System to proceed while addressing the imbalance inherent in the current proposals.

If you wish to discuss our efforts please feel free to ring or email either of us.

Yours sincerely



Cr Keith Rhoades AFSM
Joint President
0408 256 405



Cr Ray Donald
Joint President
0438 699 910

MM75/13