



8 October 2004

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, 12TH OCTOBER 2004
AT 6:00 PM

- 1 Apologies**
- 2 Declaration of Pecuniary & Non-Pecuniary Interests**
- 3 Addresses to the Council by the Public**
- 4 Mayoral Minutes**
- 5 General Manager's Report**
- 5.1 GENERAL MANAGER'S REPORT 29/2004 DELEGATION OF AUTHORITY TO NEW GENERAL MANAGER 2
- 6 Director Planning & Community Development Report**
- 6.1 DIRECTOR PLANNING & COMMUNITY DEVELOPMENT'S REPORT 82/2004 - MOVERLY CHILDREN'S CENTRE FEE INCREASE. 7
- 7 Motion Pursuant to Notice**
- 7.1 NOTICE OF RESCISSION MOTION BY COUNCILLORS BASTIC, SENG & SULLIVAN – ORDINARY COUNCIL MEETING, TUESDAY 21ST SEPTEMBER, 2004 – ITEM 8.5 - DIRECTOR ASSET & INFRASTRUCTURE SERVICES' REPORT 69/2004 - PROPOSED RELOCATION OF A BUS STOP IN DONOVAN AVENUE, MAROUBRA. 11
- 8 Confidential Report**
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- 9 Committee-of-the-Whole**
- 10 Report of the Committee-of-the-Whole**

11 Notice of Rescission Motions

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GENERAL MANAGER.

GENERAL MANAGER'S REPORT 29/2004



SUBJECT:	DELEGATION OF AUTHORITY TO NEW GENERAL MANAGER
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DATE:	8 October, 2004	FILE NO:	98/S/1238
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REPORT BY: GENERAL MANAGER

INTRODUCTION:

Council, at its meeting held on 22nd June, 2004, reviewed its delegations within the first twelve (12) months of its new term of office, as required by Section 380 of the Local Government Act.

ISSUES:

The Council at that meeting resolved as follows:

- “a) that following a review of its delegations as required by Section 380 of the Local Government Act, Randwick City Council 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, hereby delegates to the General Manager authority to exercise or perform on behalf of Council all the powers, authorities, duties and functions as detailed on the Policy Document No. 2.01.04, subject to in:
 - (i) RA001 in paragraph (p) delete “Food Act, 1989 & Regulations” and insert “Food Act 2003 & Regulations”
 - (ii) RN001 – in paragraph (a) delete the whole of the paragraph and insert (a)” to issue under Part 5 of the Food Act 2003, improvement notices and prohibition orders for premises or equipment”
 - (iii) RN001 – in paragraph (b), delete “Food Act 1989” and insert “Food Act 2003”
- b) that Council notes that, in accordance with Section 378 of the Local Government Act, the General Manager may sub-delegate any of those powers, authorities, duties and functions to other staff; and
- c) that Policy Register be updated accordingly.”

Mr Gordon Messiter was still Council's General Manager at that time and his resignation was not effective until 2nd July, 2004. Council, at that same meeting, also appointed Mrs Sima Truuvvert to undertake the role of Acting General Manager with effect from Mr Messiter's departure date and until the new General Manager commenced duties.

The delegation of authority granted by Council at the meeting on 22nd June, 2004 was intentionally to the **position** of General Manager, not to a particular individual. Section 377(1) of the Act allows Council by resolution to delegate certain functions to the General Manager, but precludes it from delegating those functions to **other** employees of the Council. Section 378(2) of the Act makes provision for the General Manager to sub-delegate certain functions delegated to him by the Council to other employees of the Council.

For convenience in referencing, Policy No. 2.01.04 details both the functions delegated by the Council to the General Manger and, also, outlines the subsequent sub-delegations from the General manager to the respective staff members by job title. For this reason, the Instrument of Delegation in that Policy, which deals with the sub-delegation by the General Manager to the staff, contains the General Manager's actual name. The name of Gordon Messiter is presently listed in that Instrument and, accordingly, needs to be updated to stipulate myself as the newly appointed General Manager.

CONCLUSION:

Council, at its meeting on 22nd June, 2004, delegated certain functions to the position of General Manager. The General Manager at that time was Mr Gordon Messiter. As I have subsequently been appointed by the Council to that position, the Instrument of Delegation for the purpose of sub-delegating to staff members as contained in Policy No. 2.01.04 needs to be updated to reflect current arrangements.

RECOMMENDATION:

- (a) That, following the commencement of duties by Mr Ray Brownlee as General Manager with effect from 5th October, 2004, the Instrument of Delegation contained in Policy No. 2.01.04 be updated by the deletion of Gordon Messiter's name and the insertion of Ray Brownlee's name;
- (b) That Council confirm the delegations in Policy No. 2.01.04 to the General Manager granted at its meeting on 22nd June, 2004; and
- (c) The Policy Register be updated accordingly.

ATTACHMENT/S:

Covering Policy No. 2.01.04

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GENERAL MANAGER

RANDWICK CITY COUNCIL**POLICY REGISTER****PART 2 - GENERAL MANAGER'S OFFICE**

Review Date: / /

Policy No. 2.01.04

POLICY TITLE: **DELEGATION OF AUTHORITY.****File No. 98/S/1238****OBJECTIVE**

To provide those powers and authorities of the Council to be delegated to the General Manager and to delegate authority to the General Manager to deal with certain matters administratively in the interests of efficient and effective management in accordance with the designated Instrument of Delegation.

POLICY STATEMENT**A. INSTRUMENT OF DELEGATION**

That pursuant to Section 378 of the Local Government Act, 1993, and subject to compliance¹ with all Council policies and lawful directions made by Council or the General Manager or any public authority, I, Gordon Messiter, General Manager of Randwick City Council, hereby sub-delegate to the officers indicated authority to exercise or perform on behalf of Council all the powers, authorities, duties and functions of the Council listed hereafter which were delegated to me by Council in accordance with Section 377 of the Local Government Act 1993 on the date indicated:-

Minute No:	539/1983	Meeting Date:	8 November, 1983
	546/1983		8 November, 1983
	547/1983		8 November, 1983
Amended:	222/1986		27 May, 1986
	448/1987		24 November, 1987
	128/1988		17 May, 1988
	244/1988		15 August, 1989
	287/1989		19 September, 1989
	289/1989		19 September, 1989
	342/1989		17 October, 1989
Staff & Industrial Committee			5 June, 1990
Staff & Industrial Committee			2 July, 1991
Staff & Industrial Committee			6 August, 1991
Delegated Authority - Staff & Industrial Committee			7 January, 1993

410/1993	21 September, 1993
581/1993	14 December, 1993
459/1994	20 September, 1994
637/1994	13 December, 1994
Adm. & C.S. Committee	10 October, 1995
H.B. & P. Committee - H155	4 June, 1996
224/1996	27 August, 1996
9/1997	21 January, 1997
H74/1997	15 April, 1997
H137/1997	17 June, 1997
417/1997	9 December, 1997
295/1998	8 December, 1998
119/1999	22 June, 1999
7/2000	22 February, 2000
134/2000	15 August, 2000
14/2001	27 February, 2001
61/2001	24 April, 2001
192/2002	27 August, 2002
H65/2002	10 September 2002
120/2003	27 May, 2003
H58/2003	8 July, 2003
190/2003	26 August, 2003
268/2003	18 November, 2003
127/2004	22 June, 2004



Director Planning & Community Development's Report 82/2004

SUBJECT:	MOVERLY CHILDREN'S CENTRE FEE INCREASE
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DATE:	27 September, 2004	FILE NO:	98/S/0085
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REPORT BY: DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

INTRODUCTION:

Moverly Children's Centre was established in 1994 with the philosophy of providing affordable and accessible child care for Randwick City residents.

As outlined in the Parents Handbook, fees at Moverly Children's Centre are reviewed annually to reflect cost increases and to ensure a cost recovery basis at the Centre.

Moverly Children's Centre is licensed to care for 39 children aged 0 to 5 years per day. The facility was built using Section 94 funds and has been managed by Randwick City Council on a cost recovery basis since that time.

The Centre has an excellent reputation within the Randwick City for its high quality care of children. Through the Parents Advisory Committee, parents of children attending Moverly are actively involved in fundraising activities and decision making at the Centre.

Moverly's only sources of re-current funding are fees (user pays from parents), Child Care Benefit (from Centrelink which is determined by income of family unit) and Council's subsidy, which is budgeted for \$25,399 this financial year.

At the time of establishment of Moverly Child Care Centre there was a funding freeze in operational funding by both the State and Commonwealth Governments. Consequently, Moverly was unable to access any recurrent funding from the government and given that Moverly is not in receipt of recurrent funding, it is also ineligible for other one-off capital grants, which could assist in the upgrading of equipment and facilities.

Moverly accesses other one off funding grants as they become available, however it is difficult to rely on the one off grants. There are no other sources of recurrent funding available for Moverly.

Numerous letters have been written by both Council and the Parent Committee to the Department of Community Services requesting consideration for recurrent funding for Moverly Children's Centre.

Unfortunately the Department has informed both the Council and the Parent Committee that in the Department's planning processes Randwick City has not been identified as an area of need and therefore is not eligible to receive any financial assistance.

Most Community-Based Child Care Centres located in Randwick City receive funding from the Department of Community Services between amounts of \$13,000 and \$58,000 per year. In addition, a number of Child Care Centres also receive additional funding from their sponsors such as the University of NSW, NSW Department of Health and NSW Department of Corrective Services.

ISSUES:

Fees at Moverly are currently \$52 per day for children 0-3 years of age and \$49 per day for children aged 3-5 years with this last increase occurring in January 2004.

Council has a commitment to reviewing fees annually as outlined in the Parents Handbook. There has been an inconsistent and unpredictable schedule in the history of fee increases at Moverly, which makes it difficult for families to plan ahead for childcare expenses, and for Council to budget against changed or unpredictable circumstances.

Following consultation with a number of child care centres across the Randwick Local Government Area, Moverly's fees are currently comparable to community based child care centres and are more affordable than private child care centres.

Fees can be offered to families at a reduced rate at some centres, due to government funding received by community based organisations.

The current range of costing for child care places for the Nursery Room (0-2 years) is \$45-\$75 per day.

For the Pre-School Room (3-5 years) the cost is from \$42-\$69 per day.

With the introduction of the Child Care Benefit in 2000, the Federal Government provides subsidies to families utilising child care services, which is based on individual family incomes and number of dependent children. There are a significant number of families at Moverly, that are eligible for the Child Care Benefit and access this scheme.

In order to continue to provide a quality service and for the Centre to remain viable, it is necessary to increase the Centre's fees.

Discussions held with other Child Care Service Providers across Randwick City and other Local Government Areas, have also indicated that most Centres will be increasing their fees, as of the beginning of 2005.

Recently the Co-ordinator Community Development and the Director of Moverly Children's Centre attended a Parent Advisory Committee to discuss with the parents the need to review the Centre's current fee structure.

Parents were presented with a budget highlighting the Centre's current income and expenditure and the proposed fee increase. The parents were also advised of Council's financial contribution which included assistance with the Centre's building and maintenance costs, council and water rates, security, insurance, HR and administration support.

The parents agreed that in order for the Centre to remain viable the fees needed to increase.

It was proposed at the meeting that a fee increase of \$8 per day per child, from \$52 per day to \$60 per day for the Nursery Room, and a fee increase of \$5 per day per child from \$49 per day to \$54 for the Pre-School Room was necessary for the Centre to remain viable.

At the meeting the parents were very supportive of the need to ensure the quality of child care continue at Moverly and agreed that the proposed fee increase was necessary.

A follow-up letter will be sent to all parents explaining that a fee increase of \$8 per day for the Nursery Room and an increase of \$5 per day for the Pre-School Room is proposed in order for the Centre to remain viable.

CONCLUSION:

Following consultation with the Parents Advisory Committee it is recommended that a fee increase of \$8 per day for the Nursery Room and an increase of \$5 per day for the Pre-School Room be proposed.

RECOMMENDATION:

1. That Council place the proposed 2005 fee structure on Public Exhibition for a period of 28 days and consider any submissions prior to implementation of the proposed new fees.
2. That, the fees at the Moverly Children's Centre increase to \$54 per day for children in the Pre-School Room and to \$60 per day for children in the Nursery, to take effect from the Centre's re-opening on 10th January, 2005.

ATTACHMENT/S:

Nil

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SIMA TRUUVERT
DIRECTOR PLANNING & COMMUNITY
DEVELOPMENT

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RACHELLE LEWENKOPF
COORDINATOR
COMMUNITY DEVELOPMENT

MOTIONS PURSUANT TO NOTICE

7.1 Notice of Rescission Motion by Councillors Bastic, Seng & Sullivan – Ordinary Council Meeting, Tuesday 21st September, 2004 – Item 8.5 - Director Asset & Infrastructure Services' Report 69/2004 - Proposed Relocation of a Bus Stop in Donovan Avenue, Maroubra. (R/0243/02)

That the resolution passed at the Ordinary Council Meeting held on Tuesday, 21st September, 2004, reading as follows:-

that Council endorse the recommendation of the Randwick Traffic Committee for the relocation of existing Sydney Buses J stem situated on the southern side of Donovan Avenue, Maroubra, from its present position at a point 54.5 metres west of Paine Street to a new position at 48.5 metres west of Paine Street.

BE AND IS HEREBY RESCINDED.

Upon the abovementioned Rescission Motion being carried, it is intended to move the following motion:-

that the bus stop remains where it is.