



14th November, 2003

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 TUESDAY, 18TH NOVEMBER, 2003 AT 5:45 P.M.

- 1 Apologies**
- 2 Addresses to the Council by the Public**
- 3 Mayoral Minutes**
- 4 General Manager's Report**
 - 4.1 GENERAL MANAGER'S REPORT 29/2003 - TENDER T15/03 RAINBOW ST CHILDCARE CENTRE, RANDWICK – RECONSTRUCTION. 2
- 5 Director Assets & Infrastructure Services' Report**
 - 5.1 DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 68/2003 - DELEGATION OF AUTHORITY - MANDATORY WATER RESTRICTIONS. 4
- 6 Motions Pursuant to Notice**
- 7 Confidential Reports**
- 8 Committee-of-the-Whole**
- 9 Report of the Committee-of-the-Whole**
- 10 Notice of Rescission Motions**

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ACTING GENERAL MANAGER



GENERAL MANAGER'S REPORT 29/2003

SUBJECT:	TENDER T15/03 RAINBOW ST CHILDCARE CENTRE, RANDWICK - RECONSTRUCTION
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DATE:	12 November, 2003	FILE NO:	PR/0048/03 98/S/5295
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REPORT BY: GENERAL MANAGER

INTRODUCTION:

On 19 March 2003, the Rainbow St Childcare Centre at Randwick was set on fire. The building was severely damaged and after inspections by engineers and consultation with the insurer, it was decided to reconstruct the building using the existing concrete slab and the original configuration. The General Manager endorsed the decision to rebuild and gave approval to go to Tender. A decision was made to issue an Expression of Interest, select a short list of applicants and then go to a Selective Tender.

The Expression of Interest was advertised in the Sydney Morning Herald on 14 & 16 August 2003. The EOI closed on Thursday 4 September. The Evaluation Committee recommended that three applicants be placed on the short list. The General Manager on 10 October 2003 approved the issue of a selective tender to the three companies on the shortlist.

The Selective Tender was issued to the three short listed contractors on 14 October 2003 and it closed on 4 November 2003.

ISSUES:

Since the fire in March, the 57 place long day centre, that is operated by the Rainbow Street Childcare Centre Association Inc, has been split and relocated to sites at the Rainbow St Public School and to the Gracepoint Baptist Church at The Spot.

It has taken many months of consultation with the Centre, insurers, government agencies and the architects to get to this stage where the tender has been evaluated.

After reviewing the Report from the Tender Evaluation Committee, it is recommended that Council accepts the tender from Kinsley Construction P/L. Kinsley has agreed to undertake the majority of reconstruction over the December / January period and complete the works programme by 16 February 2004.

Council's insurer has agreed to re-imburse Council for the total cost of reconstruction. All payments to contractors will be made through Randwick's accounting system. In addition to the tender price of \$484,042, there are other related items regarding additional security,

additional work required by the Development Application that is not covered by insurance, architecture costs, project management costs, clean up costs, statutory council fees and additional requirements of the Department of Community Services that are not covered by the insurance.

It is estimated that the total cost of reconstruction will be approximately \$600,000, of which approximately \$560,000 will be reimbursed by Council's insurer. The net cost to Council will be \$40,000 and it is planned to source funding for this amount during the December Quarter Review.

In order that the Tender for the reconstruction of Rainbow Street is fully funded, it is necessary that sufficient funds are voted to carry out the entire works. The insurance company will reimburse Council on a monthly basis.

CONCLUSION:

Randwick Council issued the Development Application determination on 22 October 2003 and the Construction Certificate determination on 7 November 2003. The Department of Community Services endorsed the new plans on 7 November 2003.

Approval is required for Council to award the tender for the reconstruction of the Rainbow Street Childcare Centre, and allocate funding so that reconstruction of the Centre can be commenced. With Council's approval it is anticipated that the Centre will be handed over to the Rainbow Street Childcare Association Inc in February 2004 for operation as a childcare centre.

RECOMMENDATION:

1. That the Tender of \$484,042 from Kinsley Construction P/L be accepted and that Council enter into a contract for the reconstruction of the Rainbow St Childcare Centre.
2. That funding of \$600,000 be allocated to provide for the total reconstruction costs of the Rainbow St Childcare Centre.
3. That after allowing for the estimated reimbursement of \$560,000 from Council's insurer, that the remaining \$40,000 be funded as a part of the December Quarter Review.

ATTACHMENT/S:

Nil

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ACTING GENERAL MANAGER

Director Asset & Infrastructure Services' Report 68/2003



SUBJECT:	DELEGATION OF AUTHORITY - MANDATORY WATER RESTRICTIONS
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DATE:	2 October, 2003	FILE NO:	98/S/0549 xr 98/S/1238
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REPORT BY: DIRECTOR ASSET & INFRASTRUCTURE SERVICES

INTRODUCTION:

The Minister for Energy & Utilities, Minister for Science & Medical Research, Minister Assisting the Minister for Health (Cancer) & Minister Assisting the Premier on the Arts, the Hon. Frank Sartor, has written to Council seeking its assistance with the compliance and enforcement of mandatory water restrictions.

ISSUES:

The Minister has imposed mandatory water restrictions and empowered Randwick City Council, with effect from 1st November, 2003, to serve penalty notices for offences against those restrictions.

From 1st October, 2003, Level 1 Mandatory Water Restrictions were imposed across the Sydney, Illawarra and Blue Mountain region.

The restrictions prohibit the following uses of water:

- The use of water by sprinklers or other watering systems; and
- The hosing of hard surfaces and vehicles.

The following uses are excluded from these restrictions:

- The application of water by hand held hose or drip irrigation water system directly to vegetation;
- Use of recycled water from non-potable pipework;
- Use of bore water and rainwater from rainwater tanks;
- Use of water for flushing boat engines and cleaning bilges and associated safety components and;
- Use of water for the maintenance of public health, firefighting and related activities or any other essential or approved purpose.

The penalty for the offence “breach water restrictions” under the Sydney Water Regulation is two (2) penalty units, which currently equates to \$220.

Effective 1st November, 2003, the Minister has appointed Randwick City Council as an authorised person for the purposes of Section 50 of the Sydney Water Act 1994. This appointment is subject to the provision that the purpose for which Randwick City Council is appointed under this Section is limited to offences against clause 17(3) of the Sydney Water Regulation 2000.

In accepting the empowerment from the Minister, Council will need to delegate that authority to the General Manager, and he will sub-delegate that function to the appropriate staff, including Council’s Rangers.

The Minister indicated that he recognises the burden that local government is facing when confronted by increasing responsibilities without a commensurate increase in resources. He also stated that it is not intended that the enforcement task would displace the existing business of Council, but is requesting it to assist in enforcing the water restrictions when the opportunity arises. Council will retain the fine revenue, less a small administrative fee and the infringement process will be dealt with by the existing SEINS system, which Council currently uses to achieve payment for other offences.

CONCLUSION:

It is in the interest of all residents that Sydney’s water resources are conserved and wisely used, especially through peak demand seasons and it is considered that Council should co-operate with Sydney Water in all matters associated with mandatory water restrictions.

RECOMMENDATION:

That:

- a) Council accept the empowerment from the Minister to serve penalty notices for offences against the mandatory water restrictions and make provision for this in Policy No. 2.01.04;
- b) Pursuant to Section 377 of the Local Government Act, and subject to compliance with all Council policies and lawful directions made by Council or any public authority, Council hereby delegates to the General Manager authority to exercise or perform on behalf of Council all the revised powers, authorities, duties and functions as detailed hereafter:-

“RW050 D WATER RESTRICTION OFFENCES

To issue penalty notices for offences against clause 17(3) of the Sydney Water Regulation 2000.”; and

- c) The Policy Register be updated accordingly.

ATTACHMENT/S:

Nil

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MICK SAVAGE
DIRECTOR ASSET &
INFRASTRUCTURE SERVICES