

# COUNCIL BOUNDARY REVIEW RANDWICK, WAVERLEY and WOOLLAHRA COUNCILS SUBMISSION by JAYASOORIAH

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## 1. INTRODUCTION

I make this submission in the belief that the information I provide herewith is true and correct to the best of my knowledge, and that it will be of assistance to the Delegate in examining and reporting on the NSW Government's proposal to merge Randwick City, Waverley and Woollahra Municipal Councils.

This submission seeks that the Delegate reject the merger proposal on the grounds that: a) it lacks **legitimacy**, b) it lacks **credibility**; and c) does not have the required level of **community support**.

I make this submission as a Resident of Randwick City and Chairperson of the **La Perouse Precinct**, one of eleven precincts in Randwick LGA that is strongly opposed to the proposed merger.

## 2. LEGITIMACY

At the Ordinary Council Meeting on 25 March 2014, upon consideration of the view of its precincts, Randwick City Council resolved<sup>1</sup> that (relevantly):

- a. It is *opposed* to the amalgamation of Randwick City Council; and
- b. It *endorse* the submission by Precinct Committees and forward it to the Minister for Local Government;

Pursuant to the motion, on 4 April 2014, Randwick City Council issued a letter<sup>2</sup> to the Office of Local Government containing the submission of six precincts opposing amalgamations.

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<sup>1</sup> RCC Resolution 72/14 pursuant to GM9/14

<sup>2</sup> See Annex A, 4 April 2014 letter from Anne Warner to Office of Local Government.

**Fact.1:** Randwick Council **opposed** to amalgamation and **endorsed** the position of its **Precincts**.

At the Ordinary Council Meeting on 23 September 2014, upon consideration of the proposal by the State to amalgamate councils under the Fit for the Future agenda announced on 10 September 2014, Randwick City Council resolved<sup>3</sup> that (relevantly):

- c. It unambiguously state it is *opposed* to amalgamation of Randwick City Council;
- d. Its Councillors affirm that they are *opposed* to amalgamation of Randwick Council *then* and *after* the LGA Election on 16 September 2016;
- e. It write to relevant State Members and seek assurance that the Government’s policy that there be *no forced amalgamations* remain after the 2016 LGA Election; and
- f. It funds a public awareness campaign opposing *any* amalgamation of Randwick Council.

This was a **motion pursuant to notice** and was **carried unanimously**.

**Fact.2:** Randwick Council resolved unanimously to declare it is **unambiguously opposed** to amalgamation.

**Fact.3:** All fifteen Councillors **affirmed** their **opposition** to amalgamation of Randwick council *in* 2014 and until *after* 16 September 2016 LGA Election.

At the Ordinary Council Meeting on 25 November 2014, pursuant to Mayoral Minute, Randwick City Council resolved<sup>4</sup> that (relevantly):

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<sup>3</sup> RCC Resolution 316/14 pursuant to NM100/14 by Cr Andrews and NM103/14 by Cr Bowen

<sup>4</sup> RCC Resolution 359/14 pursuant to MM92/14 by Mayor Seng

- a. It establish a *working party* consisting of the Mayor and representative of major parties and independent Councillors to respond in accordance with the Fit for the Future’ templates; and
- b. It consults with the local community by way of a *plebiscite* or other means to determine community’s view on amalgamations.

This was a motion was pursuant to Mayoral Minute **without notice** and was carried by a **simple majority** after a motion to defer the matter to allow further consideration by Councillors and the community was lost.

**Fact.4:** Randwick Council resolved to **consult** with the local **community** by way of a **plebiscite** other means to determine community’s view.

On 5 December 2014, the Greens Councillor (unwittingly) revealed<sup>5</sup> Mayoral executive intervention in the functioning of the *working party* established pursuant to Council’s 25 November 2014 resolution. Specifically, the Mayor by executive decision replaced one member, an ALP caucus nominated Councillor to oppose amalgamations, with another member, an ALP Councillor who was sympathetic to the Mayor’s position in favour of amalgamations.

On 29 June 2015, on the recommendation of this working party, Randwick Council submitted to IPART a joint proposal with Waverley Council that included Woollahra Council as an option despite the fact that Woollahra has always wanted to stand alone.

**Fact.5:** The **Mayoral intervention** referred to in 5 December 2014 email caused Council’s to **change its position** and led to its submission to IPART in favour of amalgamations.

The Government’s proposal before the Delegate, to merge Randwick, Waverley and Woollahra Councils, is in substance the Randwick and Waverley joint submission to IPART that includes the Woollahra option.

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<sup>5</sup> See Annex B, Fri 04 Dec 2014 2:17 email from Cr Matson to GM and Councillors.

I submit that the position of Randwick City Council, *unanimously opposed to amalgamations*, as at 25 September 2014 [**Fact.2, Fact.3**] that is consistent with the position of the Randwick residents [**Fact.1**] is *legitimate*.

I further submit that the position of Randwick City Council *in favour of amalgamations* is a result of the Mayoral intervention [**Fact.5**]. It is the view of a *simple majority* of eight Councillors of Randwick City Council that is being imposed on Randwick residents against their express view to the contrary [**Fact.1**]. Consequently it is *illegitimate*.

### 3. CREDIBILITY

Randwick City Council conducted its *biggest-ever community consultation* over three months and claimed that its survey of 6,446 residents showed **51 per cent** preferred a merger option and only **49 per cent** wanted a stand-alone council<sup>6</sup>.

Pursuant to a GIPA application, Randwick Council released the raw data files containing the survey responses. An independent analysis<sup>7</sup> of the survey data files concludes:

**Fact.6:** Only **30 per cent** of the survey respondents support amalgamation. The remaining **70 per cent** either don't support or are unsure.

**Fact.7:** Less than **10 per cent** of the survey respondents support the merger proposal. The remaining, more than **90 per cent**, either don't support or are unsure.

Randwick City Council as to date chosen not dispute the independent analysis or to contest any of the assertions as to facts contained therein.

I submit that Randwick City Council's analysis of its community survey is fundamentally flawed, and that the independent analysis shows that Council's report on the analysis contains false and misleading statements.

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<sup>6</sup> See General Manager's Report No GM10/15 dated 26th May 2015, *Randwick City Council Fit for the Future - Options Analysis*, page 9.

<sup>7</sup> Inquiry into Local Government in New South Wales Submission No 169 dated 12/07/2015.

I further submit that inference be made as to the credibility of its report on other analyses, including financial modelling and outcomes.

**4. COMMUNITY SUPPORT**

An opinion poll carried out by Local Government NSW over four months showed less than one in five Sydney residents support the merger of their Councils as outlined in State Government’s Fit for the Future reform package, and that more than 60 per cent of the 7,416 respondents preferred their Council to stand alone<sup>8</sup>.

This is consistent with the Randwick City Council’s survey when subject to an independent analysis.

The most recent survey conducted by Woollahra Council asking residents in Randwick, Waverley and Woollahra if they support the merger proposal before the Delegate was tabled at an Extraordinary Council Meeting of Randwick City Council on Saturday 27th February 2016 shows:

	<b>Woollahra</b>	<b>Waverley</b>	<b>Randwick</b>	<b>Combined</b>
<b>Yes</b>	28%	50%	43%	41%
<b>No</b>	72%	50%	57%	59%
<b>Sample Size</b>	404	405	403	1,212
<b>Total h/hold</b>	24,486	28,202	49,242	101,937

**Fact.8:** Only **43 per cent** of the Randwick residents support the merger proposal. The remaining **57 per cent** want to stand-alone.

**Fact.9:** Only **41 per cent** of the Randwick residents support the merger proposal. The remaining **59 per cent** want their Councils to remain.

I submit that should the Delegate decide to independently establish community support to the proposed merger, a plebiscite should conducted and the outcomes would be no different.

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<sup>8</sup> See Fri, 03 July 2015 16:05:35 email Message from Keith Rhoades, President of LGNSW and media release <http://www.lgnsw.org.au/news/media-release/media-release-government-ignores-community-council-mergers>.

## 5. SUBMISSION

I submit to the Delegate that the Government's proposal to merge Randwick, Waverley and Woollahra councils be rejected outright.

In the alternative, I submit that a plebiscite be conducted to determine if there is community support for the proposed merger.

I thank you.

Jayasooriah  
Chairperson  
La Perouse Precinct  
28th February 2016

**ANNEX A**

**4 April 2014 letter from Anne Warner to Office of Local Government**

File Ref: F2004/06554

4 April ~~2013~~ 2014

Local Government Report Consultation  
Office of Local Government  
Locked Bag 3015  
NOWRA, NSW 2541

Dear Sir/Madam

**Subject: Randwick City Precinct Submissions – Local Government Reform**

It was resolved at the Ordinary Meeting of Randwick City Council, 25 March 2014, that Council note the submissions received from the Precinct Committees and forward them to the State Government on their behalf.

The following comments have been received from the Randwick City Precinct Groups in relation to Council's Submission – Local Government Reform:

**Malabar Precinct**

On 13 March 2014 Malabar Precinct unanimously resolved "That this Precinct is opposed to the Randwick City amalgamating with any other Council in any form, and that we have perfect confidence in the Randwick Council continuing to operate as a stand-alone Council."

**Matraville Precinct**

On question 42 of in the local government reform draft submission paper - which discusses amalgamations in particular forced amalgamations, the precinct was against forced amalgamations with a global city or any other council that Randwick City Council remain as stand alone continue to serve local communities locally. The precinct committee meeting groups voted completely against any amalgamations and any suggestions of a fall back position to go with any other council if forced would send a wrong message to the state government.

The Precinct voted a majority NO to amalgamations in any form.

**Coogee Precinct**

The Coogee Precinct is of the view that forced Council amalgamations are unlikely in NSW due to the experience of those state governments that have forced Council amalgamations in the recent past.



The Coogee Precinct has concerns about Randwick Council entering into a Joint Organisation as set out in recommendation 43. The Coogee Precinct is concerned about any Joint Organisation with Woollahra and Waverley Councils. The recent statements by the Mayors of these two LGAs about the NSW Government restrictions relating to lock outs and early closing for late trading license venues, give the Coogee Precinct little confidence that issues relating to late trading licensed venues in Coogee would receive support in any arrangement with these two LGAs. The fact that Coogee's beachside reserves are used as beer gardens for backpackers from Bondi adds to the concerns.

Randwick and Waverley as coastal councils do have some communities of interest however the similarities in socio economic factors are limited geographically and certainly do not apply between Randwick and Woollahra. There is concern that services or facilities not desired in Waverley or Woollahra will be dumped on our area, as happened with Long Bay Jail last century and Sobering Up Centre for all of the eastern suburbs this century.

At the Precinct meeting it was explained that these "Joint Organisations" would not in fact be permanent structures. They would instead be a coming together of various Councils for regional strategic planning purposes according to the need the State Government has at the time. They would be in lieu of the State government dealing with multiple Councils on an issue. It is also explained that the linking of Randwick, Waverley and Woollahra was the recommendation in the Report of the Local Government Review but is not how Randwick would see these "Joint Organisations" working. Rather they would be composed according to the need at the time.

These explanations go some way to assuaging concerns but the Precinct would wish to see more information.

Thank you for providing the Coogee Precinct with this opportunity to comment.

### **Randwick Precinct**

The meeting (5th March) noted that a 'global city' council would completely subsume local issues and representation, especially for sporting facilities, which were an important part of the lifestyle in Randwick. The system of ward councillors worked well in Randwick.

An attendee noted that the State Government had a policy of 'no forced amalgamations', other attendees noted that a referendum should be held on any Council amalgamation or major change in boundaries.

### **La Perouse Precinct**

The chair asked for a vote on three options; a global Sydney council comprising about 6 current LGA's, combining with Waverly, Woollahra and parts of Botany and the third option of Randwick Council staying as is now. It was unanimous that Randwick Council stay as is with no amalgamation. The notion of a global Sydney Council was totally rejected.

It was resolved that the Chair ask Council to detail how the foreshadowed \$500 million would be saved if there were to be an amalgamation of the eastern Suburbs Councils.

### **Malabar Central Precinct**

Attendees drafted a motion regarding the amalgamation: "The committee raises a motion to object to the amalgamation of local councils. The reasons are for the following:

1. Loss of services to rate payers;
2. Loss of access to local electoral representatives;
3. Loss of Council employees and jobs;
4. Loss of valuable assets which could be sold off"

The resolution passed unanimously.

Please contact me should you have any questions or comments in relation to this Submission via telephone 9399 0532 or email [anne.warner@randwick.nsw.gov.au](mailto:anne.warner@randwick.nsw.gov.au)

Yours faithfully



Anne Warner  
**Manager, Corporate Improvement**  
**Randwick City Council**

**ANNEX B**

**Fri 04 Dec 2014 2:17 email from Cr Matson to GM and Councillor**

From: Murray Matson  
Sent: Friday, 5 December 2014 2:17 PM  
To: Tracey Hatcliff; CouncillorsDL  
Subject: RE: Councillor Working Party - Fit for the Future

Councillor Ted Seng  
Mayor Randwick City Council

Dear Mr Mayor

I consider your selection of Councillor D'Souza for membership of the working party to be a sound choice and I personally endorse it.

It should be remembered that a majority of the elected Councillors voted to set up this body to "undertake the necessary due diligence to enable Council to respond in accordance with the 'Fit for the Future' templates, due June 2015". It is thus charged with producing a background research product to be used by the full body of the Council to make later decisions and vote on. It is thus not logical that the full body of Councillors should be represented on it as it would defeat the whole purpose of setting up a focused sub group consisting of a restricted number of members.

I also agree with you that the membership should be constrained to like minded Councillors who will work together to produce the delegated product required of them. Councillor Stevenson has declared himself as being against the undertaking of this task and thus can not be expected to contribute towards its completion.

Councillor D'Souza on the other hand considers that the working group will enhance the protection of Council employee conditions as Council grapples with an appropriate response to the Government's Fit for the Future demands. The hard truth is that Councillor Stevenson did not appear to also recognize this as a valid concern when he recently signed a rescission motion against the resolution to Mayoral Minute of the 25th of November. Clause 2 of this resolution specifically stated the Council's support for the United Services Union's request that it be included in the tent to enable it to argue for our employees rights as the Council response is prepared. I was personally alarmed that none of the signers to the rescission (including Cr Stevenson) made provision in the planned follow up motion for the USU request to be so recognized.

The final point I make is that it would now probably be interpreted by the USU as a sign of bad faith should Councillor Stevenson and his views be seemingly advanced over those of Councillor D'Souza. Councillor Stevenson's opposition to the Council responding favorably to the union's request as evidence by the way he voted on your mayoral minute, will not have gone unnoticed within our own work force. I believe that Councillor D'Souza because of the way he voted is now better positioned to retain their confidence than Councillor Stevenson.

I hope this has been of use.

Randwick Greens Councillor Murray Matson  
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