



16 September 2008

## 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, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON TUESDAY, 13TH DECEMBER 2005 AT 6:00 PM.

**1 Council Prayer**

**2 Apologies**

**3 Minutes**

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 22<sup>ND</sup> NOVEMBER, 2005.

**4 Declaration of Pecuniary & Non-Pecuniary Interests**

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- 10.4 DIRECTOR, CITY PLANNING REPORT 94/2005 - UNIT 16, 57-63 BELMORE ROAD, RANDWICK.
- 10.5 DIRECTOR, CITY PLANNING REPORT 95/2005 - 1 WISDOM STREET, SOUTH COOGEE.
- 10.6 DIRECTOR, CITY PLANNING REPORT 96/2005 - 32 CREER STREET, RANDWICK.
- 10.7 DIRECTOR, CITY PLANNING REPORT 97/2005 - 417-439R BUNNERONG ROAD, MAROUBRA.
- 10.8 DIRECTOR, CITY PLANNING REPORT 98/2005 - 40 SHAW AVENUE, KINGSFORD.
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- 10.12 DIRECTOR, CITY PLANNING REPORT 102/2005 - 166 MAROUBRA ROAD, MAROUBRA.
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- 10.14 DIRECTOR, CITY PLANNING REPORT 104/2005 - 141-151 ALISON ROAD, RANDWICK.
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- 10.16 DIRECTOR, CITY PLANNING REPORT 106/2005 - 212 ARDEN STREET, COOGEE.
- 10.17 DIRECTOR, CITY PLANNING REPORT 107/2005 - 5 LITTLE STREET, MAROUBRA.
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GENERAL MANAGER



## ***MAYOR'S MINUTE 158/2005***

<b>SUBJECT:</b>	Local Area Command application for donation
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<b>DATE:</b>	6 December, 2005	<b>FILE NO:</b>	F2004/07340
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**REPORT BY:** MAYOR

### **INTRODUCTION:**

Council has received a letter from Sergeant Paul Callaghan from Eastern Beaches Local Area Command (LAC) noting the community problems of illegal activities in inaccessible bushland and beach areas in Randwick City and the LAC's proposal for an additional service for Police officers to patrol otherwise inaccessible bushland areas as part of a community safety initiative. The patrolling shall be undertaken on trail bikes which will enable access where there are no formed roads. The LAC is providing significant funding, resources and training for this initiative and is requesting that Council contribute towards the costs of establishing this new community service within the Eastern Beaches area.

### **ISSUES:**

Council is working with the LAC on a number of community safety initiatives, including establishing a Community Safety Committee which is currently being undertaken, implementing the protocol signed between Council and the LAC for improving safety within our area through design at Development Application stage, and other on the ground actions and activities.

The LAC is proposing a trail-bike patrol initiative in response to an identified community problem as raised by residents in relation to safety issues within bushland areas where there is no available access for conventional policing to be undertaken. The use of trail bikes would enable access by Police where there are no roads, in areas such as La Perouse, Malabar headland, NSW Rifle Range, urban and national parks, beaches and the coastline. The trail bike riding officers would be able to participate in search and rescue operations, evacuations, locating escapees from Long Bay Command Complex, enter areas of restricted access and undertake emergency and training exercises. The LAC has also highlighted the advantages of suitably trained Police officers for multi-agency operations that require suitable access into these inaccessible areas.

This initiative will be of significant benefit to our local residents, in terms of local safety, with a reduction in nuisance issues and an associated benefit in having a Police presence within these bushland areas to act as a deterrent for anti-social behaviour including environmental vandalism where the potential for being caught by Police would reduce the instances of such acts.

As part of this Police commitment, The LAC is contributing significantly to the establishment of this project. The LAC will source trail bikes from within the Police force; they will provide staff training and finance the ongoing operation. The LAC has requested that Council contribute to this community safety initiative by funding the one-off purchase of specialised protective riding equipment amounting to \$8,080.

While there may be concern over the apparent shifting of costs to Local Government, this contribution is primarily to assist in fast tracking the implementation process and would strengthen the working partnership we are continuing to build with the LAC.

The monetary amount requested by the Police is relatively minor, however, is worthy of support given the significant community benefit that would result from this initiative. It is noted that Council will continue to work closely with the LAC particularly whilst establishing the Community Safety Committee and preparing the Community Safety Plan therefore supporting this small request would continue to help to foster a strong partnership between the two agencies.

#### **FINANCIAL IMPACT STATEMENT:**

The financial impact is \$8,080, which could be funded through the Contingency Fund.

#### **CONCLUSION:**

The impact resulting from this request is \$8080, which is a minimal outlay that will be of significant value within the community as a crime prevention and community safety initiative.

The issue of community safety within the bushland areas of our City arises frequently as a community concern. The LAC's proposal is an activity that requires minimal contribution but will significantly improve perceived and real safety concerns. This proposed service is an additional service that does not currently exist; as such the Police are seeking this financial contribution from Council to ensure the service can be established. Given the inter-agency and community benefits of this service it is recommended that Council resolve to provide the requested funding to the LAC.

#### **RECOMMENDATION:**

That the Health, Building and Planning Committee:

1. Note the benefits of contributing to the initiative proposed by the Local Area Command as detailed in this report; and
2. Contribute \$8,080 to the Local Area Command towards the cost of providing specialised protective riding equipment to allow four officers to be deployed on trail bikes to police inaccessible bushland areas.

**ATTACHMENT/S:**

Nil

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TED SENG  
MAYOR



## **GENERAL MANAGER'S REPORT 63/2005**

<b>SUBJECT:</b>	AFFIXING OF THE COUNCIL SEAL
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<b>DATE:</b>	9 December, 2005	<b>FILE NO:</b>	F2004/07367
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**REPORT BY:** GENERAL MANAGER

### **INTRODUCTION:**

Clause 400 (part 13) of the *Local Government (General) Regulation 2005* requires that the Seal of the Council must not be affixed to a document unless the document relates to business of the Council and the Council has resolved (by resolution referring to the document) that the Seal be so affixed.

### **ISSUES:**

It is necessary for the Council's Seal to be affixed to the signing of agreements between Council and –

Robrus Pty Ltd in relation to a commercial sub-lease agreement over Stalls 3, 4, 5, 6, 7 & 8 at City Markets, Kingsford, more commonly known as Kingsford Fruit Market, 1 Rainbow Street, Kingsford.

### **FINANCIAL IMPACT STATEMENT:**

Council, in signing this agreement, will receive income of \$50,000.00 (+GST) per annum.

### **CONCLUSION:**

As Clause 400 (part 13) of the *Local Government (General) Regulation* requires that the Council pass a resolution authorising the Affixing of the Seal, it is necessary for this action to take place to facilitate legal formalities being completed.

### **RECOMMENDATION:**

That authority be granted for the Council's Common Seal to be affixed to the agreement between Council and –

Robrus Pty Ltd in relation to a commercial sub-lease agreement over Stalls 3, 4, 5, 6, 7 & 8 at City Markets, Kingsford, more commonly known as Kingsford Fruit Market, 1 Rainbow Street, Kingsford.

**ATTACHMENT/S:**

Nil

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GENERAL MANAGER



## **GENERAL MANAGER'S REPORT 64/2005**



<b>SUBJECT:</b>	Review - Des Renford Aquatic Centre
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<b>DATE:</b>	5 December, 2005	<b>FILE NO:</b>	F2005/00920
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**REPORT BY:** GENERAL MANAGER

### **INTRODUCTION:**

In November 2003 a report on the Future Direction for the Des Renford Aquatic Centre (DRAC) was tabled at Council. This report included key recommendations relating to preparation of a Business Plan, coaching and learn-to-swim programs and operational and administrative improvements.

The proposed structure was fully implemented by the end April 2004 and it was considered appropriate in 2005, as part of the general review of Council operations, to undertake a broad review of operations at the DRAC including the:

- Management of the facility and future directions
- Learn-to-swim program
- Coaching structure
- Swimming lane allocations
- Swim clubs
- Operational and organisational structure

A consultant, John Harrison from Harrison & Associates Business Strategies, was engaged to undertake this review and prepare a report for Council which is included as **Attachment 1**. In preparing the report the consultant reviewed a range of Council reports and other relevant data, interviewed key Council managers, and representatives of the Maroubra Swimming Club and Bayside Swimming Club. Focus groups were also held with Centre staff.

However as some of the review and the resulting recommendations relate to the structure of the organisation and staffing matters those issues and recommendations have been included in the Confidential General Managers Report 65/2005.

### **ISSUES:**

#### **1. Management of the facility and future directions**

There were a number of short term recommendations that focused on improving the appearance of the Centre and ensuring that due diligence was paid to Council policies.

While Council will consider the future development of a new facility as part of the Heffron Park Plan of Management process, in the short term Council must ensure that the pool is maintained to a level that ensures the safety of users and staff.

Further work is required in terms of implementing clear procedures and processes and improving the monitoring of performance through the development of key performance indicators and targets for each of the key operational areas. The very recent appointment of a manager at the centre is an opportunity for providing a strong leadership model, improved communication and developing the Centre employees' understanding of Council's values and the behaviours expected of them.

### **Learn-to-swim Program**

This program is operating well and there are now record numbers enrolled in learn to swim classes. There are areas for improvement though and some clear goals will be set for the future.

### **Swim Club Regime**

Randwick City Council acknowledges Maroubra Swimming Club's 43 years association with the Des Renford Aquatic Centre and Council itself. It is clear that the history of both the Club and the aquatic centre are closely related and as such Maroubra Swimming Club is an integral part of Randwick City Council's sporting and community history.

Council will recognise the special nature of this relationship by:

- Maintaining the existing arrangements for use of the pool/ Centre for the Friday night club meetings. This includes the subsidised rate for pool hire.
- Allowing Maroubra Swim Club to be the only club/group that can maintain their own noticeboard even though it is Council's intention that all noticeboards will be DRAC noticeboards that can be used by any clubs or groups.
- Providing MSC with use of club rooms at their required time at no fee. All other users of the club room will pay the fees as detailed in the Fees & Charges 2006/07. These fees do provide for subsidised rates for community sporting groups.

However not withstanding Council's recognition of this special relationship, the report recommends that Council withdraw from the Memorandum of Understanding with Maroubra Swimming Club and that Council takes the position that it does not have a role in determining which affiliated clubs wish to operate out of the Des Renford Aquatic Centre.

There are in fact a number of swim clubs who use the centre though only the two mentioned previously are affiliated with NSW Swimming. The clubs' main requirement of the Centre relate to lane/pool hire for club meets and carnivals and the hire/use of the club rooms and to date Council can accommodate these requests from the various clubs. Council will ensure that the process for the allocation of the use of facilities, lanes, pools or clubroom, will be transparent.

As the report suggests Council will prepare a policy statement in relation to the use of DRAC and this will take into consideration other related policies such as that related to community facility management. The policy will facilitate equitable and transparent processes for the use of the Centre.

### **Coaching Regime**

There was a level of concern expressed by some of the contributors to the review in relation to the current coaching regime and the review looked closely at the most appropriate strategy for providing squad coaching.

While learn-to swim classes currently have over 3000 enrolments there are a number of levels above this that encourage the further development of children's swimming ability. From learn to swim the children move to mini and junior development squad programs, which currently have 330 enrolled and contribute \$45,587 income to the facility for the current term (these numbers are consistent across each term).

From these squads the children progress to the higher level squads, these being the Senior Squad, National Age Squad, and Junior Training Squad. where they are expected to compete in competitions. It is this higher level of squad program that is discussed in this section.

Several options were proposed and in summary these considered whether the coaching is outsourced or continues to be provided by Council.

The Centre Manager saw that the success of the learn-to swim program is closely linked to the squad program and recommended that Council continue to run squad training. The success of the squad training attracts and motivates children at the lower levels and the quality and direction of the squad training can impact on the financial viability of the Centre. Council management of the program also provides for greater flexibility in lane use and for example on a very hot day, if Council owns the squad programs we can make changes and allocate more lanes for recreational swimmers. However, if the squad program was outsourced, part of the terms would be a defined access to a specific number of lanes at any one time resulting in no flexibility on Council's part to take over lanes if required for recreational swimmers.

There are some clear opportunities though to better manage the existing coaching regime which would address many of the concerns raised in the review and a strategy is currently being developed by the Centre Manager. This includes clearly defining and managing the coaches' relationships with swim clubs; the Centre Manager determining what carnivals and swim meets DRAC coaches will attend; managing the duties, hours and performance of the current coaches; ensuring that DRAC is providing quality coaching that results in improvements with the children progressing satisfactorily through the program and making it very clear through all our practices that the coaches work for Council.

An improved curriculum and a process for progression through the squads (based on times) which utilises the best practice in the industry, will be developed by the Centre Manager through a Committee that will consist of the Centre Manager and representatives

from Maroubra and Bayside Swimming Clubs and NSW Swimming. Once this is prepared it will be made available to all parents.

The other option canvassed was to outsource the coaching of the higher level squads. The report discusses some issues in relation to this.

When considering the two options the major issue is whether Council has a role and focus on developing the swim school program to the highest level returning maximum profits by maintaining control of the squad program or whether Council is not involved in the high level coaching and Council accepts the loss of revenue and focuses only on providing a community recreational facility and learn to swim classes.

### **FINANCIAL IMPACT STATEMENT:**

Given the number of recommendations it is difficult to quantify the direct financial impact for this matter. The report provides a range of options for being more efficient and identifies some specific cost savings. However it also provides recommendations that will in the short term require more funding, particular in relation to maintenance.

It must however, be recognised that the Des Renford Aquatic Centre is a key community recreational facility that Council provides for the community.

### **CONCLUSION:**

The report provides a number of recommendations in relation to:

- Management model and future direction
- Learn to Swim program
- Swim club regime
- Coaching regime

The adoption and implementation of these recommendations will lead to more effective management of a key community recreational facility.

### **RECOMMENDATION:**

1. The report on the operations of the Des Renford Aquatic Centre is accepted and the recommendations in relation to the management model and future directions and the Swim Club regime are implemented.
2. That Council maintains control of the coaching regime and puts in place a range of systems to ensure that quality, equitable standards are applied

### **ATTACHMENT/S:**

Report - Operations at Des Renford Aquatic Centre (supplied under separate cover)

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GENERAL MANAGER

## **GENERAL MANAGER'S REPORT 65/2005**



<b>SUBJECT:</b>	Community Grants, Donations and Subsidies
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<b>DATE:</b>	29 November, 2005	<b>FILE NO:</b>	F2005/00469
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**REPORT BY:** GENERAL MANAGER

### **INTRODUCTION:**

At the Ordinary Council Meeting on 23 August 2005 a General Manager's Report 35/2005 on Council Grants, Donations and Subsidies (**Attachment 1**) was tabled and consequently Council adopted a number of resolutions (**Attachment 2**).

This report has been prepared in response to these resolutions.

It is the role of Council to support community groups and organisations through the provision of a range of grants, donations and subsidies including access to Council owned buildings and rental subsidies. However as the General Manager's Report 35/2005 documented, there were a number of significant issues with respect to the management of the grants, donations and subsidies schemes that Council must address and these included.

- There were no policies for the provision of grants, donations and subsidies with clear priorities linked to community need and processes that ensure equity, transparency and accountability.
- With the exception of the Section 356 Grants Scheme there are no formal systems for allocating funds including selection criteria, regular assessment and evaluation. Generally grants and subsidies have not been awarded by a contestable process.
- There is no collated data showing the full extent of Council's provision of grant funding.
- There is no clear link between facility use and the achievement of RCC desired outcomes
- Many deserving community groups who may have high priority needs are not given an opportunity to apply for funding support from Council.

- The basic principles focused on equitable, transparent and effective practices are not met by the schemes in terms of process.
- Traditionally access to a Council owned facility has been provided on an ad hoc and/or historical basis based on needs at a particular time. However broad recreational participation and community services patterns have changed considerably and new groups may need access to community facilities to meet new and emerging needs.
- The lack of review process has meant that some groups perceive they 'own' a facility or have perpetual access to it when in fact current community needs may be better met by another group using the facility or the facility could serve a number of users rather than be used exclusively by one.

The aim in preparing these policies is not to increase revenue for Council but to deliver equitable, transparent and accountable processes. However, at the same time it had to take into consideration a number of critical management issues, namely;

- Council should not be financially responsible for any of the recurrent costs associated with the use of a building, such as reactive maintenance, utilities, rates, fire protection etc
- Council needs to ensure that it is being financially responsible in making adequate provision for the future replacement of the building or facility.

These various responsibilities are addressed in the *Community Facilities Management and Rental Subsidies Policy*.

In preparing this report and the attached policies:

- Research was undertaken to see how other Councils manage their facilities.
- A brief survey was undertaken of all child care centres in Randwick City .

The report provides background to the issues that were taken into consideration in formulating the policies. It also identifies any implications arising from their implementation.

The resolutions resulting from GM's Report 35/2005 included the development of two policies and the combination of the Small Grants and Community Grants Schemes. These two policies and the guidelines for the combined grants scheme are included in the attachments.

## **ISSUES:**

### **1. Policy – Grants, Donations and Subsidies**

This policy, included as **Attachment 3**, provides a strong statement of Council's commitment to supporting community organisations, facilities and activities.

It clearly sets out the principles that will guide Council in determining grants, donations and subsidies. These are broad principles that should be referred to whenever decisions are made in regards to the allocation of funds and/or non financial support to any group or individual. Adherence to these principles will support Council in being more equitable, transparent and accountable in determining need and allocating Council's funds.

## **2. Policy - Community Facilities Management and Rental Subsidies**

This policy, provided as **Attachment 4**, will provide Council with a framework for the equitable, efficient and effective management of its community facilities.

Council is a direct provider of a number of community services that are supplied to community as a whole. These include libraries, children's' playgrounds, the Maroubra Beach skate park and the Des Renford Aquatic Centre.

There are however a range of community, sporting and recreational services and facilities that are provided by other organisations which are supported by Council through either the provision of accommodation at highly subsidised rentals or by other grants or subsidies.

The *Community Facilities Management and Rental Subsidies Policy* is based on the premise that community buildings and facilities are public facilities and that users need to provide appropriate and fair levels of contribution. The policy also reflects Council's role in planning for a sustainable future through better facility management as well as ensuring the management and use of community buildings is consistent with environmental, social and financial sustainability factors.

The policy has been written to achieve a more efficient use of existing facilities through flexibility, multiple use and sharing between groups and a more equitable and accountable method of allocation of rental subsidies to the groups that use them.

The following sections address a range of issues that were taken into consideration in formulating this policy.

### **2.1 Child Care Centres - Survey**

A survey was undertaken of all child care services in our area and 56 responses were received. The services surveyed included long day care; occasional care; home based care, preschools; before and after school care and family day care administration.

**Table 1: Summary - All Child Care Centres**

<b>Type of Centre</b>	<b>Total No.</b>	<b>Commercial</b>	<b>Not for profit</b>	<b>Other – work based etc</b>	<b>Total Places for Children</b>



Long Day Care	38	22	13	3	1617
Home Based Care	7	5	1	1	39
Pre School	8	2	5	1	339
Occasional Care	3	0	3	0	69
<b>TOTAL</b>	<b>56</b>	<b>29</b>	<b>22</b>	<b>5</b>	

**Table 2: Long Day Care Centres – Level of Assistance (as % total number)**

Type	NO Council assistance	Council assistance Less than \$1,000 pa	Council assistance \$1,001 to \$15,000 pa	Council assistance \$15,001 to \$30,000 pa	Council assistance More than \$30,000 pa
Commercial	22 (58%)	0	0	0	0
Community	7 (18%)	2 (5%)	0	0	4* (10%)
Other	3 (9%)	0	0	0	0
<b>TOTAL</b>	<b>32 (85%)</b>	<b>2 (5%)</b>			<b>4 (10%)</b>

\* includes Moverley which is owned and operated by Council

**Table 3: Long Day Care Centres – Daily Fees**

Type	Average Fees		Highest Fee per day		Median Fee Per day	
	0-2 years	2 – 5 yrs	0-2 yrs	2-5yr	0-2 yrs	2-5yr
<b>Commercial</b>	\$72	\$57	\$85	\$67	\$64	\$57
<b>Community</b>	\$56	\$51	\$75	\$60	\$57	\$53
<b>Other</b>	\$52	\$48	\$55	\$53	\$53	\$50

While it is not possible to provide an extensive analysis due to the fact that not all centres in the City responded and of those that responded not all questions were answered, the following summary is provided.

- Only 2 of the commercially operated long day care centres provided rental figures and these were rents of \$72,000 and \$84,500 which represents a rental of \$1846 and \$1432 respectively per child per annum.

- One of the not-for-profit Long Day Care centres stated that whilst their current rent was \$10,000 per annum, their landlord, the Department of Education is increasing the rent by 100% to \$20,000 in 2006
- In terms of fees only three preschools provided any details with the daily fees and these ranged from \$25, \$34 and \$42.
- 75% (6) of the preschools received no assistance at all from Council, one received less than \$1000 and one receives \$52,000 in a rental subsidy.
- Of the 3 occasional care centres one received less than \$1000 in assistance with the other two each receive a \$52,000 rental subsidies.
- 85% (32) of all long day care centres receive no assistance from Council at all with a further 5% (2) receiving less than a \$1000 each. Four centres (10%), which includes the Council operated centre each receive \$52,000 in an annual rental subsidy.
- Of the four long day care centres receiving the high level of assistance two charged fees above the average and two below the average
- In addition, once the agreements for the two child care facilities in the new Bundock Street Centre are finalised they will also receive rental subsidies to approximately a total value of \$17,500

Many of the centres responded to the question that asked *what type of assistance would be most beneficial from Council*. While there was understandably a range of responses, quite a few nominated access to the community bus, assistance with printing, gardening and free trade waste collection. All were reasonable requests.

In the future if a greater degree of equity is achieved in Council's assistance to childcare centres it could be possible to redirect Council's funds to an increased number of centres through provision of assistance as requested above.

## **2.2 Child Care Centres – Determining Market Rental Valuation**

In establishing the market rental valuation for child care centres the professional valuers would have regard to rental evidence of market value of similar style Community Child Care centres in nearby suburbs and the Greater Metropolitan Area. They would analyse evidence on a rate per square metre of building area basis as well as on a rate per licensed child basis where appropriate, having regard to location, size and quality of improvements.

For example as part of the process for determining a fair rental for the three tenants in the new Bundock Street Centre which included both a preschool and two other community services, Council had a market rental evaluation prepared by professional valuers in August 2004

The market rental evaluation looked at rental evidence from other similar centres with a number of examples provided including:

- Coogee Bear Day Care Centre - Annual Gross Rental is \$84,500. Licensed for 59 children, shows a rate per child of \$1,432 per annum
- Cremorne Early Childhood Centre - Annual Gross Rental is \$26,075 - \$175 per m<sup>2</sup> for a small older style cottage
- KU Kindergarten in Balmain - current negotiations with the anticipated rental being \$110,000 per annum which represents a rental cost of approximately \$1830 per child per annum.

Research indicates that rentals for child care accommodation varies across Sydney between \$1000- \$2000 per child per annum.

Depending on the facility, different methods of valuing can be used, that is on the basis of size (rate per m<sup>2</sup>) or rental cost per child, enabling a degree of flexibility in determining market rentals.

### **2.3 Strategies of Other Councils and Government Agencies**

A number of other councils were approached to see how they manage their community facilities. This research indicated that:

- Most Councils establish a rental for their properties using property valuation principles that is a market rental valuation is obtained.
- Both Strathfield and Wollongong stated that they were moving away from charging peppercorn rents.
- If any new buildings or space becomes available an equitable process is usually applied with all vacancies advertised.
- Waverley Council prefers to utilise license rather than leasing agreements as they feel that license agreements provide clear rules and guidelines for occupancy whereas a lease can favour the tenant.
- Warringah Council provides a maximum subsidy of 20% of commercial market rent.
- Sydney Harbour Federation Trust utilises a contestable process and community users are only considered if their purpose and activities have a direct significance to the objectives of the Trust. Potential community users can apply for a rental subsidy but the total amount of rental subsidy available will be calculated at a maximum of 5% of the total market lease value of all the Trust's leasable space in any given financial year.

### **2.4 Newly Dedicated Community Facilities**

While Council welcomes the dedication of new community facilities that are constructed by developers as part of S.94 Contributions, such as the Bundock Street Community Centre and the proposed facility at Little Bay, there is a real cost to the community when Council accepts ownership of these facilities.

The new facilities will incur recurrent annual costs such as rates, insurance, minor reactive maintenance and planned maintenance such as painting and replacement of floor

coverings. Council is also responsible for the structural integrity of a building and should be depreciating the building at a level that will provide for replacement in the future. The Australian Standard suggests that 3% of the cost of the building be put aside every year over the life of the building (30 years). A Reserve fund needs to be established so that Council can put aside the required level of funds.

Funds for the recurrent expenses have to be found within the existing budgets and in practical terms this means that there will be a reduction in funding for some other Council program. Therefore Council has a fiduciary responsibility to all the community to ensure that the occupants make a fair contribution to the funds required to maintain the building on an annual basis, otherwise the full operating budget required will have to be funded by making a saving or cut in another program,

### **2.5 Voluntary Management Committees**

Council acknowledges the senior residents who give their time to assist with the management and operation of the Maroubra Senior Citizens building in Maroubra Junction. Council is committed to working in partnership with this community management committee and the arrangement should be formalised to ensure that building is promoted and used in accordance with Council's Access and Equity principles and that revenue received from hiring out the facility to other users is put towards the maintenance of the building.

### **2.6 Cost Shifting**

The impact of cost shifting by federal and state governments has meant that council funds are directed towards meeting needs that had been previously addressed by other levels of government. Council needs to ensure that scarce resources are not devoted to supporting services that are the responsibility of other levels of Government rather than allocating them to the core functions that Randwick Council is responsible for providing.

## **3. RENTAL SUBSIDIES**

**Attachment 5** provides a summary of all groups receiving some rental subsidisation from Randwick City Council and details information on current agreements, terms, rent paid, market rent value, and level of subsidisation.

### **3.1 Extent of Rental Subsidies Currently Applied in Randwick**

- The total **market value** of leasable community space, excluding any properties leased under commercial tenancies is **\$1,778,969** although this will increase as more accurate valuations of market rentals are obtained.
- The total **rental return** of leasable community space is **\$279,147**.
- The total **value of rental subsidies** is **\$1,524,472** which represents 86% of total market lease value. This is in sharp contrast to the 5% maximum set by Sydney Harbour Trust

Randwick City Council provides a significantly high level of rental subsidies to community and sporting groups representing a major cost to Council and use of public monies.

The amounts above do not include either the market valuation or rental return of Community halls and the HACC facility.

### 3.3 Determining Rental Subsidies

The *Community Facilities Management and Rental Subsidies Policy* outlines the process for determining the level of rental subsidisation.

There are four categories reflecting a high, medium and low level of subsidisation as well as no subsidisation. Within each category there is a range of subsidisation reflecting the fact that any user group will address each criterion to a different extent.

The following table which needs to be read in conjunction with the Category Table, **Attachment 6**, provides a clear example of how different users might be evaluated against the criteria. This looks at groupings of users and obviously does not reflect specific details of anyone one facility. Also in evaluating childcare centres other factors may also be considered.

Criteria	Bowling Clubs	Child Care Centres	Surf Clubs
<b>Structural Integrity</b>	<b>A</b> Assume responsibility structural integrity of building	<b>C</b> - Makes no contribution to long term maintenance Generally see it as Council responsibility	<b>B</b> - Do not assume full responsibility for long term structural integrity
<b>Reactive &amp; Ongoing maintenance</b>	<b>A</b> - Take full responsibility for all reactive maintenance – never approach Council	<b>C</b> - Although detailed in agreement is often reluctant to take responsible for reactive & regular maintenance	<b>B</b> – Generally take responsible for ongoing & regular reactive maintenance as detailed in agreement.
<b>Extent of Community Benefit</b>	<b>C</b> - Benefits smaller numbers of local community – regular & social bowlers. Provides healthy social activity for aged	<b>C</b> - Only benefits small number of community. Not all parents reside in Randwick. Government assistance is also provided for parents	<b>A</b> - Benefits broad community in providing life saving services and activities such as Little Nippers
<b>Extent of</b>	<b>C</b> Limited accessibility	<b>C</b> - Facilities generally	<b>B</b> - Facilities generally

<b>Criteria</b>	<b>Bowling Clubs</b>	<b>Child Care Centres</b>	<b>Surf Clubs</b>
<b>Accessibility of Facility to community</b>	due to nature of sporting facility. While membership of clubs is not large other members of community-individuals & schools use facilities	only accessible to children & parents using centre. Are not available for use by other groups though perhaps some are used for birthday parties	accessible to Randwick community. Function areas can be hired. Greater use of rooms by other community groups is desirable
<b>Meeting Community Needs</b>	<b>C</b> - Provides service of limited community recreational need though is good to encourage active lifestyle for older persons	<b>B</b> -One of many providing service of high need	<b>A</b> - Provides unique service of high need
<b>Ability to charge fees &amp; raise income</b>	<b>C</b> - Has ability to charge fees & raise revenue from primary function	<b>C</b> - Has ability to charge fees & raise revenue from primary function	<b>B</b> - Some ability to charge fees & raise revenue through hiring function rooms etc – secondary function
<b>Do they provide direct competition to commercial ventures?</b>	<b>B</b> –Not for outdoor bowls - however bar & gambling are in other venues	<b>C</b> - Many centres are run on commercial basis. Council supported centres are in direct competition with commercial services	<b>A</b> No
<b>Does their service impact on Council's need to provide similar service?</b>	<b>D</b> -Service is not a responsibility of local government	<b>C</b> - Service is not a core responsibility of local government but could be provided	<b>A</b> – Surf lifesaving is a core service & Council would need to provide increased funds for own life guard services if was not provided by surf clubs
<b>Access to Other Sources of Funding</b>	<b>B</b> - No access to other funding sources	<b>B</b> - Access to other sources of funding	<b>C</b> - Access to other sources of funding & sponsorship

This broad analysis shows how the system of categorisation will be applied. Each individual user will be assessed against the criteria and a numerical value will be given. However as some criteria, such as the ability of the user to be responsible for cyclical maintenance; extent of community benefit; whether is core service; extent of competition with commercial operators and accessibility of facility to community represent a higher value to Council, greater weighting will be applied to these criteria.

A user's evaluation against the criteria will also indicate items that should be clarified in the formal agreements. For example if Surf Clubs are to continue to receive a high level of subsidisation then they need to develop long term sustainability plans and work towards making some rooms more accessible for other community groups. However it is clear that if they were not providing the service Council would incur additional costs and that main activity is dependent on volunteers and is not in any competition with commercial operators. Surf Clubs are eligible for a high level of subsidisation.

The analysis indicated that both Bowling Clubs and Child Care Centres would fall in the Low or Medium category and with both groups it is unlikely that the level of subsidisation would exceed 50% of market rental value.

### 3.4 Implementation Process

**Attachment 5** shows that while some users' agreements have expired, are due to expire or do not exist, for many users the agreements do not expiry for a number of years.

The following is proposed as the process for managing the implementation of the new process for determining an appropriate level of subsidisation.

1. Where a current license, lease or other formal agreement exists, this will be honoured until its expiry. The terms of existing agreements in relation to the responsibilities of both Council and the user group will be applied and monitored for compliance.
2. A review of future management options for the facility will be undertaken within the last 24 months of an agreement period. It will take account of existing usage rates and the potential for the facility to be used on a multi-user basis, in line with changing community needs and in consultation with the community.
3. A market rental valuation will be undertaken prior to negotiations if the current valuation is more than 3 years old
3. If it is likely that an organisation will need to increase the level of rent that they pay for the use of a Council facility this will be discussed with them at the time of negotiations.
4. If the new rent represents an increase of more than 20% above the existing rent then the increase above the 20% will be progressively introduced over a three year period. This will provide the user with adequate time to plan for the change.

**Table 4 lists** the users whose agreements have expired, are due to expire or do not exist. It also proposes what action needs to be taken.

Organisation	Proposed Action
Randwick Botany Meals on Wheels	Process to commence for negotiating new short term agreement based on policy

Coogee RSL –2 tennis courts	Process to commence for negotiating new agreement based on policy
Gordon’s Bay Fishing Club	Process to commence for negotiating new agreement based on policy
KU Randwick preschool	Process to commence for negotiating new agreement based on policy
Malabar Occasional Child care centre	Process to commence for negotiating new agreement based on policy
Randwick & District Historical Society	Council to determine own accommodation needs and process to commence for negotiating new agreement based on policy
Tracey Ellis -Lessee of Burnie Park Hall	Council to assume management of hall as hall has revenue potential and it is not appropriate that Council provides a rental subsidy to an individual
Paddington Maroubra Rotary Club	Council needs to seek information from Rotary on the level of support they provide to local groups prior to reviewing agreement. Process to commence for negotiating new short term agreement based on policy
Randwick Botany Amateur cycling Club	No action until POM for Heffron Park completed
South East Neighbourhood Centre	Process to commence for negotiating new short term agreement based on policy
Kingsford Legal centre	No action as plans in place to move service to UNSW
Totem hall, South Coogee	Process to commence for negotiating new agreement based on policy

The purpose of the *Community Facilities Management and Rental Subsidies Policy* is to provide Council with a framework for the equitable, efficient and effective management of its community facilities. It will enable Council to encourage optimal use of the facilities, obtain a contribution from user groups that meet some of the costs of providing the facility, determine the most appropriate occupancy arrangement for each user and most importantly recognise the value and benefits of services provided by community based groups and to subsidise these where Council sees fit.

#### 4. Hall and Room Hire

Council has a number of halls and rooms that are currently hired to regular and casual community and private users or will be available in 2006. These facilities include:

- Town Hall
- Matraville Youth & Cultural hall
- South Matraville Memorial Hall
- Coogee Seniors Hall
- Clovelly Seniors Hall
- HACC facility meeting rooms
- Vonnie Young Hall, Bowen Library



- Clubhouse DRAC
- Burnie Park community Hall
- Bundock Street Community Centre
- Jeff Sayle Pavilion Latham Park. (Randwick Rugby Club were given an option to enter into an agreement but have not taken it up. Much of the building is not currently being used and these areas will be made available to the community)

The hire fees vary according to the nature of the user, that is commercial or non-commercial, regular or casual and nature of building. The hiring of the halls, with three exceptions, is managed by the Property Services Unit.

In 2006 information on all halls will be available on Council's web page and will include photographs and a description of size and inclusions such as hot water, storage, furniture layout etc. There will be an annual major inspection to identify maintenance upgrade work required and this reflects Council's recent efforts in improving the condition of our facilities.

### **5. Community and Cultural Development Grants Program**

The Community and Cultural Development Grants Program combines the former Small Grants and Community Development Grants Programs and provides opportunities for organisations to apply on an annual basis for one off or recurrent grants. The revised Guidelines for this combined grant program is provided in **Attachment 7**.

All decisions relating to grants, donations and subsidies will give regard to the principles that are detailed in Randwick Council's **Grants, Donations and Subsidies Policy**. The Guidelines provides clear information on funding criteria, application and assessment process and conditions of the grant. The combining of the two grants will provide for a more transparent and accountable process and will ensure that Council's funds are allocated in an equitable and accountable manner.

### **6. Wylies Baths**

A further resolution related to Wylies Baths and it was the intention to include the information requested as part of this report. However, given the length of the current report a separate report on Wylies Baths as per the resolution will be brought to the first Council meeting in 2006.

### **FINANCIAL IMPACT STATEMENT:**

It is not possible to quantify with sufficient accuracy the impact of this policy on Council's budget. However it is recommended that the level of subsidisation be reported as a community services cost and that funds be allocated to reflect the cost of subsidisation and ensure that monies are available for essential proactive and reactive maintenance.

In the future if there is a reduction in the level of subsidies to child care centres than any additional revenue be provided as a grant or subsidy to other centres who currently receive no assistance from Council.

**CONCLUSION:**

This report with the attached policies and guidelines is addressing the significant issues in relation to lack of transparency, equity and accountability that were outlined in the General Manager's Report 35/2005.

Council has now documented a policy that provides a clear direction for the provision of grants donations and subsidies; the two grants schemes have been amalgamated to create a greater pool of funds and the guidelines provide for a more objective process; and finally the policy providing for the management of council facilities provides a process for more objectively determining the appropriate rental subsidy.

These initiatives will greatly assist Council in ensuring that all decisions made in relation to grants, donations and subsidies will actively support the achievement of Council's strategic directions and outcomes.

**RECOMMENDATIONS:**

1. The *Policy – Grants, Donations and Subsidies* is adopted and implemented by Council
2. The *Policy - Community Facilities Management and Rental Subsidies* is adopted and implemented by Council
3. A strategy be implemented to obtain market rental valuations for all facilities used by community and sporting groups by December 2008
4. Burnie Park hall be managed by Council
5. A formal agreement be prepared with Maroubra Senior Citizens in relation to the management of the facility by the Management Committee
6. The Guidelines for the Community and Cultural Development Grants be noted by Council and implemented by Community Development unit.
7. Negotiations commence for the preparation of new agreements with the users as identified in Table 4

**ATTACHMENT/S:**

1. General Manager's Report 35/2005, 23 August 2005
2. Resolutions - GM's Report 35/2005
3. Policy - Grants Donations and Subsidies
4. Policy - Community Facilities Management & Rental Subsidies
5. Community Property Rental Information - A3 table under separate cover
6. Category Table for Evaluating Rental Subsidies
7. Community and Cultural Development Grants; Guidelines and Application Form

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GENERAL MANAGER

# **GENERAL MANAGER'S REPORT**

## **35/2005**



<b>SUBJECT:</b>	COUNCIL GRANTS, DONATIONS AND SUBSIDIES
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<b>DATE:</b>	16 August, 2005	<b>FILE NO:</b>	F2005/00469
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**REPORT BY:** GENERAL MANAGER

### **INTRODUCTION:**

Randwick City Council provides a range of grants, donations and subsidies to individuals, community groups and non-profit organisations. It is the role of Council to support community groups and organisations through such activities; however, as considerable funds are allocated the processes must be transparent, equitable and meet Randwick Council's strategic directions.

In relation to the grants and donations Council must be able to adequately report to the community in terms of –

- What organisations are supported financially by Council
- The basis upon which decisions are made to provide funding
- The total budget allocated on a yearly basis.
- Outcomes achieved through the provision of funding

This paper documents the available information on the various grants, subsidies and donation schemes that are delivered by Council to the community. It provides information from an internal audit review and clearly identifies the range of schemes and the level of funding, outlines the major issues in relation to these programs and provides recommendations for improvements in the systems and processes.

### **ISSUES:**

#### **1. DEFINITIONS**

Based on current practice, the following definitions for grants, donations and subsidies have been applied within this report.

	<b>Definition</b>
<b>Grant</b>	A grant refers to the money that is provided through the following programs: <ul style="list-style-type: none"> <li>▪ Small Grants Section 356 Scheme</li> <li>▪ Community Grants Scheme</li> </ul>
<b>Donation</b>	A donation is a payment provided through the: <ul style="list-style-type: none"> <li>▪ Contingency Fund allocated for expenditure by Councillors</li> <li>▪ Mayoral Donations</li> <li>▪ Nursery Donations.</li> </ul>
<b>Subsidy</b>	Financial assistance or assistance in kind provided to organisations through subsidised rental payments, subsidised waste services or a direct financial contribution. Subsidies are generally recurrent and the subsidised service may be reflected in the lease or licence documentation

However, throughout this paper these schemes will be collectively referred to and described as Council **grant funds**.

## **2. COMMUNITY GRANTS AND SUBSIDIES AUDIT**

An independent internal audit review of community grants and subsidies was undertaken by Council's internal auditor, Internal Audit Bureau (IAB) in June 2004. The objective of the audit was to assess the adequacy of Council processes in managing both grant monies received and subsidies and grants given out.

Whilst it was found that the processes used to provide monies through grants, donations and subsidies were operating as intended a number of identified improvements were suggested in the report. These included:

- A strategic approach to the management of grants so as to clearly delineate the purpose of the grants and subsidies and the criteria for the allocation of monies
- Formal accounting recognition of informal or 'hidden' subsidies (or income foregone) for all services that are charged below current market value
- Transparency in internal transfers
- Central database to consolidate information on all grants, donations and subsidies

The internal audit report acknowledged that Council has an active role to play in the provision of community funding to assist in the provision of services by worthy organisations. There is a need however, to ensure that the programs funded align with the corporate direction of Council and that there is a strategic, transparent approach in both identifying recipients and allocating funds.

## **3. POLICY**

At this stage Council has not adopted a clear policy that guides practice in determining and allocating Council grant funds. This is required if the approach is to be consistent and aligned with Council's strategic directions. The policy must be based on and refer to the principles that will drive Council's financial support of community organisations,

facilities and activities. It is proposed that the principles on which decisions in relation to the provision of any grants, donations and subsidies are:

- Contribute to improving the quality of people's lives
- Provide an effective use of Council's resources
- Transparent processes for grant applications, allocation and management
- Achieve equity
- Produce better outcomes for the community
- Foster accountability.

While the actual process of preparing the policy may identify other essential principles it is critical that these proposed principles be taken into consideration in its development.

The policy and strategy, once adopted by Council, should be documented in Council's Management Plan and the community should be informed annually on which organisations and community programs will be supported by Council through either the direct provision of funds or an indirect subsidy. Similarly, the Annual Report should provide information on Council's grant funding process and recipients.

#### 4. CURRENT GRANT FUND SCHEMES

The following **Table A** provides a summary of the funds that are allocated through the various grants, donations and subsidies schemes by Council.

**Table A: Summary of all grants, donations and subsidies provided in 2004/05**

<b>GRANT FUNDS</b>		<b>Dollar Amount</b>	
<b>Grant</b>	Small Grants 356	\$27,502	
	Community Grants	\$110,064	
	<b>Total</b>		<b>\$137,566</b>
<b>Donation</b>	Contingency Fund	\$149,997	
	Mayoral Donations	\$1,471	
	Nursery Donations	\$1,018	
	<b>Total</b>		<b>\$152,486</b>
<b>Subsidy</b>	Section F	\$22,987	
	Rental Subsidies Identified in Budget	\$764,480	
	Additional Maintenance	\$6,365	
	Rental Subsidies Not in Budget	\$332,871	
	Additional maintenance	\$13,225	
	Users- Des Renford Aquatic Centre	\$22,000	
	Community Library Facilities	\$4,000	
Operational & Cap Subsidies	\$192,000		
<b>Total</b>			<b>\$1,357,928</b>
<b>TOTAL GRANT FUNDS</b>			<b>\$1,647,980</b>

#### 4.1 Grants

**Small Grants Section 356 Scheme:**

The Small Grants Section 356 Scheme is administered by Council's Community Development Section. This programme is available to non-profit organisations and applications for grants are sought on an annual basis. Funds are not recurrent and new applications must be submitted each year. This scheme is focused on the target groups identified in Council's Social Plan.

Organisations wishing to receive monies under the Small Grants Section 356 Scheme must demonstrate that the funds will be used to –

- provide services, resources and events within the local community
- deliver a small project
- co-ordinate activities or pay for items in a larger scale project
- pay for a specific activity or piece of equipment
- provide a community service or education
- employ short-term contract staff.

The community organisations submit formal applications which are assessed by Council officers prior to the approval and allocation of the funds by Council on a basis of demonstrated need. The monies allotted are minor amounts, ranging between \$100 and \$1,000, and are considered 'one-off' in nature. Those organisations that receive funds must provide Council with an evaluation of monies spent.

There were 71 applications received by Council in 2004/2005 and a total of \$63,256.92 was requested. However as only \$27,502.00 was available for allocation, this means that only 43.5% of the amount requested was actually provided to community groups.

The Section 356 Grants Scheme is not recurrent and requires community groups to formally apply for funding against established criteria As such it has greater transparency than any other grants fund scheme.

**Community Development Grants Scheme**

The Community Grants scheme is also administered by the Community Development Section. Historically this scheme was set up to provide monies to non-profit organisations to assist in the delivery of community services and programmes.

In 2004/2005 individual amounts ranging between \$500.00 and \$31,500 were given to various groups within the community for activities such as volunteer training and education, contributions toward operational and rental costs, transportation and events. The total amount provided under this scheme is \$110,064.

The key features of this scheme are:

- Funds allocated are recurrent, that is, the organisations listed under this scheme receive the same funds every year and do not have to submit an application.
- There is no requirement for the organisations to submit to Council any justification for the continuation of the funding
- Until this year the organisations have not provided any information to Council on the outcomes achieved through the provision of the funding. In 2004/2005 an evaluation process was introduced and the organisations are now required to

provide formal feedback to Council but there is no process in place yet for discontinuing the funding if deemed necessary by Council

- There is no opportunity for new organisations to gain access to this funding as the list of recipients is not subjected to any regular review.
- The scheme is non-competitive.
- It does not reflect the changes in community needs over time
- There is limited documentation to indicate the initial reasons for Council making some of the allocations as many decisions were made more than 10 years ago.

### **Summary Grants Schemes**

It was acknowledged in the internal audit review that access to the Small Grants is fair, equitable and meets accountability requirements under this scheme. It is however significantly under funded given that over 56% of applications are unsuccessful. This suggests a need to perhaps broaden the grants scheme which might be achieved by increasing funding or amalgamating the two grants schemes into one so that a greater pool of money is created to assist these organisations.

As the Community Grants Scheme does not meet the principles of equity and transparency it must be reviewed and more equitable processes for application, review and allocation implemented.

## **4.2 Donations**

### **Councillors' Donations -Contingency Fund**

The Contingency Fund was set up for the purpose of providing 'one-off' donations to community organisations to meet specific needs. A list of organisations that have received a payment in 2004/2005 is given in **Attachment 2** and this shows that the amounts donated varies between \$500.00 and \$10,000.00.

In 2004/05, \$149,997 has been allocated under this program to a diverse range of recipients including surf clubs, churches, multi-cultural associations and schools. A number of the recipients apply for similar amounts each year for the same event and/or activity.

There is no systematic way for applying for donations under this fund as decisions to provide a donation result from Council Resolutions and are usually initiated by a Motion Pursuant to Notice or a Mayor's Minute. The process is solely dependent on the level of awareness of the person or organisation seeking financial assistance of the availability of the funds under this scheme and/or whether the individuals or organisations contact the elected representatives.

There is a lack of transparency and equity in the distribution of the Contingency funds as the availability of and the process for applying for donation is neither publicised nor openly communicated and promoted to the community.

There are also many hidden costs in some of the donations as often staff time is not considered. This obviously impacts on the ability of staff to deliver other services or programs that have been agreed to in the Management Plan



**Mayoral Donations**

The Mayoral Donations budget is set up to provide 'one-off' payments to individuals and organisations seeking small amounts of money to assist with an activity or event or the provision of flowers at funerals. These donations are approved by the Mayor or General Manager and according to Council policy can only be given to the maximum amount of \$100.00.

Very few donations have been made in 2004/2005 to date (\$1,471) and as with the Contingency Fund the provision of monies is dependent on the level of awareness of the individual or organisation seeking assistance of the availability of the donations.

**Nursery Donations**

The Nursery provides free plants to community groups who request them through either the Mayor's Office or another Council area. These donations are approved by the Mayor or General Manager and in 2004/05 \$1,018.50 worth of plants have been donated up to March. There is a budget established for these donations.

Each plant is worth \$4.50 on average and generally no more than \$100.00 worth of plants is donated at any one time. The plants are generally donated for fetes or other fund raising activities

**Summary Donations**

There are no documented processes for the provision of donations. This is not such an issue for the two small schemes, Mayoral and Nursery, but is a major shortcoming in the allocation and management of the more substantial contingency funds as there is no process for determining the most deserving groups.

The reasons for allocating donations not always documented accurately and the outcomes or benefits of donations are not known.

As both the Mayoral and Nursery Donations allocate very small amounts and are used sparingly they could continue in their present form. However more equitable, transparent processes need to be developed and implemented in relation to the Contingency Fund that ensures that all community groups are informed of their availability and that assessment is based on criteria established by Council.

**4.3 Subsidies**

There are a number of ways by which organisations are provided with a subsidy from Council.

**Trade Waste Services -Section F Customers**

'Section F' customers are provided with fully subsidised Trade Waste Services. The customers on this list are non-profit community groups.

The budget allocated for the Section F Scheme is maintained by Community Development and the services are delivered by Waste Services as part of Trade Waste program. This currently represents a subsidy of \$23,000 and the level of the subsidy increases annually along with general increases in Trade Waste charges.

The subsidy for Trade Waste removal is not promoted by Council and is again dependent on the level of awareness of the customer. A customer wishing to receive this service normally needs to be informed by Council about the opportunity for the subsidy. Community Development monitors the budget and provides an internal transfer of monies to the indoor Waste area to cover costs of service delivery.

As seen with previously described schemes the provision of a subsidy here is dependent on the knowledge of its availability. There is no policy, no promotion of the scheme and no systematic processes are applied. There are no documented criteria upon which decisions are made and the customer list is not publicised. The responsibilities for the subsidy lie with three different Council sections. No new customers were added to the list in the last financial year.

### Rental Subsidies

Council owns a number of buildings and sites that are leased to community, mainly child care and sporting organisations, for very low rentals. As such the rental for these premises is subsidised by the Randwick ratepayers as there is considerable foregone revenue as well as capital replacement costs. In addition Council often provides further funds for maintenance and for utility expenses in relation to these buildings.

Some of the actual subsidies have been identified in Council's budget and are reflected as an internal transfer of funds between Community Development and the Property Unit.

**Table B** provides a summary of the community organisations who are accommodated in Council owned properties at subsidised rents. These subsidies are reported in Council's budget as an internal transfer. Where available, information is also provided on any additional funding provided by Council in relation to the property.

**Table B : Rental Subsidies Identified in the Budget**

Organisation	Rent Paid Per Annum	Value of Rental Subsidy	Other Costs Paid in 2004/05	Comments
Baby Health Centre Clovelly		\$41,600	576.16	
Benevolent Society Eric Callaway House Nursing Home – dementia care	\$1	\$190,000 <sup>1</sup>		Council owns the land & Benevolent Society constructed the Nursing home
Burnie Park Community Hall Management of hall contracted out		\$26,000		Council receives no income from hiring of hall
Clovelly Child Care	\$1	\$52,000	619.19	
Clovelly Senior Citizens Centre				Built 1954
Department of Housing	\$1	\$21,000		

<sup>1</sup> Market rental valuation obtained in

Affordable housing 133a Boyce Road, Maroubra				
<b>Duffy's Child Care</b>	\$24,650	\$41,600	1,432.40	Built in 1989 with State & C'wealth funding on Crown Land
<b>Kingsford Legal Centre</b>	\$6,240	\$20,800		Will relocate to UNSW in new Law Faculty build
<b>Kingsford Meals on Wheels</b>	Nil	\$16,000		
<b>Malabar Child Care</b> Prince Edward Street Malabar	\$121	\$26,000	508.33	Council renovated premises in 1979
<b>Maroubra Senior Citizens</b>		\$52,000	2,114.59	Purpose built in 1979; rent from other users goes to Management Committee;
<b>Matraville Youth Hall</b>	- - -	\$10,000	1,114.55	
<b>Peter Pan Kindergarten</b> La Perouse	\$50	\$38,000		
<b>Rainbow Child Care</b>	\$70	\$50,000		
<b>Randwick Community Gardens</b>	\$70	\$10,400		
<b>Randwick Information &amp; Community Centre (RICC)</b> Occupy a shop & 300m <sup>2</sup> office space in the Bowen Community Centre	\$49,400	\$52,000		
<b>ROCC</b> Waratah Street Randwick	\$31,200	\$50,000		Recently granted 18 month occupancy extension
<b>South East Neighbourhood Centre</b>	\$520	\$25,480		
<b>Total</b>				<b>\$764,480.00</b>

A number of other community organisations, mainly sporting, are provided with subsidised rent in Council owned premises, however, these subsidies are not identified in Council's budget as there is no internal transfer of funds. This means that these subsidies are hidden and the community, Councillors and many Council staff do not know the actual value of the subsidies or even the fact that they are provided.

**Table C** provides information on these subsidies. While market valuations have been prepared for some of the properties on the list, an estimation of the market rental has been made for others. In the case of the Surf Clubs, the estimated market rental relates only to the entertainment areas and is based on a % of the hire fees. It is important to include

these estimations as they assist in providing a more realistic picture of the level of subsidy provided to community groups by Council.

**Table C: Rental Subsidies Currently Not Identified in Budget**

<b>Organisation</b>	<b>Rent Paid</b>	<b>Estimated Rental Subsidy</b>	<b>Other Costs Paid</b>
<b>Clovelly Bowling Club</b>	\$8,750	\$8750	
<b>Clovelly Surf Lifesaving Club</b> Club house	\$70	\$25,000	
<b>Coogee Bowling Club</b>	\$3,165	\$10,835	
<b>Coogee Croquet Club</b>	\$658	\$5,000	
<b>Coogee Fishing Club</b>	\$100	\$5,000	
<b>Coogee Surf Lifesaving Club</b> Car park	\$70	Nil	
Kiosk	\$70	\$50,000	
Club house	\$70	\$28,000	
Boatshed	\$70	\$5,000	
<b>Gordon's Bay Fishing Club</b>	\$100	\$3,000	
<b>Kensington Bowling Club</b>	\$3,164	\$6,836	
<b>La Perouse Pony Club</b> Land	\$2,333	\$5,000	
<b>Malabar Boat Owners</b> Ramp	\$100	\$500	
<b>Maroubra Surf Lifesaving Club</b>	\$70	\$25,000	\$4,255
<b>Off Shore Rescue Boat</b> Ramp and boatshed	\$.70	nil	
<b>Randwick Rugby Union Club</b> Jeff Sayle Pavilion Latham Park	Nil	\$10,000	\$9,000
<b>South Coogee Bowling Club</b>	\$3,750	\$3,750	
<b>South Maroubra Surf Lifesaving Club</b>	\$70	\$17,000	
<b>Surfing NSW Board riders</b> Office space	\$7,800	\$19,200	
<b>Ladies Baths</b>	\$70	\$5000	
<b>Wylies Baths</b> Pool & functions areas	\$762	\$100,000	
<b>Total</b>	<b>\$31,172</b>	<b>\$332,871</b>	<b>\$13,255</b>

The Randwick Rugby Club is another sporting organisation that receives an unreported rental subsidy for its use of the Jeff Sayle Pavilion in Latham Park. This building which could be used by many community groups is currently set aside for the exclusive use of

the Rugby Club who do not pay any rent to Council. Currently there is no lease agreement although one is in the process of being prepared. In the new lease the annual rent will be set at \$350 and the lease will document the Club's responsibilities for maintenance.

The actual revenue received by Council from the community and sporting organisations is minimal and in the majority of cases reflects the fee set by the Department of Lands who previously specified a minimum fee of \$70.00 per annum in relation to the rents for a facility located on a Crown Reserve although this minimum rental is being increased to \$350.00 per annum.

The key features in relation to these subsidised rentals are:

- The decisions to grant these organisations a subsidised rental have not been reviewed for a number of years.
- The subsidised rent is a recurrent subsidy and many of the organisations have long leases/licenses with Council
- There is little documentation that provides the background to Council's decisions to grant these groups such a high level of support.
- There is no policy to guide Council in determining appropriate rentals for community and sporting organisations

The issue of a lack of policy or clear rationale in relation to the levels of rent charged was noted previously in a *Community Facilities Study* that was undertaken in 1992. This report suggested that Council would be more likely to make informed rent setting decisions by maintaining funding source and other data about the occupants of its facilities allowing them to better understand the capacity of the tenants to pay rent.

### **Operational Subsidies**

There are subsidies that are provided each year to a number of organisations to assist with general operations. Again these are not clearly identified in the budget as subsidies and the community, residents and ratepayers are generally unaware of the level of subsidies provided. **Table D** provides information on these subsidies.

**Table D: Subsidies Provided for General Operations**

<b>ORGANISATION</b>	<b>SUBSIDISED AMOUNT (\$)</b>
<b>Clovelly Surf Lifesaving Club</b>	30,000
<b>Coogee Surf Lifesaving Club</b>	30,000
<b>Maroubra Surf Lifesaving Club</b>	30,000
<b>Off Shore Rescue Boat</b>	25,000
<b>Off Shore Rescue Boat – amortised Capital</b>	22,000
<b>South Maroubra Surf Lifesaving Club</b>	30,000
<b>Wylies Baths</b>	25,000

<b>Total</b>	<b>192,000</b>
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These subsidies are provided on an annual basis, are historical in nature and with the exception of the subsidy to Wylies' Baths support the provision of volunteer surf life saving services.

The Wylies Baths' operational subsidy of \$25,000.00 is a recurrent subsidy that is provided each year to this group and there is no requirement for them to account for how operational funds are spent.

An operational subsidy of \$25,000.00 is provided to Off Shore Rescue Boat and in addition Council provides 'half the cost of boat replacement', approximately \$110,000, which is required about every 5 to 7 years, and is amortised as \$22,000 per annum over 5 years.

### **Des Renford Aquatic Centre**

Subsidies are provided through the Des Renford Aquatic Centre to four community groups, these being, WAVES, the Maroubra Swimming Club, PCYC and Special Olympics. The total amount of subsidies provided is approximately \$22,000 which is for either the use of lanes or the pool free of charge or at a minimal rate.

In addition Council supports the Victor Chang Heart Foundation through foregoing entrance fees and providing a range of other support including staff for the Des Renford Charity Day which is held in October each year.

### **Library Facilities**

Meeting rooms in Council's Libraries are available to community groups at both a (reduced) community rate and in some cases for no fees. The venues include the Vonnie Young Auditorium and the HACC meeting rooms at Bowen Library and the meeting room at the Randwick Branch. The annual total amount of usage provided at no charge is estimated to cost Council \$4,000.00 per annum.

### **Summary Subsidies**

#### Additional Maintenance Assistance Provided to Organisations Receiving Rental Subsidies

The total rental revenue received by Council for these rental-subsidised properties is low and often does not cover the cost of administering the leases and licences. While the leases and licences generally contain clauses relating to the lessee's responsibility in relation to maintenance, the reality is that many of the recipient organisations make further approaches to Council for additional funding to provide for maintenance in relation to the buildings. This means that the fact of occupying a Council building often results in the organisation gaining additional financial benefits that a commercial landlord would not provide for other community groups.

On the other hand, organisations who do not receive the benefit of subsidised rental in a Council building, do not apply for additional funding that would relate to the occupancy of a Council owned building. This may in fact exacerbate the level of inequity in terms of Council's support of community groups.

The costs associated with maintenance have been reduced over the last two years due to the implementation of new leases and licences and a more consistent and proactive approach by Council in encouraging the lessees and licensees to adhere to the terms within these agreements. However, many of the lessees and licensees still have expectations that Council will pay for their maintenance and despite all efforts to require the parties to honour their responsibilities, Council still incurs additional costs for maintenance and repairs. In many cases it is found that if the organisations are told that maintenance is their responsibility by the Council Property Officer, they will often then approach another Department or even an elected representative for further assistance.

Council will need to continue to manage the leases and licences carefully to ensure that the lessees assume their responsibilities for maintenance and upkeep.

#### Under Reporting of Level of Subsidies

The extent of the rental subsidies not identified in Council's budget means that Council is under reporting the level of assistance that it provides to community and sporting organisations. Further, it is likely that the benefiting organisations are not really aware of the extent of Council's assistance.

The underreporting could also negatively impact on the reporting of Council's performance against all other Councils in the annual Comparative Information. In particular Council's reported performance in relation to *Net recreation and leisure expenses per capita* and *Community services expenses per capita* would not reflect the actual expenditure.

It would be preferable if all subsidised rentals were identified in the leases or licences and clearly reported to the community in Council's Annual Report.

#### Estimating Market Rents

It is difficult to provide an estimate of market rentals for the Surf Clubs who occupy Council owned properties.

The Surf Clubs have two different areas within the buildings: the area that is directly related to surf life saving activities and the entertainment areas. The estimated market rental for the Surf Clubs has been calculated on the entertainment areas only and this is approximately based on 30% of the letting fees assuming two lettings per week. This does not include the additional earnings realised by the clubs through alcohol sales at functions and the monies earned through *Open Bar* days. It is also acknowledged that Council makes other allowances for the Surf Clubs such as permitting some to collect donations from beach users who park in Council car parks.

The estimate of the rental for the kiosk on Coogee Beach was based on 33% of the rental paid by the commercial operator of the kiosk in Goldstein Park at Coogee Beach. This estimate is based on the potential of the kiosk and is a conservative estimate of its market value.

Market rental valuations have been obtained for two of the bowling clubs (Clovelly & South Coogee) and these valuations were used to estimate the market rentals for the other bowling clubs and the Croquet and Fishing Clubs. These estimates were based on the

location, facilities, income producing potential and other possible community uses. In the recently negotiated leases it was agreed that the Clovelly and South Coogee Bowling Clubs will pay 50% of the market rental value.

#### The Process for Granting Subsidies

In summary it is noted that:

- The process for granting subsidies is quite inequitable
- There is very little documentation outlining the reasons why subsidies were awarded to various groups in the first instance.
- Monies are provided on a recurrent basis for an indefinite period without assessing the validity of requests particularly in the case of Section F customers, the rental subsidies and the operational subsidies. There are many deserving organisations who are excluded from applying for a subsidy
- Organisations receiving subsidies are not required to recognise or acknowledge the provision of funds by Council. This means that the users of these organisations and the community in general are not aware that Council's provides financial assistance
- In most instances organisations are not required to report back to Council on the benefits provided to the community in respect of the subsidies.

As many of the organisations have been occupying a Council owned premises on a subsidised rental or been on the Section F list for many years, it will be difficult to make many changes. However it is essential that there be a review of all subsidies and that policies and strategies be developed in order to achieve greater equity and to ensure that Council provides support in the area of greatest need.

### **5. FINANCIAL MANAGEMENT OF GRANTS, DONATIONS AND SUBSIDIES**

Each of the schemes described in the present report has a separate budget or is managed through a separate accounting code. As noted in the internal audit report the financial systems used do not meet best practice in terms of the principles of transparency. The data is coded inconsistently with the result that there is no accurate data that shows the funds that are provided by Council to the community in the form of grants, donations and/or subsidies. This results in Council, the elected representatives and the community not being fully informed on the extent of the support provided

It was also noted in the internal audit report that:

- There are subsidies that are not even captured in Council's accounting system
- The degree of community support is further understated by the fact that there are 'hidden costs' associated with the provision of monies particularly with property rentals and leases (e.g. maintenance, utility and staff costs); these additional costs are not accurately recorded against the subsidy so that the 'real' cost to Council is not recognised
- Where there are services that are charged below cost or at a community rate (e.g. Trade waste services) the true value of these subsidies is not correctly recorded.

These issues should be addressed through the implementation of improved accounting procedures if Council seeks to better manage and account for expenditure.



## 6. SUMMARY OF ALLOCATION OF FUNDS ACROSS TARGET GROUPS

The allocation of funds in 2004/2005 was reviewed to assess the level of equity in the overall allocations in terms of the seven community target groups. It identified significant differences though in some cases this merely reflects the fact that some target groups receive greater funding from State and Federal Governments.

### 6.1 Children's Services

Children's services received the largest amount of funding of all target groups (\$367,992). **Appendix 1 (Attachment 1)** shows the recipients, which comprise child care centres and services, preschools and school programs, and the level of funding received. This data shows that:

- There are seven organisations ( Clovelly Child Care, Duffy's CC, Malabar OCC, Moverley CC, Peter Pan Kindergarten, Rainbow CC, and ROCC) receiving a rental subsidy and this places them at a clear commercial and quality advantage compared with other children's services in the community who do not receive any rental subsidies. In addition the Clovelly, Rainbow Street and Duffy's Child Care Centres also receive free Trade Waste collection with Clovelly receiving further additional funding through the small grants scheme and contingency fund.
- The same seven organisations collectively received \$310,236 in 2004/2005 which represents 84.3% of the total expenditure across all schemes for Children's Services (\$367,992) .

As there are many organisations providing child care related services across Randwick City it is evident that there are large inequities in the access to Council grant funding.

Further research is required to see whether the rental support by Council is reflected in lower child care rates or other advantages for the community; to identify the pattern of funding giving consideration to type of centre (community or private); fees charged; and other sources of grant funds such as the Dept. of Community Services.

A policy with clear guidelines is required in relation to the application of grant funding to child care centres.

### 6.2 Aged / Disability

Eleven organisations were classified as delivering aged or disability services and the total amount of funds provided to these groups in 2004/05 was \$303,170. These allocations are shown in the **Appendix 2 (Attachment 1)**.

When considering the reported rental subsidy for The Benevolent Society it must be noted that while Council owns the land in Adina Ave, Little Bay, the buildings were constructed by the Benevolent Society. A market valuation was prepared for this site a number of years ago and the reported rental value is used in determining the level of the rental subsidy. However, if the site was without improvements it is unlikely that a rental of \$190,000 would be achieved. This organisation provides a valuable service to the community.

### 6.3 Youth

Collectively Youth services and programs obtained \$57,879 in funds as is outlined in **Appendix 3 (Attachment 1)**. Youth Services do not receive the same level of assistance as compared with Children's services or Aged/Disability services. Only one youth program, The Shack Youth Services, received funding from more than one scheme. The amount provided to youth services is relatively low even though it was identified through the consultation for the Community Facilities Study that this group does not receive adequate funding.

#### 6.4 Neighbourhood / Community Centres

There are two Community Centres that received funding from Council in 2004/05, these being Kooloora and RICC. Kooloora received a total of \$7,579 while RICC received \$87,061. RICC, which provides considerable services to the Randwick community, received a rental subsidy; a recurrent community grant and a trade waste service.

#### 7. SURF LIFESAVING CLUBS

The local Surf Lifesaving Clubs make a contribution to the quality of community life within Randwick City by providing surf lifesaving services throughout summer at Clovelly, Coogee and Maroubra beaches. The services are provided on weekends and public holidays from the beginning of October until March. The other significant community activity that they manage relates to the provision of Nipper activities.

Council supports the Surf Clubs with subsidised rentals that are not identified in Council's budget, with annual grants for operational activities, 50% of the replacement cost for the offshore rescue boat and a range of small grants for different activities.

**Table D** provides a summary of all funds provided to the Surf Clubs during 2004/05.

RECIPIENT	TYPE of GRANT FUNDS	AMOUNT	TOTAL
<b>Clovelly Surf Club</b>	Club house -Rental Subsidies Not Identified	\$25,000	
	Operational Subsidies	\$30,000	
	Total		<b>\$55,000</b>
<b>Coogee Surf Club</b>	Contingency Fund	\$1,912	
	Club house-Rental Subsidies Not Identified	\$28,000	
	Kiosk –Rental Subsidies Not Identified	\$50,000	
	Boatshed - Rental Subsidies/Not Identified	\$5,000	
	Operational Subsidies	\$30,000	
Total		<b>\$114,912</b>	
<b>Maroubra Surf Club</b>	Club house -Rental Subsidies Not Identified	\$25,000	
	Operational Subsidies	\$30,000	
	Other	\$4,255	
	Total		<b>\$59,255</b>
<b>Off Shore Rescue Boat</b>	Building -Rental Subsidies Not Identified	Nil	
	Operational Subsidies	\$25,000	
	Other – contribution to boat replacement	\$22,000	
	Total		<b>\$47,000</b>
<b>South Maroubra Surf Club</b>	Contingency Fund	\$4700	
	Club house -Rental Subsidies Not Identified	\$17,000.	
	Operational Subsidies	\$30,000	
	Total		<b>\$47,470</b>
<b>Total</b>			<b>\$323,637</b>

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Whilst there is no question that the provision of monies to these groups is seen as worthy, these organisations also have the potential to attract considerable funding from other sources. For example, the four clubs received a total of \$160,665 from the CDSE Category 1 Grants in 2004 and this represented approximately 50% of all the funds provided by the local licensed clubs. The Surf Clubs are also eligible for CDSE Category 2 Grants but Council has no details as to how they were allocated.

In the recent May 2005 State budget, \$2 million was provided to Surf Life Saving NSW as the first instalment of a four year \$8 million initiative for the enhancement of club premises and other life saving items. The surf clubs also gain sponsorship and support from other local businesses.

The contribution of the Surf Clubs to community well being is acknowledged. The partnership approach of the Surf Clubs and Randwick Council's Beach Inspectors is of paramount importance. It is Council's Beach Inspectors who are ultimately responsible for providing a safe recreational environment for all beach users and they coordinate all activities on the beaches including the overall operations of the surf clubs.

However, due to the overall high level of sponsorship that the Surf Clubs receive from a variety of sources they are actually better resourced in terms of equipment than Council's own Beach Inspectors. This fact must be taken into consideration when allocating grant monies to this group as any decisions must ultimately deliver the greatest level of safety to our beach users.

### **Community Access to Surf Club Facilities**

While the surf club buildings vary in size they all contain facilities related directly to the provision of lifesaving services such as operational rooms, lookouts, equipment storage etc. In addition they also provide for other ancillary recreational activities such as recreation, entertainment areas and meeting rooms. The public entertainment areas in the four local clubs are hired for weddings, parties and other functions.

It does not appear that the use of the club house facilities by other individuals and community groups is encouraged. The Randwick community does not seem to consider the surf clubs as multi use community facilities and some community groups have expressed concerns that the Surf club facilities are not accessible to others in the community. Some councils, such as Manly, have actually implemented policies that have resulted in the surf club buildings becoming more accessible to other users.

It would be preferable if some other community groups could gain more access to surf club facilities for meeting spaces and consideration could be given to the development of agreements between Council and the Surf Clubs regarding the access of other community groups and sporting bodies to their facilities.

### **Sustainability of Surf Club Facilities**

All the surf clubs have been leased for periods of 20 years. The lessees with the permission of Council are permitted to sublease part of their premises and Clovelly has

recently put a sublease in place with a catering firm which provides them with additional income.

The surf clubhouses are ageing buildings and a critical issue for the clubs and Council is maintenance and sustainability. It is clear that considerable investment is required if the buildings are to be maintained adequately and the leases state that all maintenance work is at the sole cost of the lessee. Council needs to work with each surf club to assist them in developing a long term sustainability plan as this will be the only way that they can meet their requirements in relation to maintenance of their buildings.

The Surf Clubs do not always publicly acknowledge the contribution that is provided by Council as they do with some of their other sponsors. This needs to be addressed.

### **FINANCIAL IMPACT STATEMENT:**

As detailed in this report.

### **CONCLUSION:**

Some principles for the administration and management of Randwick City Council's grants, donations and subsidies programs were provided at the beginning of this report and an application of these principles to current practice reveals that there are significant issues with respect to the management of the grants, donations and subsidies schemes:

- There is no policy in place for the provision of grants, donations and subsidies with clear priorities linked to community need and processes that ensure equity, transparency and accountability.
- With the exception of the Section 356 Grants Scheme the processes followed are based either on traditional reactive responses to community groups who seek financial assistance or historical reasons rather than any formal system that includes selection criteria, regular assessment and evaluation
- Recurrent funds are awarded to the same groups across different schemes without an assessment of how the monies have benefited the community
- No one, including Council officers, elected representatives or the community, is aware of the full extent of Council's provision of grant funding. This is a significant lost opportunity
- Many deserving community groups who may have high priority needs are not given an opportunity to apply for funding support from Council.
- The basic principles focused on equitable, transparent and effective practices are not met by the schemes in terms of process

As an imperative a policy that documents Councils position with a clear direction for the provision of grants, donations and subsidies must be developed and adopted by Council.

A clear strategy, linked to other Council strategic plans such as the Randwick City Plan and Community Facilities Plan is required so that Council can ensure that all decisions made in relation to grants, donations and subsidies will actively support the achievement of Council's strategic directions and outcomes.

Council needs to consider broadening the formal grants scheme. As suggested earlier the two grants schemes could be amalgamated to create a greater pool of funds. There would be an annual call for applications and grants could be made for varying periods thus providing some continuity of funding for some projects. This single Community Grant Scheme would have objective assessment criteria, a proper review process, clearly stated justification for funds, accountability on the part of recipients to report on how monies are spent and follow-up by Council to ensure that reporting is undertaken by recipients and that reports comply with Council's rules. Council should also ensure that they are acknowledged in formal documentation of recipients for the provision of funds

In line with this an ongoing application process for funding from the Contingency funds would remove the present bias and would make the allocation of funds more equitable, ensure that community groups properly account for how money is spent and create a more transparent and consistent approach to the dissemination of funds. This approach is used at other councils where there is a single grant scheme and all funds are provided through this scheme.

Council needs to develop and implement accurate and consistent recording of information in accounting systems. A central database should be established to consolidate information, improve monitoring and enable regular and accurate reporting from one central location. There needs to be a more accurate estimate of the value of the subsidised rental that is currently not recorded in the financial system to enable full and accurate reporting to the community of the actual value of subsidies provided to the community.

The level of rental subsidies should be the subject of an ongoing review that takes both an 'industry' approach (child care centres) and also considers each situation on a case by case basis. The expectation of the community would be that Council adopts a consistent and equitable approach. Council requires a clear rental policy that states both its commitment to assist the community to provide needed services and the requirement to maximise economic return on properties for the community.

Council needs to work with the Surf Clubs to assist them in developing long term management plans that will support the sustainability of their facilities. These plans could also take into consideration factors such as the ability of the Clubs to earn income through their club facilities.

## **RECOMMENDATION:**

It is recommended that:

1. A policy be developed and brought to Council by November 2005 on the allocation of grant funds and subsidies by Randwick City Council. This policy is to include reference to a set of basic principles as proposed in this paper

2. The Management Plan is to identify Council's strategy in management of grant funding and to clearly report to the community on the total allocation of grant monies each year
3. The Annual Report (starting with the 2004/2005 Annual Report) provides details on all grants, donations and subsidies allocated during the period in review
4. Formal accounting processes be developed by January 2006 and implemented in July 2006 to address all identified accounting issues
5. All recipients of grant funds in excess of \$20,000 per annum be required to publicly acknowledge Council's contribution by way of appropriate signage and inclusion in their Annual Reports or the like
6. The Small Grants and Community Grants is combined into a single scheme with transparent, equitable processes developed and implemented for application, allocation and evaluation. A paper on this is to be brought to Council by November 2005
7. All recipients of the recurrent Community grants be informed by end of 2005 that while the grants will continue to be provided for 2006/2007, in all subsequent years they will need to apply for these funds according to established procedures
8. The availability of Contingency funds is to be advertised broadly to the community and that the community groups are invited on a quarterly basis to apply for funding to an established limit. This will allow both community groups and Council to plan more appropriately. The list of applicants will be brought to Council for final decision making.
9. A policy on subsidised rentals be prepared for Council by December 2005
10. A further report is brought to Council by March 2006 on the provision of grant funding to child care centres. This report is to include information on the range of services provided, fees charged, number of available places, and classification. The report should propose strategies for achieving greater equity in the allocation of Council funds to child care centres
11. Greater consideration be given to the provision of support for youth services
12. The Surf Clubs are assisted to develop long term management plans by June 2006 that will support the sustainability of their facilities and take into consideration factors such as the ability of the Clubs to earn income through their club facilities and the development of agreements that clarify the use of their facilities by other community groups.
13. Where sporting and community groups attract income from the use of Council facilities, they be required to provide to Council on an annual basis, audited financial statements.

**ATTACHMENT/S:**

1. Summary of data on Grant Fund Programs.
2. Councillor Donations from Contingency Fund 2004/05 - DGFS Report 30/2005 to Admin & Finance Committee meeting 12th July 2005.inancial statements

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GENERAL MANAGER

**ATTACHMENT 1:**

**SUMMARY of DATA on GRANT FUND PROGRAMS**

**APPENDIX 1: Grant Funding Allocations to Children's Services**

**APPENDIX 2: Summary of Grants – Aged and Disability Services**

**APPENDIX 3: Summary of Grants – Youth Services**

**APPENDIX 4: Summary of Other Organisations Receiving Funds**



**APPENDIX 1: Grant Funding Allocations to Children's Services**

<b>RECIPIENT</b>	<b>TYPE of GRANT FUNDS</b>	<b>AMOUNT</b>	<b>TOTAL</b>
<b>Clovelly Child Care</b>	Section F	\$3,561	
	Small Grants 356	\$1,000	
	Contingency Fund	\$600.00	
	Rental Subsidies Identified	\$52,000	
	<b>Total</b>		<b>\$57,161</b>
<b>Duffy's Child Care</b>	Section F	\$1,862	
	Small Grants 356	\$530	
	Rental Subsidies Identified	\$41,600	
	<b>Total</b>		<b>\$43,992</b>
<b>Baby Health Centre Clovelly</b>	Rental Subsidies Identified	\$41,600	
	<b>Total</b>		<b>\$41,600</b>
<b>Blue Gum Cottage</b>	Small Grants 356	\$300	
	<b>Total</b>		<b>\$300</b>
<b>Burnie Child Care</b>	Section F	\$630	
	<b>Total</b>		<b>\$630</b>
<b>Claremont College</b>	Contingency Fund	\$1,086.00	<b>\$1,086</b>
<b>Dolphin Street Playgroup</b>	Contingency Fund	\$1,000	
	<b>Total</b>		<b>\$1,000</b>
<b>Eastern Suburbs Aftercare</b>	Small Grants 356	\$500	
	<b>Total</b>		<b>\$500</b>
<b>Home After School Care</b>	Small Grants 356	\$800	
	<b>Total</b>		<b>\$800</b>
<b>In Safe Hands Before and After School Care</b>	Small Grants 356	\$1,000	
	<b>Total</b>		<b>\$1,000</b>
<b>Kensington Primary</b>	Contingency Fund	\$200.00	<b>\$200</b>
<b>La Perouse Public School</b>	Small Grants 356	\$600	
	<b>Total</b>		<b>\$600</b>
<b>Malabar Occasional Child Care Centre</b>	Rental Subsidies Identified	\$26,000	
	Small Grants 356	\$500	
	<b>Total</b>		<b>\$26,500</b>
<b>Maroubra Neighbourhood Children's</b>	Small Grants 356	\$376	
	<b>Total</b>		<b>\$376</b>

<b>Centre</b>			
<b>Moverley Child Care</b>	Small Grants 356	\$600	
	Rental Subsidies Identified	\$41,600	
	<b>Total</b>		<b>\$42,200</b>
<b>National Association for Prevention of Child Abuse</b>	Contingency Fund	\$540	
	<b>Total</b>		<b>\$540</b>
<b>Peter Pan Kindergarten</b>	Rental Subsidies	\$38,000	
	<b>Total</b>		<b>\$38,000</b>
<b>Rainbow Child Care</b>	Section F	\$2,383	
	Rental Subsidies Identified	\$50,000	
	<b>Total</b>		<b>\$52,383</b>
<b>Randwick Playgroup 2</b>	Small Grants 356	\$600	
	<b>Total</b>		<b>\$600</b>
<b>Randwick Family Day Care</b>	Small Grants 356	\$1,000	
	Community Grants	\$4,822	
	<b>Total</b>		<b>\$5,822</b>
<b>Randwick Guides</b>	Small Grants 356	\$600.00	
	<b>Total</b>		<b>\$600</b>
<b>ROCK</b>	Rental Subsidies Identified	\$50,000	
	<b>Total</b>		<b>\$50,000</b>
<b>SOS Preschool</b>	Small Grants 356	\$700	
	<b>Total</b>		<b>\$700</b>
<b>The Polish School of Sydney</b>	Small Grants 356	\$500	
	<b>Total</b>		<b>\$500</b>
<b>Total</b>			<b>\$367,992</b>

**APPENDIX 2: Summary of Grants – Aged and Disability Services**

<b>RECIPIENT</b>	<b>TYPE of GRANT FUNDS</b>	<b>AMOUNT of GRANT FUNDS</b>	<b>TOTAL</b>
<b>ALERT</b>	Small Grants 356	\$500	
	Community Grants	\$1,079	
	<b>Total</b>		<b>\$1,579</b>
<b>*Benevolent Society</b>	Rental Subsidies Identified	\$190,000	
	<b>Total</b>		<b>\$190,000</b>
<b>Eastern Respite and Recreation</b>	Community Grants	\$8,386	
	<b>Total</b>		<b>\$8,386</b>
<b>Irabina Association</b>	Community Grants	\$2,148	
	<b>Total</b>		<b>\$2,148</b>
<b>Kingsford Meals on Wheels</b>	Section F	\$1,246	
	Rental Subsidies Identified	\$16,000	
	<b>Total</b>		<b>\$17,246</b>
<b>Learning Links</b>	Small Grants 356	\$430	
	<b>Total</b>		<b>\$430</b>
<b>Little Bay Coast Centre for Seniors</b>	Community Grants	\$5,241	
	Contingency Fund	\$660	
	<b>Total</b>		<b>\$5,901</b>
<b>Maroubra Senior Citizens</b>	Section F	\$1,205	
	Rental Subsidies	\$52,000	
	<b>Total</b>		<b>\$53,205</b>
<b>Mindfields</b>	Small Grants 356	\$500	
	<b>Total</b>		<b>\$500</b>
<b>Randwick Waverley Community Transport</b>	Small Grants 356	\$900	
	Community Grants	\$5,241	
	<b>Total</b>		<b>\$6,141</b>
<b>Special Olympics</b>	Des Renford Aquatic Centre	\$6,250	
	<b>Total</b>		<b>\$6,250</b>
<b>WAVES</b>	Small Grants 356	\$1,000	
	Des Renford Aquatic Centre	\$8,000	
	<b>Total</b>		<b>\$9,000</b>
<b>Windgap</b>	Section F	\$2,383	
	<b>Total</b>		<b>\$2,383</b>
<b>Total</b>			<b>\$303,170</b>

**Appendix 3: Summary of Grants – Youth Services**

<b>RECIPIENT</b>	<b>TYPE of GRANT FUNDS</b>	<b>AMOUNT of GRANT FUNDS</b>	<b>TOTAL</b>
<b>Bondi Community Youth</b>	Small Grants 356	\$1,000	
	<b>Total</b>		<b>\$1,000</b>
<b>Matrville Youth Hall</b>	Property Rental Subsidy	\$10,000	
	<b>Total</b>	\$10,000	<b>\$10,000</b>
<b>Randwick Girls and Boys High Schools</b>	Contingency Fund	\$8,114	
	<b>Total</b>		<b>\$8,114</b>
<b>Shack Youth Services</b>	Small Grants 356	\$1,000	
	Community Grants	\$36,165	
	<b>Total</b>		<b>\$37,165</b>
<b>WAYS</b>	Small Grants 356	\$1,000	
	<b>Total</b>		<b>\$1,000</b>
<b>Total</b>			<b>\$57,879</b>

**APPENDIX 4: Summary Of Other Organisations Receiving Funds**

Twenty-eight organisations were classified as 'Other' and the source of funds for these groups is shown in the following table:

<b>RECIPIENT</b>	<b>TYPE of GRANT FUNDS</b>	<b>AMOUNT</b>
<b>Association International Students</b>	Contingency Fund	<b>\$2,500</b>
<b>Australia Indonesia Business Council</b>	Mayoral Donations	<b>\$100</b>
<b>Banner across Coogee Bay Rd</b>	Contingency Fund	<b>\$1086</b>
<b>Burnie Park Hall</b>	Property Rental Subsidy	<b>\$26,000</b>
<b>Coogee Chamber of Commerce</b>	Contingency Fund	<b>\$5,305</b>
<b>Department of Housing</b>	Rental Subsidies Identified	<b>\$21,000</b>
<b>Ephemera Reconciliation Monologues</b>	Contingency Fund	<b>\$3,750</b>
<b>Golf Sydney Tours</b>	Mayoral Donations	<b>\$681</b>
<b>Inner Sydney Regional Council</b>	Community Grants	<b>\$1,079</b>
<b>Kingsford Legal Centre</b>	Rental Subsidies Identified	<b>\$20,800</b>
<b>Level 3 Meeting Room</b>	Subsidised hire	<b>\$118</b>
<b>Matraville Families First</b>	Contingency Fund	<b>\$408</b>
<b>Nursery Plants</b>	Nursery Donations	<b>\$1,018</b>
<b>Peninsula Work Ventures</b>	Section F	<b>\$1,246</b>
<b>Prince of Wales Hospital</b>	Contingency Fund	<b>\$1,085</b>
<b>Radio Eastern Sydney</b>	Community Grants	<b>\$2,096</b>
<b>Randwick Branch Meeting Room</b>	Library Facilities	<b>\$1,867</b>
<b>Randwick City Tourism</b>	Contingency Fund	<b>\$1,625</b>
<b>Randwick Community Gardens</b>	Rental Subsidies Identified	<b>\$10,400</b>
<b>Randwick Literary Institute</b>	Section F	<b>\$1,205</b>
<b>Randwick/Waverley</b>	Community Grants	<b>\$4,035</b>

<b>Philharmonic Society</b>		
<b>Regional Study for Tourism</b>	Contingency Fund	<b>\$2,500</b>
<b>South Eastern Neighbourhood Food Distribution</b>	Property rental Subsidy & Small Grants 356	<b>\$26,480</b>
<b>St Vincent De Paul Society Maroubra</b>	Small Grants 356	<b>\$500</b>
<b>Ted Noffs Foundation</b>	Small Grants 356	<b>\$520</b>
<b>UNSW</b>	Contingency Fund	<b>\$2,200</b>
<b>Vonnie Young Auditorium</b>	Library Facilities	<b>\$1,105</b>
<b>Welcome Overseas Students</b>	Contingency Fund	<b>\$3,500</b>
<b>Wylies Baths</b>	Operational Subsidies	<b>\$25,000</b>
<b>Total</b>		<b>\$183,907</b>

**ATTACHMENT 2:****COUNCILLOR DONATIONS FROM CONTINGENCY FUND 2004-05  
– PREVIOUSLY TABLED**

ADMINISTRATION &amp; FINANCE COMMITTEE

12 JULY 2005

***Director, Governance & Financial  
Services' Report 30/2005***

<b>SUBJECT:</b>	COUNCILLORS' DONATIONS FOR THE 2004/2005 FINANCIAL YEAR
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<b>DATE:</b>	28 June, 2005	<b>FILE NO:</b>	F2004/07396 F2005/00182	xr
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**REPORT BY:** DIRECTOR, GOVERNANCE & FINANCIAL SERVICES**INTRODUCTION:**

To keep Councillors aware of the progressive amount of Councillors' donations, allocations, waiving of fees and other similar issues for the current financial year.

**ISSUES:**

In the 2004/05 financial year there were sixty nine (69) Councillors' donations totalling \$149,997.37 as listed in the table below.

<b>MEETING</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Works Committee – 13 <sup>th</sup> July 2004	Greek Glendi	(\$7,695.00) <b>Cancelled</b>
Community Services Committee – 10 <sup>th</sup> August 2004	National Association for Prevention of Child Abuse & Neglect	\$540.00
Ordinary Council – 27 <sup>th</sup> July 2004	Barry Watterson – Shakespearean Theatre	\$3,114.30
Ordinary Council – 27 <sup>th</sup> July 2004	POW Hospital	\$1,085.00
Ordinary Council – 27 <sup>th</sup> July 2004	Randwick Girls & Boys High Schools (Rock Eisteddfod)	\$3,114.30
Ordinary Council – 27 <sup>th</sup> July 2004	Dolphin Street Playgroup (Temporary Fencing)	\$1,000.00

Ordinary Council – 24 <sup>th</sup> August 2004	Maroubra Fun Run & Oktoberfest	\$3,734.00
Ordinary Council – 21 <sup>st</sup> September 2004	Regional Study of Changing Tourism Dynamics in Sydney (Backpackers)	\$2,500.00
Ordinary Council – 21 <sup>st</sup> September 2004	Bali Tragedy 2 <sup>nd</sup> Anniversary Commemorations	\$8,678.00
Ordinary Council – 19 <sup>th</sup> October 2004	Des Renford Aquatic Centre Charity Day	\$5,320.40
Ordinary Council – 19 <sup>th</sup> October 2004	St George Coptic Church Fete	\$796.00
Ordinary Council – 19 <sup>th</sup> October 2004	South Maroubra Village Green Art Show	\$85.00
Ordinary Council – 19 <sup>th</sup> October 2004	South Maroubra Carols by Candlelight	\$1,906.00
Ordinary Council – 19 <sup>th</sup> October 2004	St Paul's Anglican Church – Carols by the Sea	\$1,871.80
Works Committee – 9 <sup>th</sup> November, 2004	Salvation Army – BBQ	\$210.00
Works Committee – 9 <sup>th</sup> November, 2004	Salvation Army – Carols By Candlelight in Kokoda Park	\$2,301.80
Works Committee – 9 <sup>th</sup> November, 2004	Coogee & South Maroubra Surf Life Saving Clubs – Use of Beaches (Surf Carnivals)	\$1,742.00
Works Committee – 9 <sup>th</sup> November, 2004	Coogee Bowling Club – Use of Goldstein Reserve (Bowls Mobile)	\$1,330.00
Health, Building & Planning Committee – 9 <sup>th</sup> November, 2004	UNSW Sustainable Living Centre – Sponsorship of Sustainable Schools Awards	\$2,200.00
Health, Building & Planning Committee – 9 <sup>th</sup> November, 2004	Association of International Students of Science, Economics & Commerce – Sponsorship of Sustainability Seminars Program	\$2,500.00
Ordinary Council – 23 <sup>rd</sup> November, 2004	Randwick City Tourism – Filming of Tourism Video	\$1,625.00
Ordinary Council – 23 <sup>rd</sup> November, 2004	Coogee Surf Life Saving Club – Use of Coogee Beach (ocean swim event)	\$640.00
Ordinary Council – 23 <sup>rd</sup> November, 2004	Coogee Chamber of Commerce – Use of Goldstein Reserve (Coogee Family Fun Day)	\$5,305.50
Ordinary Council – 23 <sup>rd</sup> November, 2004	Barry Watterson – Musical Events in Grant Reserve	\$798.80
Ordinary Council – 23 <sup>rd</sup> November, 2004	United Nations Development Fund for Women – Purchase of Ribbons for White Ribbon Day	\$150.00



Health, Building & Planning – 7 <sup>th</sup> December, 2004	Sydney Body Art Ride	\$3,000.00
Ordinary Council – 14 <sup>th</sup> December, 2004	Indonesian Welfare Association – Street Fair	\$3,365.00
Ordinary Council – 14 <sup>th</sup> December, 2004	Castellorizian Ladies Auxiliary – Carol Singing	\$302.20
Ordinary Council – 14 <sup>th</sup> December, 2004	Matrville Families First – Matrville Family Fun Day	\$408.00
Ordinary Council – 14 <sup>th</sup> December, 2004	Greek Orthodox Church of Australia – Greek Epiphany Celebration	\$1,173.50
Ordinary Council – 14 <sup>th</sup> December, 2004	Randwick Information & Community Centre- Removal Expenses	\$4,000.00
Ordinary Council – 14 <sup>th</sup> December, 2004	La Perouse Local Aboriginal Community – Christian Convention in Aid of Suicide Prevention	\$1,987.50
Ordinary Council – 14 <sup>th</sup> December, 2004	New Year's Eve Fireworks – Coogee Beach	\$5,000.00
Ordinary Council – 14 <sup>th</sup> December, 2004	Welcome Overseas Students' – Pilot Program	\$3,500.00
Extraordinary Council – 27 <sup>th</sup> January, 2005	Donation Tsunami Relief Appeal	\$10,000.00
Extraordinary Council – 27 <sup>th</sup> January, 2005	Sri Lankan Fundraiser Walk Centennial Park – Hire & Erection of Stage	\$1,561.96
Works Committee – 8 <sup>th</sup> February, 2005	Eastern Beaches Local Area Command – Community v Police Cricket Day	\$1,542.00
Works Committee – 8 <sup>th</sup> February, 2005	Surf Life Saving Sydney Inc. – Use of Maroubra Beach	\$855.00
Works Committee – 8 <sup>th</sup> February, 2005	Trees for Mum Program – Use of Central Park	\$1,200.00
Works Committee – 8 <sup>th</sup> February, 2005	Grace Point Christian Church – Clean Up Australia Day	\$3,480.00
Works Committee – 8 <sup>th</sup> February, 2005	Malabar RSL Swimming Club – Malabar Clear Water Classic Swim	\$1,079.10
Administration & Finance Committee – 8 <sup>th</sup> February, 2005	Indonesian Consul General – Tsunami Appeal Luncheon	\$500.00
Administration & Finance Committee – 8 <sup>th</sup> February, 2005	Friends of La Perouse Museum – La Perouse Commemoration Day	\$3,700.00
Ordinary Council – 22 <sup>nd</sup> February, 2005	Surfing NSW – South side Eliminations – Use of Maroubra Beach	\$855.00

Ordinary Council – 22 <sup>nd</sup> February, 2005	Living In Harmony Festival – Use of Goldstein Reserve	\$8,338.00
Ordinary Council – 22 <sup>nd</sup> March, 2005	Maroubra Surfers Organisation & Southend Boardriders	\$4,025.00
Ordinary Council – 22 <sup>nd</sup> March, 2005	Randwick Girls' & Boys' High School Rock Eisteddfod Team	\$5,000.00
Ordinary Council – 22 <sup>nd</sup> March, 2005	Wild Street, Church Festival	\$1,534.80
Ordinary Council – 22 <sup>nd</sup> March, 2005	Maroubra Swimming Club – Hire of DRAC	\$680.00
Ordinary Council – 22 <sup>nd</sup> March, 2005	Sydney Airport - Campaign Against The Proposed Redevelopment	\$1,830.40
Works Committee – 12 <sup>th</sup> April, 2005	Banner Across Coogee Bay Road, Coogee	\$1,086.00
Community Services – 12 <sup>th</sup> April, 2005	Living in Harmony Festival	\$974.00
Community Services – 12 <sup>th</sup> April, 2005	Ephemera Reconciliation Monologues	\$3750.00
Ordinary Council – 26 <sup>th</sup> April, 2005	Salvation Army's Red Shield Appeal - Request For Waiving Of Fees For Installation Of Banner Across Coogee Bay Road.	\$1,086.00
Ordinary Council – 26 <sup>th</sup> April, 2005	Claremont College, Randwick - Request For Waiving Of Fees Associated With Installation Of Banner Across Coogee Bay Road.	\$1,086.00
Ordinary Council – 26 <sup>th</sup> April, 2005	South Maroubra Community Fair	\$1,135.00
Administration & Finance – 10 <sup>th</sup> May, 2005	Reconciliation Week 2005	\$1,300.00
Works Committee Meeting – 10 <sup>th</sup> May, 2005	Request from Kensington Public School for Donation of Plants	\$200.00
Works Committee Meeting – 10 <sup>th</sup> May, 2005	Clovelly Child Care – Request for installation of Ramp	\$600.00
Health, Building & Planning 10 <sup>th</sup> May, 2005	Sydney Airport Expansion – Update on recent rally	\$3,773.21 + \$5,000.00 (for future use, included in total)
Ordinary Council Meeting – 24 <sup>th</sup> May, 2005	Surfing NSW – State Titles Maroubra Beach	\$855.00
Ordinary Council Meeting – 24 <sup>th</sup> May, 2005	Kropka Theatre – Hire Town Hall	\$700.00
Ordinary Council Meeting – 24 <sup>th</sup> May, 2005	Coast Centre for Seniors – Donation of Chairs	\$660.00

Ordinary Council Meeting – 28 <sup>th</sup> June, 2005	NAIDOC Week	\$1910.00
Ordinary Council Meeting – 28 <sup>th</sup> June, 2005	Thai Awareness Day	\$2860.00
Ordinary Council Meeting – 28 <sup>th</sup> June, 2005	Randwick District Offshore Rescue Boat	\$1556.50
<b>TOTAL</b>		<b>\$ 149,997.37</b>

**FINANCIAL IMPACT STATEMENT:**

Council allocated \$150,000.00 in the 2004/2005 Budget, for contingencies.

**RECOMMENDATION:**

That the Director, Governance & Financial Services Report No. 30/2005 dated 28<sup>th</sup> June, 2005 in relation to the final amount of Councillors' donations, allocations, waiving of fees and other similar issues for the 2004/05 financial year be noted.

**ATTACHMENT/S:**

1. Summary of data on Grant Fund Programs.
2. Councillor Donations from Contingency Fund 2004/05 - DGFS Report 30/2005 to Admin & Finance Committee meeting 12th July 2005.

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

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**ORDINARY COUNCIL MEETING –  
TUESDAY, 23<sup>RD</sup> AUGUST, 2005**

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**7.2 GENERAL MANAGER'S REPORT 35/2005 - COUNCIL GRANTS, DONATIONS AND SUBSIDIES. (F2005/00469)**

363 **RESOLUTION:** (*Woodsmith/Notley-Smith*) that:

1. *a policy be developed and brought to Council by November 2005 on the allocation of grant funds and subsidies by Randwick City Council. This policy is to include reference to a set of basic principles as proposed in this paper;*
2. *the Management Plan is to identify Council's strategy in management of grant funding and to clearly report to the community on the total allocation of grant monies each year;*
3. *the Annual Report (starting with the 2004/2005 Annual Report) provides details on all grants, donations and subsidies allocated during the period in review;*
4. *formal accounting processes be developed by January 2006 and implemented in July 2006 to address all identified accounting issues;*
5. *all recipients of grant funds in excess of \$20,000 per annum be required to publicly acknowledge Council's contribution by way of appropriate signage and inclusion in their Annual Reports or the like;*
6. *the Small Grants and Community Grants is combined into a single scheme with transparent, equitable processes developed and implemented for application, allocation and evaluation. A paper on this is to be brought to Council by November 2005;*
7. *all recipients of the recurrent Community grants be informed by end of 2005 that while the grants will continue to be provided for 2006/2007, in all subsequent years they will need to apply for these funds according to established procedures;*
8. *a policy on subsidised rentals be prepared for Council by December 2005;*
9. *a further report is brought to Council by March 2006 on the provision of grant funding to child care centres. This report is to include information on the range of services provided, fees charged, number of available places, and classification. The report should propose strategies for achieving greater equity in the allocation of Council funds to child care centres;*
10. *greater consideration be given to the provision of support for youth services;*
11. *the Surf Clubs are assisted to develop long term management plans by June 2006 that will support the sustainability of their facilities and take into consideration factors such as the ability of the Clubs to earn income through their club facilities and the development of agreements that clarify the use of their facilities by other*

*community groups;*

12. *where sporting and community groups attract income from the use of Council facilities, they be required to provide to Council on an annual basis, audited financial statements; and*
13. *the General Manager is to bring a report back to Council on the financial status of Wylies Baths, including options for maximising its community use.*

**MOTION: (Woodsmith/Notley-Smith) CARRIED – SEE RESOLUTION.**

## ATTACHMENT 3

### Policy – Grants, Donations and Subsidies

#### 1. The purpose of this policy is to:

Provide Council with an equitable, transparent and accountable framework for determining and allocating Council grants, donations and subsidies with clear priorities linked to Council's strategic directions and the Community's needs .

#### 2. Aims of Policy

The *Grants, Donations and Subsidies Policy* enables Council to:

- Clearly state the principles that will drive Council's support of community organisations, facilities and activities.
- Recognise the value and benefits of services and activities organised and provided by community based groups
- Support non-profit organisations in the delivery of community services and programs
- Provide for equitable, transparent and accountable processes in determining and allocating Council's funds.
- Provide one-off support for a range of community activities and events.

#### 3. Policy Statement

All decisions relating to grants, donations and subsidies must give regard to the following principles.

Any grant, donation and subsidy provided by Council must:

- Contribute to improving the quality of people's lives
- Provide an effective use of Council's resources
- Achieve equity
- Produce better outcomes for the community
- Foster accountability.
- Promote strong community networks, community cohesion and social support

There must be transparent processes for the allocation and management of all grants, donations and subsidies.

The community should be informed annually on which organisations and community programs will be supported by Council through either the direct provision of funds or an indirect subsidy. Similarly, the Annual Report should provide information on Council's grant funding process and recipients.

**ATTACHMENT 4****Community Facilities Management and Rental Subsidies Policy****1. The purpose of this policy is to:**

Provide Council with a framework for the equitable, efficient and effective management of its community facilities.

**2. Policy statement**

The Community Facilities Management and Rental Subsidies Policy enables Council to:

- encourage optimal use of community facilities to cater for a range of community and sporting groups
- obtain a contribution from user groups for the costs of providing facilities
- recognise the value and benefits of services and activities organised and provided by community based groups and to subsidise these groups where it sees fit
- determine the most appropriate occupancy arrangement for each facility
- fulfill the requirements of State government and Council policies in relation to provision of facilities on Community land, Crown public recreation reserves and open space
- ensure that all user groups support Council's non-discriminatory practices and policies.

This policy also allows Council to clearly communicate its intentions in relation to management of community facilities with the user groups and the broad community.

This policy excludes Council facilities that are covered by normal commercial leasing/licensing arrangements.

**3. Principles**

The following principles apply to management of community facilities:

- The management framework will enable equitable opportunities for community

based groups to access community facilities and related subsidies provided by the Council

- Where a group or organisation has regular use of a facility as supported by a licence, it should contribute to its management and maintenance costs
- Contributions from users of Council facilities should be used to cover the management, maintenance and minor improvement costs of the facility, and for the development of activities or services associated with the facility.
- The process by which a facility is managed will be open, accountable and transparent.
- All users will support Council's non-discriminatory practices and policies.
- Council's community facilities will be managed to protect and enhance their flexibility and accessibility in order to meet the current and future needs of the Randwick City community
- Community facilities on public land will be accessible to the broader community, as will facilities to which Council has contributed financially and/or in kind.
- All financial arrangements are documented, transparent and in accordance with legislative requirements

#### **4. Management Models**

Facilities will generally be managed in a manner which preserves and maintains their flexibility and availability for current and future residents of Randwick City. Wherever possible, Council will implement a strategy of shared use between groups and this will be supported by the development of multi-use community centres.

A range of management models including direct Council management, community management, non-exclusive licenses and leases will be used. Generally, leases will only be considered in exceptional and publicly defensible circumstances

#### **5. Licensing and Leasing**

Licensing of facilities will be undertaken in full consultation with the community and in accordance with the relevant legislation.



Council recognises that many groups have a strong historical affiliation with the facilities which they use, and have contributed in cash and kind to their development. Council supports the continued occupation of those facilities by those groups but on shared multi-use basis where it does not currently occur.

Where a current license, lease or other formal agreement exists, this will be honoured until its expiry. A review of future management options for the facility will be undertaken within the last 24 months of the agreement period. It will take account of existing usage rates and the potential for the facility to be used on a multi-user basis, in line with changing community needs and in consultation with the community.

Past contributions of cash or in kind by user groups to a facility do not convey ownership or preferential access to that facility. It simply means that this group benefits from having a more suitable facility in a shorter timeframe than might otherwise have been provided by Council.

Council will not enter into licenses or leases which provide for exclusive access to a facility by a private individual or group. Council will generally not consider leases providing for exclusive access to a facility by one particular group to the exclusion of the general public.

Leases will only be considered in the following situations:

- the facility has the potential to provide the best value to the community
- the lease will return a market rental to Council
- the lessor will significantly upgrade the facility at their expense where it would otherwise have remained in the same condition
- it is in keeping with the policies of the State Government, where the land is publicly owned
- community consultation has been undertaken, and
- the lease is awarded through a contestable process.

## **6. Maintenance, Improvements and Presentation**

Responsibilities in relation to maintenance, improvements and facility presentation will be fully detailed in formal agreements. The following general rules will apply:

Unless otherwise determined, Council is responsible for the external structural integrity of community facilities, except where a user group has a direct negative impact upon the external condition of the building. A user group however is responsible for maintaining the external building in its existing condition and this may include painting, graffiti removal etc. The responsibilities will be detailed in the agreement.

Where a group voluntarily undertakes extensions or improvements to the exterior of a facility (e.g. pergola, sun shade) they are responsible for the maintenance and presentation of those improvements.

In some instances, when a high level of rental subsidisation is provided, an organisation or group may take responsibility for the long term maintenance of the facility required to ensure sustainability. This may happen where a facility is used solely by one organisation such as in the case of surf clubs and these responsibilities will be documented in the agreement. Where applicable, Council will work with these groups to develop a long term maintenance program for the facility.

Unless otherwise determined, users of the facility should be responsible for the internal maintenance of the facility. Where more than one group uses a facility, contributions and responsibility for maintenance should be shared based on the floor space usage ratio taking into account the different activities carried out by the different users.

Facility fit out improvements undertaken by user group/s will remain the property of the groups. Structural modifications, additions and improvements undertaken with the consent of Council will remain the property of Council as owner of the facility.

## **7. Outgoings**

Responsibilities in relation to outgoings will be fully documented in formal agreements and in general the following process will apply.

A user group will be responsible for all outgoings as they apply to the facility. The outgoings include but not are limited to the following:

- Rates
- Telephone
- Commercial waste, sanitary, sewage and cleaning charges
- Any land tax assessed on or levied in respect of the Premises
- Insurance premiums (not building insurance)
- Fire protection
- Charges for gas, electricity, oil and water separately metered and consumed in or on the Premises and
- All other charges and impositions by any public utility or authority for the supply of any service separately metered or supplied to the Premises.

This is not an exclusive list and there may be other outgoings that relate to specific buildings and or uses. The full list of responsibilities will be documented in the agreement.

Where there are more than one group sharing the facility the users will assume proportionate responsibility for some of the outgoings. If any one user does not agree to this then they will be responsible for the cost of installing a separate meter for recording or measuring of the services or substances.

## **8. Openness and Information**

Council will provide information to the community on the management of its community facilities through its management plan, annual report and quarterly performance reports.

Community groups and organisations using Council's community facilities will be required to report annually on performance indicators in relation to the facility and the group's activities. Council will provide guidance and advice on the collection of this information.

Council insists on the highest level of probity in the management of its community facilities.

## **9. Council Community Facilities**

### **9.1 Community Halls**

Fees for the hire of community halls and meeting rooms are determined annually as part of Council's *Annual Fees and Charges*. The fees provide for discounts for local community and cultural groups and organisations. In addition there are variations in the fees depending on the actual hall and its condition, the time and day of the week and whether it is a regular or casual letting.

The availability of the halls and meeting rooms will be promoted in Council's website with details of size, conditions of hire and cost.

### **9.2 HACC facility:**

Priority for using this facility is given to HACC funded services. The rent for the various users is based on an equivalent market rental for space in the area. Rent includes all utilities so this represents a level of subsidisation by the Randwick community.

### **9.3 Other Facilities:**

Council owns a number of buildings which are leased and/or licensed to a range of community groups and organisations. These include surf clubs, child care centres, aged facilities, sporting groups and neighbourhood community groups. Most of these groups have not entered into leases/licenses using a contestable process and many only pay a peppercorn rent.

Where a current license, lease or other formal agreement exists, this will be honoured until its expiry. A review of future management options for the facility will be undertaken within the last 24 months of the agreement period. It will take account of existing usage rates and the potential for the facility to be used on a multi-user basis, in line with

changing community needs and in consultation with the community. The level of rent paid will also be reviewed at this time.

If a review indicates that a higher rental will be charged it will be introduced over an extended period of up to three years to limit the impact on the user group.

### **10. Setting the Rental Value**

For each facility, Council seeks to recover either all or a proportion of the total operating costs of that facility. For a leased or licensed property Council seeks to recover rent at market value although in some cases a Council rental subsidy may be applied.

Market rental valuations will be obtained for all facilities. The market rental value is the amount of annual rent achieved if the accommodation had been let in a competitive market and with specific community buildings (e.g. child care or community centres) the market rental value should reflect the level of demand for that type of accommodation

The total costs to Council of operating each facility include depreciation, maintenance, administration and improvements will be determined. In the case of a new building a sinking fund should be established as part of long term sustainability planning.

Council may assist community users by providing a rental subsidy. The rental subsidies will be for a period as specified in the agreement/lease. The category of rental subsidy will be determined according to established criteria and Council's objectives. The established criteria are documented in the Category Table which forms part of this policy. In all cases the level of subsidy will be reviewed on a three year basis and this will be reflected in any agreements. The review does not imply a change in the level of subsidy but is required so that Council is fully informed on the total level of subsidies being applied. All rental subsidies must be reported to the community on an annual basis.

The criteria set out in the Category Table will be reviewed and revised on a regular basis and will be detailed in Council's Management Plan.

Council seeks to ensure that the cost to Council of the provision of community facilities is absolutely open and transparent. Council has a fiduciary responsibility to all ratepayers and must clearly identify the actual cost of all rental subsidies.

### **10.1 Calculation of a Rental Subsidy**

Step 1: A market rental value will be obtained for the property.

Step 2: The total costs to Council of operating the facility including depreciation, insurance, maintenance, rent payable to Department of Lands, administration and improvements will be determined. While total costs of operating the facility should be covered by the rent paid by the user, in some situations, especially in relation to new community facilities, the market rental value is less than the total costs of operating a facility.

Step 3: The level of the rental subsidy will be determined against the market rental value and will be based on a number of criteria which will be established and communicated to potential occupants prior to establishing an agreement. The criteria are outlined in the Category Table although there may also be a number of specific criteria that relates to the use of the facility. The level of subsidisation will vary between none to 100% of the market rental value. This excludes the statutory rent that must be charged for facilities on Crown Reserves which is currently \$350 per annum.

The rent payable by a community group must always include the rent payable by Council to the Department of Lands for use of Crown lands.

In situations where a community user or lessee undertakes a major upgrade or maintenance activity this will be taken into account when determining the level of subsidy that will be applied and may provide a discount on the market rental value.

While the criteria that will be used to determine the level of subsidy may vary according to the type of facility or Council's long term directions they will generally include: .

- Assessment against the broad criteria in the Category Table
- Ability to generate income from their activities including fees for services, hiring out of the facility, private sector sponsorship and other government grants and subsidies. Financial statements will be requested.
- Can the lessees demonstrate that a reduced rent for an agreed period would have significant social, community and economic benefit?
- Would a subsidy encourage a particular cultural/ community activity to establish itself?
- The extent of the benefit of the subsidy to members of community. That is, how many community members gain a benefit from the application of the rental subsidy?
- Will application of subsidy address identified community needs?
- General assessment against the Principles outlined in the Grants and Subsidies Policy.
- Competitive neutrality. Competitive neutrality issues may arise for example where a private operator believes that a child care facility that receives significant subsidies from Council has an unfair advantage.
- Level of financial commitment by user to undertaking maintenance, major upgrades etc.
- Depending on use there may also be some specific criteria. For example in determining the level of subsidy for Child Care facilities other factors that could be considered include the number of places; where the children live; level of government subsidies; fees charged; number of children with special needs catered for; qualifications of staff

### **11. New Application for Lease or Exclusive Use of Community Facilities**

The availability of exclusive use space in Council owned a community building is limited. However when space becomes available, Council will advertise any vacancies and these will be considered in accordance with the specified criteria that might include identified community needs; whether Access and Equity principles are implemented by

the organisation; and the enrichment of the community's cultural life.

## **12. Accessibility**

Council will seek to ensure that facilities are progressively updated to become physically accessible to all segments of the community.

Where facilities become available for long term use by community groups, their availability will be advertised.

## **13. Links with Council's Planning**

Community facilities will be managed in a manner which ensures a close nexus with Council's City Plan incorporating social, leisure and community development planning and is consistent where applicable, with the values and directions of the Plans of Management for Community and Crown Land.

## **14. Definitions**

**Community facilities refer** to Council owned buildings/facilities and their immediate surrounds which are used by community based not-for-profit groups to provide and organise recreational, cultural, sporting and community service activities. They are often, but not always, situated on Council Land and/or public open space or Crown Land for which Council has long term management responsibility. Examples include community centres, sports facilities and club rooms, and surf club facilities.



**ATTACHMENT 6**

**CATEGORY TABLE  
DETERMINING the LEVEL of SUBSIDISATION**

The level of subsidisation will be determined by assessing each user against the criteria and evaluating their weighted distribution across the categories.

- **CATEGORY A: HIGH level, 90% -100% of Subsidisation**
- **CATEGORY B: MEDIUM Level, 50% - 90%, of Subsidisation**
- **CATEGORY C: LOW Level, up to 50% of Subsidisation**
- **CATEGORY D: NO Subsidisation**

<b>Criteria</b>	<b>Category A</b>	<b>Category B</b>	<b>Category C</b>	<b>Category D</b>
<b>Structural Integrity</b>	Asset Management Plan prepared by lessee or licensee to plan for structural integrity	Makes some contribution to structural integrity	Council responsible for structural integrity	Council responsible for structural integrity
<b>Reactive &amp; Ongoing maintenance</b>	Takes responsibility for internal & external reactive maintenance as detailed in agreement	Takes responsibility for almost all of the internal & external reactive maintenance as detailed in agreement	Takes responsibility for some of internal & external reactive maintenance as detailed in agreement	Does not take responsibility for internal & external reactive maintenance even though detailed in agreement
<b>Extent of Community Benefit</b>	Benefits broad community	Benefits smaller numbers of local community	Only benefits small number	Only benefits small number
<b>Extent of Accessibility of Facility to community</b>	Facilities are accessible to many in Randwick community	Facilities generally accessible to Randwick community	Facilities have limited accessibility to others in Randwick community	Facilities not accessible to others in community
<b>Meeting Community Needs</b>	Provides unique service of high need	One of many providing service of high need or provides unique service of moderate need	Provides service of limited community need or high recreational need	Meets social or recreational needs only
<b>Ability to charge fees &amp;</b>	Limited or no ability to raise	Some ability to raise revenue	Has ability to charge fees &	Operates on profit basis

<b>raise income</b>	revenue		raise revenue	
<b>Do they provide direct competition to commercial ventures</b>	No. Main activity depends on volunteers; is unique activity	While main business is not in direct competition some aspects of business are	While they are in direct competition with commercial providers they provide added service to users	In direct competition with commercial providers
<b>Does their service impact on Council's need to provide similar service?</b>	Without this service provision Council would be required to provide additional service	Lack of service would have some impact on Council's provision	Service is not core responsibility of local government but could be provided	Service is not responsibility of local government
<b>Access to Other Sources of Funding</b>	No access to other funding sources	Access to other sources of funding	Access to other sources of funding	Access to other sources of funding



**RANDWICK CITY  
COUNCIL**

**COMMUNITY AND CULTURAL DEVELOPMENT GRANTS  
GUIDELINES AND APPLICATION FORM**

**2007/2008**

Part 1: Guidelines

Part 2: Application Forms A and B

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**T 1****Randwick City Council****GUIDELINES for COMMUNITY AND CULTURAL DEVELOPMENT GRANTS**

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Randwick City Council's Community and Cultural Development Grants Program encourages and supports local community and cultural organisations in providing services, initiatives or resources to the community of Randwick City.

The Community and Cultural Development Grants Program combines the former Small Grants and Community Development Grants Programs and provides opportunities for organisations to apply on an annual basis for one off or recurrent grants.

All decisions relating to grants, donations and subsidies must give regard to the following principles that are detailed in Randwick Council's **Grants, Donations and Subsidies Policy** which states that:

Any grant, donation and subsidy provided by Council must:

- Contribute to improving the quality of people's lives
- Provide an effective use of Council's resources
- Achieve equity
- Produce better outcomes for the community
- Foster accountability.
- Promote strong community networks, community cohesion and social support

**1. OBJECTIVES**

Council's Community and Cultural Development Grants are provided for community development projects which:

- Assist community based services to develop and implement relevant programs and projects that address the social and cultural needs of the residents within the Randwick Local Government Area
- Facilitate access to services and programs by the whole community
- Encourage community participation in the development and implementation of community based programs/projects
- Encourage and foster the effective provision of community based services
- Contribute to a vibrant cultural and community life in Randwick City

**2. AMOUNT OF GRANTS**

- One off Individual grants are limited to a maximum of \$5,000 (or less) per program / project.
- Recurrent grants may be considered on a case by case basis where funds are required for service viability issues, or where alternate funding sources have been exhausted and are unavailable to meet an identified need
- Please be aware that there are always more requests for financial assistance than available funds, therefore organisations should carefully consider the amount being requested

- Randwick City Council cannot guarantee to fund every applicant, to fund the full amount requested, or to fund the same organisation every year

### 3. FUNDING CRITERIA

#### THE FOLLOWING ORGANISATIONS ARE ELIGIBLE FOR ONE-OFF OR RECURRENT FUNDING:

- Non-profit community based and cultural organisations or groups
- Organisations providing a service or activity which is wholly or substantially for the benefit of Randwick residents or the Randwick Local Government Area

The following **are not** eligible for funding:

- Commercial organisations and enterprises
- Government Departments or agencies
- Organisations which hold a liquor licence
- Individuals or private groups

Generally funds are set aside for community and cultural services and organisations, due to the limited grant funds available. It is unlikely that environmental and sporting groups will be funded as other sources of funding and sponsorship are available to assist these groups.

**One-Off** Grants are available for the following:

- Services, resources and events for local communities
- Small projects
- Specific activities or items in a larger project (ie partial funding)
- Specific activity or equipment costs
- Community services, community arts, information and education, etc
- Short term or contract staff (e.g. providing training or skills development)

Examples of one-off projects previously funded include the establishment of a Ranger / Guide Unit, the purchase of equipment for children with a disability, a contribution towards a wheelchair hoist for a new community bus and training workshops for a local writers' group.

One-off grants must be expended within the financial year funds are provided.

The following components or costs **will not** be funded by one-off grants:

- Non-specific operational expenditure, eg. Administration
- General shortfalls in funding by Government Departments
- Ongoing salary costs
- Completed projects
- Profit making projects
- Duplication of existing community and cultural services
- Projects which could be funded by alternative Government funding sources.

Recurrent funding made available through Council, will be on a 3 year contractual basis. Organisations requesting funds beyond 3 years will need to reapply on a 3 year basis. Given the demand for funds, it is unlikely that recurrent funding will be extended beyond

three years.

The following components or costs **will not** be funded by recurrent grants:

- General shortfalls in funding by Government Departments for administrative functions
- Projects which could be funded by alternative Government funding sources
- Completed projects
- Profit making projects
- Duplication of existing community & cultural services
- One off projects

In some instances funding may be made available to assist community groups or organisations facing viability issues.

#### 4. THE APPLICATION PROCESS

##### 4.1 Approximate Timetable for Grant Funding

Grants program publicised	February
Closing date for all applications	March
Assessment of applications	April
Report to Council	May
Information obtained to process successful applications	June
Distribution of grant monies to successful applicants	July

The timetable will be made available when the grants are advertised.

Requests for funding **must be submitted on the Application Form provided for the Community and Cultural Development Grants Program.**

**Form A should be completed for grant applications up to \$1,000 and Form B for grants over \$1,000.**

##### 4.2 General Requirements

- There is only one grant program and applicants can only request funding for either a recurrent grant or a one off small grant per year.
- Applicants can apply for funding for one project only per annum
- Faxed, late or incomplete application forms will not be accepted
- Additional supporting items such as brochures, annual reports, and research material can be attached to the application form

##### 4.3 APPLICATION CRITERIA

The merit of an application for funding will be judged against the following criteria and the degree to which it addresses any, or all of these criteria:

- Extent to which application meets the broad principles of Council's policies on Grants, Donations and Subsidies, as outlined in the introduction section

- The objectives of the Grants Program
- Extent to which application addresses identified community needs and the Local Area Priorities Statement produced by Council
- Innovative projects
- Numbers of Randwick City residents to benefit from this project
- Ability of the applicant to access other funds including effort undertaken by applicant to source alternate funding
- Resources to be contributed to the project by the applicant
- Clearly stated goals and project plan
- A realistically costed budget
- Demonstrated capacity / experience to manage projects and services
- Extent of community involvement in the development of the project / program

#### 4.4 Supporting Documentation

Applicants are required to submit the following documentation with their application where applicable

- Proof of the organisation's non profit status (e.g. copy of Certificate of Incorporation)
- The current constitution or Articles of Association of the organisation
- A copy of the minutes of the last Annual General Meeting
- Copies of written quotes if purchasing equipment over \$1,000

### 5. ASSESSMENT PROCESS

The assessment process will involve the following steps:

- All grant applications will be considered and assessed in accordance with the above application criteria
- On some occasions a Council Officer may seek further information from the applicant
- Recommendations will be forwarded to the Council for approval
- Applicants will be advised within 4 weeks of Council's decision
- Successful applicants will be required to:
  - sign a funding agreement
  - advise of their GST status
  - comply with Council's GST procedures for the grant

### 6. CONDITIONS OF THE GRANT

- Funds must be deposited in an account in the organisation's name and used solely for the purpose specified in the application
- All publicity relating to the project/service, including any annual reporting, must acknowledge Randwick City Council's contribution
- A Community and Cultural Development Grants Evaluation Report Form must be completed by the end of the project or on an annual basis (whichever applies)
- Any unspent monies are to be returned to Council as soon as the project has been finalised
- Unspent grant funding cannot be carried over from one year to the next

However, while it is not encouraged, in special circumstances Council may consider requests from organisations to carry over funds not expended within the grant period.

## **7. ENQUIRIES**

All enquiries should be directed to:

Community Development  
Randwick City Council  
Telephone: 9399 0677  
Fax: 9319 1510  
Email: [community.grants@randwick.nsw.gov.au](mailto:community.grants@randwick.nsw.gov.au)



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**PART 2**  
**Randwick City Council**

**COMMUNITY AND CULTURAL DEVELOPMENT GRANTS 2007/8**

**APPLICATION FORM A**  
**(Grant applications up to \$1,000)**

*Important information for applicants*

Please read the Guidelines for the Community and Cultural Development Grants Program carefully before completing this Application Form.

**Please Note** You can apply for funding for **One Project Only** per annum

Forms can be handwritten or typed but must be no longer than the Application Form provided. Application forms are available in hard copy or electronic version.

**Remember: late, faxed, or incomplete applications cannot be considered.**

If there are any questions or applicants require assistance to complete the form, please contact

.....on 9399 .....

**Closing date .....**

Mail completed forms to:

**The General Manager**  
**Community and Cultural Development Grants Program**  
**Randwick City Council**  
**30 Frances Street**  
**Randwick 2031**

**Or email to: [community.grants@randwick.nsw.gov.au](mailto:community.grants@randwick.nsw.gov.au)**

**Marked to the attention of .....**



**COMMUNITY AND CULTURAL DEVELOPMENT GRANTS  
2007/2008**

**Application Form A (Grants applications up to \$1,000)**

**1. CONTACT DETAILS**

1.1 Name of organisation:

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1.2 Street address:

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1.3 Postal address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

1.4 Contact Person:

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1.5 Position:

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1.6 Telephone number:

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1.7 Fax number:

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1.8 Email address:

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**2. THE WORK OF YOUR ORGANISATION**

2.1 What are the main activities of your organisation? (*describe briefly or attach a brochure*)

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2.2 Who benefits from the work of your organisation? (*tick as many as applicable*)

- Children  
 Youth  
 Adults  
 People aged 65+ years  
 People with a Disability  
 Aboriginal and Torres Strait Islander people  
 People from a Culturally Diverse and Linguistically Diverse Background  
 Women  
 All population groups  
 Cultural groups (*please specify*) \_\_\_\_\_  
 Other (*please specify*) \_\_\_\_\_

### 3. THE STRUCTURE OF THE AUSPICING ORGANISATION

3.1 When was the organisation established?

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3.2 Is it a non-profit community organisation?  yes  
 no

3.3 Is the organisation an Incorporated Association or similar?  yes  
 no

If no, does it have:

- A Constitution with aims and objectives?  yes  
 no  
 Office Bearers?  yes  
 no  
 Public Liability Insurance?  yes  
 no

**4. APPLICATION SUMMARY**

Amount requested: \$ \_\_\_\_\_

One-off           Recurrent  on an annual basis up to 3 years

**5. PROGRAM/PROJECT AIMS**

5.1 Description of the project:

\_\_\_\_\_ -

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5.2 What are the aims of the program/project?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5.3 Application criteria. Please detail how your application addresses the application criteria.

*(Refer to the criteria set out in the Guidelines 4.3)*

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5.4 If the program's / project's funding request is one-off, will it have continuous funding implications? If so, please provide details of how the organisation intends to meet this ongoing obligation?

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5.5 How does the program/project meet an identified community need.

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5.6 Who will benefit from this program / project?  
*(brief description of target group/s and number of people)*

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5.7 Where will the program / project be located / provided? *(list suburbs)*

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5.8 Have other relevant organisations been consulted regarding this program/project, and if so who? *(Please provide contact details)*

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5.9 Is this program, project or service already assisted by an existing Government funding program?

yes       no    If yes, please provide details.

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5.10 Has your organisation managed a similar program/project previously?

yes       no    If yes, please provide details.

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5.11 How will the funded activity be monitored and evaluated?

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5.12 Please provide details of non-financial contributions to be provided to the project?

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5.13 What is the proposed commencement and completion date for the project?

\_\_\_\_\_

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5.14 How will Council's support be acknowledged?

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

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## 6. PROJECT BUDGET

6.1 Total amount requested: \$ \_\_\_\_\_

Proposed budget

Item	Cost
Total	\$

6.2 Is the organisation willing to accept partial funding?

no

yes

6.3 Is the organisation registered for GST.

yes

no

If yes, what is the ABN \_\_\_\_\_

## 7. OTHER FUNDING

- 7.1 Do you receive funding from other sources?  yes  
 no  
 If yes indicate where from:
- State government  yes  
 no
- Commonwealth government  yes  
 no
- Fees  yes  
 no
- Donations  yes  
 no
- Fundraising  yes  
 no
- Community sponsorship  yes  
 no
- Commercial sponsorship  yes  
 no
- Other (please detail) \_\_\_\_\_

7.2 Has a copy of the organisation's latest Annual Report or Financial Statement been included?

- yes  
 no

7.3 Is the organisation contributing funds from other sources to this project?

no

yes

If yes, please provide details \_\_\_\_\_

7.4 Is this project eligible for State or Commonwealth Government funding?

no

yes

If yes, please specify \_\_\_\_\_

## 8. PREVIOUS FUNDING FROM RANDWICK COUNCIL



8.1 Has the organisation received funding from Randwick City Council in the past two years? *(If yes, please provide details. If no, please proceed to Q8.2)*  yes  
 no

2005/2006    Amount \$ \_\_\_\_\_ Project \_\_\_\_\_

2006/2007    Amount \$ \_\_\_\_\_ Project \_\_\_\_\_

If yes have funds from previous years been fully spent?  yes  
 no

Has the organisation provided information about completion of the expenditure?  yes     no

8.2 Has the organisation received 'in kind' support from Council within the last two years?  yes  
(e.g. rental subsidy, waiving of fees etc)  no  
 no

If yes, please describe briefly

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DECLARATION**

I confirm that, to the best of my knowledge, the information within this Form is true and correct.

This application has been approved by the Management (or other) Committee.

*Name:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(President/Chairperson or Secretary/Treasurer)*

*Signature:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Telephone:* \_\_\_\_\_

*Date:* \_\_\_\_\_

**ATTACHMENTS**

As appropriate / necessary please find attached:

Organisation brochure	<input type="checkbox"/> yes	<input type="checkbox"/> no
Most recent Annual Report or financial statement	<input type="checkbox"/> yes	<input type="checkbox"/> no
Proof of non profit status	<input type="checkbox"/> yes	<input type="checkbox"/> no
Current Constitution/Articles of Association	<input type="checkbox"/> yes	<input type="checkbox"/> no
Minutes of the last Annual General Meeting	<input type="checkbox"/> yes	<input type="checkbox"/> no

Written quotes  yes  no

Please specify any other attachment:  yes  no

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**PART 2**  
**Randwick City Council**  
**COMMUNITY AND CULTURAL DEVELOPMENT GRANTS 2007/8**

**APPLICATION FORM B**  
**(Grants applications over \$1,000)**

*Important information for applicants*

Please read the Guidelines for Community and Cultural Development Grants Program carefully before completing this Application Form.

**Please Note** You can apply for funding for **One Project Only** per annum

Forms can be handwritten or typed but must be no longer than the Application Form provided. Application forms are available in hard copy or electronic version.

**Remember: late, faxed, or incomplete applications cannot be considered.**

If there are any questions or applicants require assistance to complete the form, please contact .....on 9399 .....

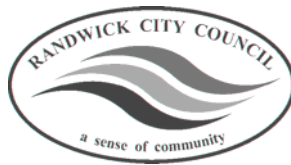
**Closing date .....**

Mail completed forms to:

**The General Manager**  
**Community and Cultural Development Grants Program**  
**Randwick City Council**  
**30 Frances Street**  
**Randwick 2031**

**Or email to: [community.grants@randwick.nsw.gov.au](mailto:community.grants@randwick.nsw.gov.au)**

**Marked to the attention of .....**



**COMMUNITY AND CULTURAL DEVELOPMENT GRANTS  
2007/2008**

**Application Form B (Grants more than \$1,000)**

**1. CONTACT DETAILS**

1.1 Name of organisation:

\_\_\_\_\_

1.2 Street address:

\_\_\_\_\_

1.3 Postal address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

1.4 Contact Person:

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1.5 Position:

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1.6 Telephone number:

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1.7 Fax number:

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1.8 Email address:

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## 2. THE WORK OF YOUR ORGANISATION

2.1 What are the main activities of your organisation? (*describe briefly or attach a brochure*)

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2.2 Who benefits from the work of your organisation? (*tick as many as applicable*)

- Children
- Youth
- Adults
- People aged 65+ years
- People with a Disability
- Aboriginal and Torres Strait Islander people
- People from a Culturally Diverse and Linguistically Diverse Background
- Women
- All population groups
- Cultural groups (*please specify*) \_\_\_\_\_
- Other (*please specify*) \_\_\_\_\_

**3. THE STRUCTURE OF THE AUSPICING ORGANISATION**

3.1 When was the organisation established?

\_\_\_\_\_

3.2 Is it a non-profit community organisation?  yes

no

3.3 Is the organisation an Incorporated Association or similar?  yes

no

If no, does it have:

A Constitution with aims and objectives?  yes

no

Office Bearers?  yes

no

Public Liability Insurance?  yes

no

**4. APPLICATION SUMMARY**

Amount requested: \$\_\_\_\_\_

One-off           Recurrent  on an annual basis up to 3 years

**5. PROGRAM/PROJECT OUTLINE**

5.1 Description of the project:

\_\_\_\_\_ -

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

-

\_\_\_\_\_

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5.2 What are the aims of the program/project?

\_\_\_\_\_

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5.3 Application criteria. Please detail how your application addresses the application criteria.

*(Refer to the criteria set out in the Guidelines 4.3)*

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5.4 If the program's / project's funding request is one-off, will it have continuous funding implications? If so, please provide details of how the organisation intends to meet this ongoing obligation?

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5.5 If the program's / project's funding request is recurrent please provide a justification?  
*(as per the funding guidelines Part 3)*

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5.6 How was the need for the program/project identified? Please indicate source of data, from Council planning documents or your own research. *(See attached priorities statement)*

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5.7 How does the program/project meet an identified community need.

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5.8 Who will benefit from this program / project?  
*(brief description of target group/s and number of people)*

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5.9 Where will the program / project be located / provided? *(list suburbs)*

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5.10 Have other relevant organisations been consulted regarding this program/project, and if so who? *(Please provide contact details)*

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5.11 Demonstrate how the program's / project's objectives encourage community involvement? How does it facilitate access to services and programs by the whole community?

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5.12 Is this program, project or service already assisted by an existing Government funding program?

yes       no    If yes, please provide details.

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5.13 Has your organisation managed a similar program/project previously?

yes       no    If yes, please provide details.

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5.14 How will the funded activity be monitored and evaluated?

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5.15 Please provide details of non-financial contributions to be provided to the project?

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5.16 What is the proposed commencement and completion date for the project?

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5.17 How will Council's support be acknowledged?

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## 6. PROGRAM PLAN

Please provide a Program Plan detailing how the program / project will be implemented from beginning to end.

Task	Responsibility	Time Frame

## 7. PROJECT BUDGET

7.1 Total amount requested: \$ \_\_\_\_\_

Proposed budget

Item	Cost
Total	\$

7.2 Is the organisation willing to accept partial funding?  yes  
 no

7.3 Is the organisation registered for GST.  yes  no  
 If yes, what is the ABN \_\_\_\_\_

### 8. OTHER FUNDING

8.1 Do you receive funding from other sources?  yes

no

If yes indicate where from:

State government

yes

no

Commonwealth government

yes

no

Fees

yes

no

Donations

yes

no

Fundraising

yes

no

Community sponsorship

yes

no

Commercial sponsorship

yes

no

Other (please detail) \_\_\_\_\_

8.2 Has a copy of the organisation's latest Annual Report or Financial Statement been included?

yes

no

8.3 Is the organisation contributing funds from other

sources to this project?  yes  
 no

If yes, please provide details\_\_\_\_\_

8.4 Is this project eligible for State or Commonwealth Government funding?  yes  
 no

If yes, please specify\_\_\_\_\_

**9. PREVIOUS FUNDING FROM RANDWICK COUNCIL**

9.1 Has the organisation received funding from Randwick City Council in the past two years?  
*(If yes, please provide details. If no, please proceed to Q9.2)*  yes  
 no

2005/2006 Amount \$\_\_\_\_\_Project\_\_\_\_\_

2006/2007 Amount \$\_\_\_\_\_Project\_\_\_\_\_

If yes have funds from previous years been fully spent?  yes  
 no

Has the organisation provided information about completion of the expenditure?  
 yes  no

9.2 Has the organisation received 'in kind' support from Council within the last two years?  
(e.g. rental subsidy, waiving of fees etc)  yes  
 no

If yes, please describe briefly  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DECLARATION**

I confirm that, to the best of my knowledge, the information within this Form is true and correct.

This application has been approved by the Management (or other) Committee.

*Name:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(President/Chairperson or Secretary/Treasurer)*

*Signature:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Telephone:* \_\_\_\_\_

*Date:* \_\_\_\_\_

**ATTACHMENTS**

As appropriate / necessary please find attached:

Organisation brochure	<input type="checkbox"/> yes	<input type="checkbox"/> no
Most recent Annual Report or financial statement	<input type="checkbox"/> yes	<input type="checkbox"/> no
Proof of non profit status	<input type="checkbox"/> yes	<input type="checkbox"/> no
Current Constitution/Articles of Association	<input type="checkbox"/> yes	<input type="checkbox"/> no
Minutes of the last Annual General Meeting	<input type="checkbox"/> yes	<input type="checkbox"/> no

Written quotes

yes

no

Please specify any other attachment:

yes

no

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## *Director, City Services' Report 150/2005*

<b>SUBJECT:</b>	PROPOSED NAMING OF STREETS - BAYBROOK PROJECT 1-81 LITTLE BAY ROAD, LITTLE BAY
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<b>DATE:</b>	25 November, 2005	<b>FILE NO:</b>	F2004/07140
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**REPORT BY:** DIRECTOR, CITY SERVICES

### **INTRODUCTION:**

Council at its meeting held on 18 October, 2005, considered the attached Director's Report and on the Motion of Councillor Andrews and Councillor Procopiadis resolved that :-

(a) *Council advertise in the local paper the proposal to name the streets:*

- i. Clonard Way*
- ii. Esperance Close*
- iii. Cove Circuit*

*and invite interested parties to make written submissions with their views of the suggested names or other names in keeping with the history of the area;*

(b) *Council notify the Geographical Names Board of the proposal;*

(c) *Council notify Clarendon Property Group Developments Pty Ltd of its intention to call for submissions from interested parties; and*

(d) *a report be brought back to Council after the closing date of all submissions.*

### **ISSUES:**

In accordance with Council resolution, an advertisement was placed in the "Southern Courier" seeking submissions from interested parties and inviting them to make written submissions with their views of the suggested names or other names in keeping with the history of the area.

At the closing date of 30 November, 2005, two submissions were received.

- **First submission** Mr Bob Davis for the Division Manager, Information Sourcing, Department of Lands (dated 31 October, 2005) advising Council “*that the following road names of Clonward Way, Esperance Close and Cove Circuit have been reviewed and there is no objection to their use.*”
- **Second submission** Tracey Cooley, on behalf of Aboriginal people (dated 2 November, 2005) who writes as follows:-

*“In response to the article in the Mayor’s Column in the ‘Southern Courier’ dated 1 November, 2005, which have read with interest the above article.*

*The article specifically stipulates that the proposed names currently being considered are in keeping with the history of the area. Although I am not familiar with these names as being historically connected, I am however, very familiar with the following names of –*

<i>*Timbery</i>	<i>*Foster</i>	<i>*Ella</i>	<i>*Lyons</i>	<i>*Cooley</i>
<i>*Stewart</i>	<i>*Longbottom</i>	<i>*Trindall</i>	<i>*Simms</i>	<i>*Ryan</i>
<i>*Dixon</i>	<i>*Pittman</i>	<i>*Williams</i>		

*all of which are associated with the Aboriginal community of the La Perouse, Little Bay, Matraville and Malabar area and have more for a historical and contemporary connection to this area.*

*I am disappointed that whenever Council considers such things, a naming parks or streets that they seldom put forward the names of Aboriginal people either in the context of historical connection or otherwise.*

*Therefore on behalf of the aboriginal community within the Randwick Local Government area, I am recommending that Council reconsider the names put forwarded for the streets in the Baybrook Project, Little Bay and give serious consideration to the name put forward as outlined above. I look forward to Council’s reply.”*

#### **FINANCIAL IMPACT STATEMENT:**

There is no direct financial impact for this matter.

#### **CONCLUSION:**

As stated in the Director’s Report No. 121/2005, the process of naming streets undoubtedly provides an opportunity to commemorate and associate the local history and culture of an area. It is emphasised that there is a multitude of road names that could be applicable to this site, provided they fit within the guidelines of the Geographical Names Board.



**RECOMMENDATION:**

That Council adopt the names originally submitted by Clarendon Property Group Developments Pty Ltd (known as CPG Development Pty Ltd) and advertised in the "Southern Courier" being -

- i. Clonard Way*
- ii. Esperance Close*
- iii. Cove Circuit*

That the Geographical Names Board, Clarendon Property Group Developments Pty Ltd and Tracey Cooley be notified of Council's decision.

**ATTACHMENT/S:**

Director, City Services' Report 121/2005 - Ordinary Council Meeting 18 October, 2005.

.....  
JORDE FRANGOPLES  
DIRECTOR, CITY SERVICES

.....  
MARK SHAW  
MANAGER TECHNICAL  
SERVICES



## *Director, City Services' Report 121/2005*

<b>SUBJECT:</b>	NAMING OF STREET NAMES - BAYBROOK PROJECT 1 - 81 LITTLE BAY ROAD, LITTLE BAY.
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<b>DATE:</b>	7 October, 2005	<b>FILE NO:</b>	F2004/07140
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**REPORT BY:** DIRECTOR, CITY SERVICES

### **INTRODUCTION:**

A letter has been received from Mr Mark Dibben, Development Manager, Clarendon Property Group Developments Pty Ltd, (known as CPG Developments Pty Ltd) which read as follows:-

*“We are writing to you to request Council’s approval of the street names for the Baybrook development at Little Bay.*

*The submitted street names for approval are as follows –*

- 1) Clonard Way*
- 2) Esperance Close*
- 3) Cove Circuit.*

*The majority of the proposed names were derived in consultation with the La Perouse Precinct Committee. For your reference I have attached a copy of an email from the La Perouse Precinct Committee outlining the full list of suggested names. Also attached is a copy of the Master Plan indicating the location and extent of each street name for the development.*

### **ISSUES:**

The guidelines of the Geographical Names Board require Council to consider any submissions received and if considered appropriate that other written submissions be invited from interested parties, by placing an advertisement in the local paper and also seeking opinion of the names recommended by Clarendon Property Group Developments Pty Ltd, and after the closing date, a further report be submitted for Council’s consideration for determination.

**FINANCIAL IMPACT STATEMENT:**

There is no direct financial impact for this matter.

**CONCLUSION:**

The process of naming streets undoubtedly provides an opportunity to commemorate and associate the local history and culture of an area. The heritage significance of this area should be well reflected through the naming of the roads within the site, and the area has an abundant heritage encompassing its past and present Aboriginal association, its European history and its relationship to the local community. Hence it is ideal that the recommended names be derived from these sources.

All of the submissions should aim to commemorate either particular historical figures and/or the historical cultural significance of the area. It is emphasised that there is a multitude of road names that could be applicable to this site, provided they fit within the guidelines of the Geographical Names Board.

**RECOMMENDATION:**

That:

- 1) Council advertise in the local paper the proposal to name the streets -
  - a) Clonard Way
  - b) Esperance Close
  - c) Cove Circuitand invite interested parties to make written submissions with their views of the suggested names or other names in keeping with the history of the area
- 2) Council notify the Geographical Names Board of the proposal.
- 3) Council notify Clarendon Property Group Developments Pty Ltd of its intention to call for submissions from interested parties.
- 4) A report be brought back to Council after the closing date of all submissions.

**ATTACHMENT/S:**

Attachment 1

.....  
JORDE FRANGOPLES  
DIRECTOR, CITY SERVICES

.....  
MARK SHAW  
MANAGER - TECHNICAL  
SERVICES

Randwick City Council

06 OCT 2005  
Records Received

The General Manager  
Randwick City Council  
30 Frances Street  
RANDWICK NSW 2031

Attn: Mr John Earls

Dear John,

**Re: Application for Approval of Street Names – Baybrook Project 1- 81 Little Bay Rd Little Bay**

We are writing to you to request Councils approval, of the street names for the Baybrook development at Little Bay.

The submitted street names for approval are as follows:

1. Clonard Way
2. Esperance Close
3. Cove Circuit

The majority of the proposed names were derived in consultation with the La Perouse Precinct Committee, for your reference I have attached a copy of an email from the La Perouse Precinct Committee outlining the full list of suggested names. Also attached is a copy of the master plan indicating, the location and extent of each street name for the development.

In addition to the street names, we wish to advise you that we have also used some of the names as suggested by the La Perouse Precinct Committee, for the naming of the houses for marketing purposes, with these names being:

1. Albi
2. Bass
3. Baudin
4. D'Urville
5. Sirius
6. Tasman

Should you have any questions relating to this, please do not hesitate to contact me on 82736033

Yours Faithfully  
CPG Developments

A handwritten signature in blue ink, appearing to read "Mark Dibben", is written over a light blue horizontal line.

Mark Dibben  
Development Manager

CPG Developments Pty Ltd ABN 44 003 885 149  
Level 15, 56 Pitt Street, Sydney NSW 2000 DX 10197 Sydney Stock Exchange  
t (02) 8273 6000 f (02) 8273 6099 w www.cpgdevelopments.com.au





## ***Director, Governance & Financial Services' Report 53/2005***

<b>SUBJECT:</b>	CODE OF CONDUCT AND RELATED POLICIES
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<b>DATE:</b>	7 December, 2005	<b>FILE NO:</b>	F2004/06901 xr F2005/00176
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**REPORT BY:** DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

### **INTRODUCTION:**

A report in relation to the adoption of the Department of Local Government's Model Code of Conduct, was considered at the Council Meeting of 22 February 2005. Council adopted the Model Code of Conduct and noted that:

*"The Director Governance, Management & Information Services is reviewing associated policies currently contained in Council's Policy Register which may be affected by the new Code of Conduct and will report back to Council on any required additions to the Code and deletions on policies superseded by the adoption of the new Code of Conduct."*

### **ISSUES:**

A review has been conducted of Council's Policy Register in accordance with the Council resolution of 22 February 2005 and the following policies have been found to be obsolete as a result of the adoption of the new Code of Conduct:

Policy No.	Policy Title	Comment
<b>1.03.11</b>	<b>Code of Conduct - Councillors</b>	<b>The provisions of this Code have been superseded by the new Code of Conduct.</b>
<b>1.04.01</b>	<b>Code of Conduct Guidelines</b>	<b>These Guidelines have been superseded by the new Code of Conduct &amp; the Department of Local Government's Guidelines for the Model Code of Conduct.</b>
<b>1.04.03</b>	<b>Code of Councillor Practice</b>	<b>This Code has been superseded by the new Code of Conduct, the Code of</b>

Policy No.	Policy Title	Comment
3.04.27	<b>Staff Code of Conduct</b>	<p><b>Meeting Practice &amp; the Provision of Information to &amp; Interaction between Councillors &amp; Staff Policy.</b></p> <p><b>The provisions of this Code have been superseded by the new Code of Conduct</b></p>

The Department of Local Government in December 2004, issued Guidelines to supplement the Model Code of Conduct. The Guidelines (a copy of which has been distributed under separate cover) includes the principles and key legislation that underpins the topics included in Council's Code of Conduct and includes suggestions for optional best practice for individual Council's consideration. The Guidelines also set out the administrative procedures that Councils should apply to reporting alleged breaches, dealing with allegations and sanctions that may be applied for proven breaches of the Code. The purpose of the Guidelines is to assist Councillors and staff to carry out their responsibilities under the Code of Conduct adopted by Council in February 2005, by providing additional information on how the principles in the Code of Conduct should be interpreted and applied in practice. The Guidelines include examples and case studies to illustrate the ethical problems that Council officials might encounter and strategies for dealing with them.

Having adopted the Model Code of Conduct, it is suggested that Council now adopt the Guidelines to the Code. If Council is to pursue the best practice options under the Guidelines, it will need to develop a number of operational policies/procedures to supplement the Code of Conduct & Guidelines. These policies will include Conflict of Interests Guidelines, a Gifts & Benefits Policy/Guidelines, Conduct Committee Guidelines and a Complaints Policy.

The Department of Local Government recently published a circular in relation to the implementation of the Model Code of Conduct. The circular suggests that Councils consider implementing a system of declaration forms and a process for Council officials to record any disclosures of interest prior to Council and Committee Meetings.

In accordance with the Department's recommendation, a Conflict of Interest Declaration Form has been developed (and a copy is attached to this report). Councillors are encouraged to use this form to declare interests that may arise outside of the Council/Committee Meeting process. For example, if a Councillor (in a personal capacity) were to submit a development application to the Council or if a Councillor were to have some professional dealings with the Council in a private capacity. It should be noted that this system of declarations will not replace the need for Council officials to disclose conflicts of interests when they arise during a meeting, whether they are unexpected or known and will not replace the requirements for Council officials to complete annual Disclosure of Interest Returns (under Section 449 of the *Local Government Act 1993*). This supplementary system will simply be a means by which Councillors can formally declare (for the public record) an interest in a matter that may be outside the bounds of the Council and Committee Meeting process. Any declarations made by Councillors in this manner will be recorded in Council's Conflict of Interests

Register and will be brought to the attention of any Council officer who may need to be aware of the conflict in their professional capacity.

The Department of Local Government's recent circular also suggests that Councils develop guidelines for the operation of their Conduct Committees. The suggested guidelines should include criteria to be used by Conduct Committees in assessing allegations of breaches of the Code of Conduct. Draft guidelines for Randwick City Council's Conduct Committee have been prepared (and a copy is attached to this report). The guidelines include procedures for making complaints, criteria and timelines for assessing complaints, requirements for reporting to Council and record keeping.

#### **FINANCIAL IMPACT STATEMENT:**

There is no direct financial impact for this matter.

#### **CONCLUSION:**

That it be noted that Council's adoption of the Department of Local Government's Model Code of Conduct in February this year, has resulted in the following policies being superseded:

- Staff Code of Conduct - Policy No. 3.04.27 – 28 May 2002
- Code of Conduct – Councillors - Policy No. 1.03.11 – 25 February 1997
- Code of Conduct Guidelines – Policy No. 1.04.01 – 18 October 1994
- Code of Councillor Practice – Policy No. 1.04.03 - 21 March 1995.

It is recommended that Council adopt:

- The Guidelines for the Model Code of Conduct for Local Councils in NSW;
- The new system referred to above for declarations of interests outside of the Council/Committee Meeting process;
- The attached Guidelines for the Operation of Randwick Council's Conduct Committee.

It is also recommended that Council officers review the best practice options contained within the Guidelines for the Model Code, with a view to developing policies, procedures or guidelines where deficiencies are identified between suggested policies in the Guidelines and Council's current policy/procedure documents.

#### **RECOMMENDATION:**

That:

- 1) The Department of Local Government's Guidelines for the Model Code of Conduct for Local Councils in NSW be adopted.
- 2) It be noted that Council's adoption of the Department of Local Government's Model Code of Conduct and the associated Guidelines, has resulted in the following Codes and Guidelines being superseded:
  - Staff Code of Conduct – Policy No. 3.04.27 – 28 May 2002



- Code of Conduct – Councillors - Policy No. 1.03.11 – 25 February 1997
  - Code of Conduct Guidelines – Policy No. 1.04.01 – 18 October 1994
  - Code of Councillor Practice – Policy No. 1.04.03 - 21 March 1995.
- 3) The Declaration of Conflict of Interests Form be adopted for use outside the Council/Committee Meeting process.
- 4) The Guidelines for the Operation of Randwick Council’s Conduct Committee (as attached to the staff report) be adopted.

**ATTACHMENT/S:**

1. Declaration of Conflict of Interests Form.
2. Draft Guidelines for the Operation of Randwick Council's Conduct Committee.
3. Randwick Council's Code of Conduct (based on the Department of Local Government's Model Code)-Distributed under separate cover.
4. The Department of Local Government's Model Code of Conduct Guidelines - Distributed under separate cover.

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

.....  
JULIE HARTSHORN  
SENIOR ADMINISTRATIVE  
COORDINATOR



## DECLARATION OF CONFLICT OF INTERESTS FORM

Section 6.6 of Randwick Council's Code of Conduct requires disclosures of interests to be made promptly, fully and in writing, where necessary. The Department of Local Government's view of the application of this Section of the Code of Conduct is that, if a disclosure is made in a meeting, then the disclosure must be recorded in the minutes. This constitutes a written record. In other circumstances, disclosures should be made in writing.

This form is to be used for Councillors and staff who wish to disclose conflicts or potential conflicts of interests outside the Council Meeting process. Any disclosure made using this process will be recorded in Council's Conflict of Interests Register and also communicated to any staff members who may need to be aware of the conflict in their professional capacity.

Conflict of interests refers to conflict between a Council official's public duty and a personal interest.

Name of person making the declaration: \_\_\_\_\_

Title of person making the declaration: \_\_\_\_\_

Address of person making the declaration:

\_\_\_\_\_

I declare that I have a conflict of interest or potential conflict of interest in the following matter:

\_\_\_\_\_

The nature of the interest is as follows:

\_\_\_\_\_

\_\_\_\_\_

The interest is:

Pecuniary (see S442 of the Local Government Act)

Non-pecuniary

If this is a pecuniary interest, you must comply with Chapter 14 of the Local Government Act.

If this is a non-pecuniary interest, what action do you propose to take?:

Continue to be involved in the matter as the interest will not effect my ability to act in an impartial manner

Remove myself from all involvement in the matter

Other, please specify

This matter **is/is not likely\*** to be considered at a Council/Council Committee Meeting. (\*strike out which ever is not applicable to the conflict in question)

Other details in relation to the disclosure (if applicable)

\_\_\_\_\_

Signature of person making the disclosure: \_\_\_\_\_

Date: \_\_\_\_\_

**Office use only**  
 Details of any action taken or proposed to be taken in relation to this declaration:

\_\_\_\_\_

\_\_\_\_\_

Signature of responsible Council officer: \_\_\_\_\_

Title of responsible Council officer: \_\_\_\_\_

Date: \_\_\_\_\_

**(Note: Completed forms should be filed in "TRIM" in the following folder:  
 F2004/07864)**



## GUIDELINES FOR THE OPERATION OF RANDWICK COUNCIL'S CONDUCT COMMITTEE

(In accordance with the Model Code of Conduct for Local Councils in NSW)

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### INTRODUCTION

1. These guidelines are made pursuant to the Model Code of Conduct for Local Councils in NSW (**the Code**) and the Guidelines for the Model Code of Conduct for Councils in NSW (**Guidelines**).
2. This document forms part of Council's Code of Conduct, adopted by Council on 22 February 2005.
3. The definitions used in the Model Code apply to these guidelines.
4. By this document, Council establishes a Conduct Committee to investigate allegations of breaches of the Code by Councillors and the General Manager.
5. Allegations against staff (other than the General manager) of a breach of the Code are not to be dealt with by the Conduct Committee, but should be dealt with in accordance with the Local Government (State) Award, the terms of any relevant enterprise agreements and Council's own disciplinary policies.
6. This document should be read in conjunction with Council's Internal Reporting Policy under the Protected Disclosures Act.
7. Pursuant to the guidelines, allegations of pecuniary interest must be reported to the Director General of the Department of Local Government (DLG) and will not be dealt with by the Conduct Committee. In contrast, allegations of non-pecuniary interests may be dealt with by the Conduct Committee.
8. The Conduct Committee must have regard to the obligations of Council under the following state laws:

- a. Freedom of Information Act 1982;
  - b. Privacy & Personal Information Protection Act 1998;
  - c. State Records Act 1998;
  - d. Protected Disclosures Act 1994
  - e. Health Records and Information Privacy Act 2002; and
  - f. Local Government Act 1993.
9. Where a provision of these guidelines is inconsistent with a provision of a state or Commonwealth law, including any of the laws set out at paragraph 8, the Conduct Committee must observe the relevant provision of the state or Commonwealth law.

#### **COMPOSITION OF CONDUCT COMMITTEE**

10. The Conduct Committee is to consist of:
- a. The Mayor;
  - b. The General Manager;
  - c. An independent person, being a person independent of Council and of appropriate standing appointed by the General Manager (or, if the complaint is in relation to the General Manager, then the Mayor, in consultation with the Deputy Mayor, or another Councillor appointed by Council). The independent person is to be a General Manager of another Council or an appropriate representative of the University of NSW.
11. In the instance of a complaint being made against the Mayor and/or the General Manager, or in circumstances where it is not appropriate for the Mayor/General Manager to act (as determined by the Mayor, the General Manager or the independent person) either the Deputy Mayor and/or another Councillor designated by Council will take the place of the Mayor and/or General Manager on the Conduct Committee.
12. Each member of the Conduct Committee must satisfy him or herself and the remaining members of the Conduct Committee that there are no conflicts of interest which would make it inappropriate for that member to conduct an investigation in any particular case.

#### **PROCEDURE FOR MAKING COMPLAINTS**

13. Councillors should refrain from making allegations of breaches of the Code of Conduct (**the Code**) at Council Meetings.
14. Council officials (being Councillors, members of staff or delegates of Council) are to report suspected breaches of the Code to the General Manager, in writing.
15. The General Manager must initially assess the complaint and decide whether the complaint is serious enough to warrant referral to the Conduct Committee.
16. Where the General Manager decides not to report the matter to the Conduct Committee, the General Manager must provide written reasons for the determination to the complainant.
17. A complaint about the General Manager is to be made in writing to the Mayor, who must refer the matter to the Conduct Committee.

#### **PRELIMINARY ASSESSMENT OF COMPLAINT**

18. If a complaint is to be referred to the Conduct Committee as determined by the General Manager (and the complaint does not relate to the General Manager) the General Manager will, prior to referring the matter to the Conduct Committee, attempt to or arrange for the matter to be mediated. The mediator to be either the General Manager or a professional mediator appointed by the General Manager.
19. If the General Manager decides not refer the complaint to the Conduct Committee after the mediation referred to in paragraph 18, then the General Manager must provide written reasons for the determination to the complainant.
20. The Conduct Committee is responsible for making enquiries into allegations of breaches of the Code and must either:
  - a. Determine not to make enquiries into the allegations and give the reasons for not doing so in writing;
  - b. Make enquiries into the alleged breach to determine particular factual matters; or
  - c. Engage an independent person to make enquiries into the allegations to determine the particular factual matters.

#### **TIME FOR ACTION**

21. To encourage the efficient resolution of complaints, the Conduct Committee must endeavour to observe the following time constraints:
  - a. Provide the complainant with acknowledgement of receipt of the complaint; within 7 days of receiving the complaint.
  - b. Initial assessment of the complaint and either referral of the complaint to the Conduct Committee or provision to the complainant of written reasons for determination to take no action; within 21 days of receiving the complaint.
  - c. Conduct Committee to convene and assess the complaint and decide on the course of action set out in paragraph 20; within 28 days of referral of the complaint to the Conduct Committee.
  - d. Investigation of the complaint and written report to Council; within 3 months of referral of the complaint to the Conduct Committee.

#### **CRITERIA FOR ASSESSING COMPLAINTS**

22. The Conduct Committee must use the following criteria in assessing allegations of breaches of the Code:
  - 22.1 When assessing whether or not to enquire into an allegation:
    - 22.1.1 Does the alleged conduct, if proven, constitute a breach or breaches of the Code? Reference should be made to the Guidelines, which provides examples of conduct constituting a breach of the Model Code and, where relevant, to Council policies referred to in the Code.
    - 22.1.2 Has the complainant been motivated by an improper purpose (eg. To avoid disciplinary action or dismissal, or as a "payback" for some perceived wrong on the part of the person against whom the complaint is made)?
    - 22.1.3 Is the allegation trivial, frivolous or vexatious?
    - 22.1.4 When did the matter(s) the subject of the allegation occur? Will it be possible to gather evidence by way of witness statements and documents?

- 22.1.5 Would it be more appropriate for the matter to be referred to another investigative body such as the Ombudsman, the Independent Commission Against Corruptions (ICAC), the DLG or the NSW Police?
- 22.2 Having determined to enquire into an allegation:
- 22.2.1 What is the scope and purpose of the enquiry? This should be set out in a written statement so that the enquiry has a focus.
- 22.2.2 What are the issues involved in the matter?
- 22.2.3 What action is required to enquire into each issue? For example;
- 22.2.3.1 Who does the Conduct Committee need to interview?
- 22.2.3.2 What documents and other physical objects may be required?
- 22.2.4 How reliable is the physical evidence? That is;
- 22.2.4.1 Where did it come from?
- 22.2.4.2 Who created it?
- 22.2.4.3 How did it come into the Conduct Committee's possession?
- 22.2.5 How reliable is the evidence of witnesses? That is;
- 22.2.5.1 Is the witness credible?
- 22.2.5.2 Are there any inconsistencies in the witness' own statement or between the witness' statement and other known facts?
- 22.2.5.3 Is the witness speaking from his/her own observations and actions?
- 22.2.6 Is expert assessment required? For example; accounting advice or scientific analysis of the evidence?
- 22.2.7 Is the evidence collected relevant to the matter the subject of the enquiry?
- 22.3 Having concluded the enquiry:
- 22.3.1 What are the Conduct Committee's findings?
- 22.3.2 Are the findings based on reliable and relevant evidence?
- 22.4 On the balance of probabilities, do the findings indicate that a breach of the Code has occurred?

For further assistance in conducting an enquiry, reference should be made to "*Fact-Finder – A 20-step guide to conducting an inquiry in your organisation*" published by the ICAC in November 2003.

### **PROCEDURAL FAIRNESS**

23. The Conduct Committee must ensure procedural fairness in determining whether a Councillor or the General Manager has breached the Code.
24. In making enquiries into alleged breaches of the Code, the Conduct Committee must:
- a. Inform a person(s) against whose interests a decision may be made of any allegations against them and the substance of any adverse comment in respect of them;
  - b. Provide the person(s) with reasonable opportunity to put their case;
  - c. Hear all parties to a matter and consider all submissions;
  - d. Make reasonable enquiries before making a recommendation;
  - e. Ensure that no person is involved in enquiries in which they have a direct interest;

- f. Act fairly and without bias; and
- g. Conduct the enquiries without undue delay.

#### **REPORTING TO COUNCIL AND RECOMMENDATIONS FOR ACTION**

- 25. The Conduct Committee must decide, after undertaking an investigation, whether a matter reported to it discloses a prima facie breach of the Code. The Conduct Committee must report its findings, and the reasons for those findings, in writing to the Council, the complainant and the person(s) the subject of the complaint.
- 26. The Conduct Committee may recommend that the Council take any actions provided for in these guidelines that the Conduct Committee considers reasonable in the circumstances.

#### **MITIGATING AND AGGRAVATING CIRCUMSTANCES**

- 27. If a breach has been found, the Conduct Committee must determine whether there are any mitigating or aggravating circumstances that may affect the Conduct Committee's recommendation for a sanction being imposed on the wrongdoer.
- 28. Mitigating circumstances could include:
  - a. It is the first time the wrongdoer has been reported to the Conduct Committee, or been involved in an incident of misbehaviour;
  - b. The breach was relatively minor;
  - c. The breach did not involve the wrongdoer acting dishonestly, with malice, in bad faith or for personal gain;
  - d. The wrongdoer showed remorse by making reparation for the breach;
  - e. The wrongdoer made an admission of guilt.
- 29. Aggravating circumstances could include:
  - a. The wrongdoer has been involved in incidents of misbehaviour in the past;
  - b. The wrongdoer abused a position of trust or authority (eg. Pressuring junior members of staff to disclose certain information);
  - c. The wrongdoer was induced to breach the Code for financial benefit; or
  - d. The wrongdoer tried to cover up the breach.

#### **SANCTIONS**

- 30. Where the Council finds that a Councillor has breached the Code, it may decide by resolution to take one or more of the following actions:
  - a. Censure the Councillor for misbehaviour in accordance with Section 440G of the Act;
  - b. Require the Councillor to apologise to any person adversely affected by the breach;
  - c. Counsel the Councillor;
  - d. Make public findings of inappropriate conduct;
  - e. Refer the matter to an appropriate investigative body if the matter is serious (eg. The DLG, the ICAC, the NSW Ombudsman or the NSW Police); or
  - f. Prosecute the Councillor for any breach of the law.
- 31. Where the Council finds that the General Manager has breached the Code, the sanction will depend on the severity, scale and importance of the breach. The Council may decide by resolution to take one or more of the following actions:



- a. Require the General Manager to apologise to any person adversely affected by the breach;
- b. Counsel the General Manager;
- c. Terminate the General Manager's employment pursuant to the terms of the General Manager's contract with the Council;
- d. Refer the matter to an appropriate investigative body if the matter is serious (eg. The DLG, the ICAC, the NSW Ombudsman or the NSW Police); or
- e. Prosecute the General Manager for any breach of the law.

#### **CONFIDENTIALITY AND RECORD KEEPING**

32. The Conduct Committee must keep full and accurate records of its activities in relation to assessing and investigating alleged breaches of the Code and in particular, must:
  - a. Ensure that a written record is kept in relation to all functions performed by the Conduct Committee, including;
    - i. Meetings;
    - ii. Interviews (including via telephone);
    - iii. Correspondence (including email correspondence);
    - iv. Reasons for determinations.
  - b. Establish and maintain a separate file for each complaint; and
  - c. Use its best endeavours to ensure the security and confidentiality of all records.
33. The Conduct Committee must use information collected in the course of an investigation into an alleged breach of the Code solely for the purposes of that investigation.
34. The General Manager or the Conduct Committee (as applicable) must, upon receiving a written complaint regarding an alleged breach of the Code, inform the complainant that, if the complainant is investigated by the Committee, the effective investigation of the matter and rules of procedural fairness may require the disclosure of information regarding the complaint that may identify the complainant. Such disclosure includes the reporting of the Conduct Committee's findings to the Council.

#### **CONDUCT OCCURRING PRIOR TO THE ADOPTION OF THE CODE**

35. The Conduct Committee's authority under these guidelines extends only to matters involving conduct allegedly occurring on or after the commencement of the Model Code, being 22 February 2005.

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Date of Guidelines: 22 November 2005.

## ***Director, Governance & Financial Services' Report 54/2005***



<b>SUBJECT:</b>	REVIEW OF COUNCILLORS' EXPENSES & FACILITIES POLICY
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<b>DATE:</b>	1 December, 2005	<b>FILE NO:</b>	F2005/00176
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**REPORT BY:** DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

### **INTRODUCTION:**

Section 252 of the Local Government Act requires Councils to adopt a policy for the payment of expenses incurred by and the provision of facilities to, Mayors, Deputy Mayors and other Councillors. Mayors, Deputy Mayors and other Councillors can only be reimbursed for expenses and provided with facilities, in discharging the functions of civic office, in accordance with this policy.

The current Councillors' Expenses & Facilities Policy is in need of review to:

- Incorporate the February 2005 amendments;
- Comply with the Department of Local Government's suggestion that a reasonable monetary limit be placed on the reimbursement of certain expenditure;
- Ensure the policy is up-to-date and comprehensive.

### **ISSUES:**

The purpose of the Councillors' Expenses & Facilities Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred by Councillors. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

The Councillors' Expenses & Facilities Policy was last reviewed at the 22 February 2005 Council Meeting, wherein it was resolved:

*"That the updated Policy No. 1.03.10 be adopted and be placed on public exhibition as required by Section 253 of the Local Government Act, subject to the following changes:*

- (a) *in Part 5, Clause (xvii), the number of Christmas Cards in the last line be increased from up to 150 to up to 300;*
- (b) *in Part 5, Clause (ii) (b), the limitation of call costs per month be increased from \$150 to \$200;*

- (c) *in Part 5, Clause (xvi), the last sentence, reading “Further, access to the internet at Councillors’ private residences through Council’s internal provider arrangements” be deleted and be replaced with “Further, Council will pay each Councillor up to \$50 per month for expenses relating to the provision of internet facilities at their private residences, as arranged by them with their external provider.”*

*“That, as a policy, the Council meet the expenses of Councillors’ and the General Manager’s spouses/partners if officially invited to functions/events representing the Council. Further, that the General Manager seek advice from the Department of Local Government and from the Council’s legal panel of solicitors on this matter.”*

Additional amendments, which were proposed in the draft policy referred to in the above resolution were as follows:

- (a) *“the inclusion of provision for visitation to Sister Cities and associated arrangements;*
- (b) *provision for attendance at conferences, etc., outside NSW;*
- (c) *the removal of references to the Council paying for, or allowing Councillors reimbursement for, costs or expenses attributable to the Mayor’s partner/spouse or Councillors’ spouses/partners;*
- (d) *a limitation being placed on the monthly call costs payable by Council for the Mayor and Deputy Mayor’s mobile phones (ceiling of \$300);*
- (e) *the recognition of updated technology by the provision of fax/phone/printer/copier/scanner facilities and a suitable laptop computer and connection/access arrangements;*
- (f) *provision of upgraded business cards bearing photographs of Councillors; and*
- (g) *inclusion of limits on the cost of postage available to Councillors and the number of Christmas cards provided to them.”\**

*\*extract from report to the 22 February 2005 Council Meeting.*

The draft policy referred to in the 22 February 2005 Council Meeting was never placed on public exhibition as, on 11 March 2005, the Local Government Association of NSW wrote to the Mayor indicating that it would be working with the Department of Local Government to draw up guidelines for setting reasonable expenses for Councillors and recommending that Councils postpone formulating new expense policies until the new guidelines were agreed. Unfortunately, the new guidelines have still not been agreed and draft guidelines are not yet available. Given the lengthy delay in the availability of the guidelines, it is recommended that Council should go ahead with advertising the changes proposed at the 22 February 2005 Council Meeting along with the additional changes proposed in this report to avoid any allegation that Councillors are being provided with facilities or are being reimbursed for expenses that are not included in its adopted policy.

**Legal advice in relation to the payment of spousal expenses**

While the Department of Local Government has indicated that the reimbursement of Councillors' spouses and partners under Section 252 is beyond the scope of the power of the section, Council's solicitors have indicated:

*"In order to be payable by Council, any expenses –*

- (1) must be incurred, or to be incurred, by the Mayor;*
- (2) must relate to discharging the function of civic office;*
- (3) must be in accordance with Council's adopted policy; and*
- (4) must not be a general expenses allowance."*

*"Under Section 226 of the Act the role of the Mayor includes "to carry out the civic and ceremonial functions of the mayoral office."*

*"Circular No. 04/60 of 22 December 2004 from the Department of Local Government is technically correct in stating that Council must not reimburse the expenses of the Mayor's spouse or partner, because Section 252 of the Act only authorises the payment of expenses incurred by the Mayor. If an expense is met by the spouse or partner, then the Act does not authorise Council to reimburse that expense.*

*However, there are many occasions when the attendance of a Mayor's spouse or partner is reasonably necessary or appropriate in order for the Mayor to fulfil his or her statutory role. If the relevant expenses of the spouse or partner are paid by the Mayor, then in my opinion, Council may reimburse those expenses in accordance with its adopted policy."*

*"As far as the payment of expenses of the spouse or partner of a Councillor is concerned, the same principles apply except that "the functions of civic office" in relation to a Councillor are those set out in Section 232(2) of the Act." being to:*

- represent the interests of the residents and ratepayers;
- provide leadership and guidance to the community;
- facilitate communication between the community and the Council.

A full copy of the legal advice in relation to this matter is attached.

**Changes proposed to be made to the policy (in addition to the 22 February changes)**

In addition to the changes put forward at the February 2005 Council Meeting, the following changes are proposed:

- Inclusion of policy objectives (page 2).
- Definition of reasonable out-of-pocket expenses associated with conferences, seminars, courses within NSW (page 3, clause (ix)).
- Inclusion of a clause in relation to interstate and overseas travel (page 4, clause (xii)).
- Provision that claims for reimbursement of expenditure may only be back-dated for a period of three (3) months or back to the beginning of the current financial year, whichever is the longer period of time (pages 5 & 9).

- Reference to Mayoral Chains of Office, Mayoral Robes and a refreshment cabinet in the Mayor's office (page 5).
- Provision for the reimbursement of Mayor's spouse/partner expenses in certain circumstances, in accordance with legal advice (page 5, clause (x)).
- Clarification that stationery items are for use on Council business and are subject to reasonable limits as determined by the General Manager (page 6, clause (iii)).
- Clarification that a maximum of 300 Christmas Cards per Councillor per annum will be provided for use in a Councillor's official capacity and that the cards will be arranged and ordered by Council staff in accordance with budgetary limitations (page 7, clause (iv)).
- Deletion of the reference to Councillors being provided access to Council files and other relevant documentation. This is not a matter for the Councillors' Expenses & Facilities Policy.
- Establishing an annual limit of \$600 for the reimbursement of child care expenses. This is considered to be a reasonable monetary limit and is in accordance with the Department's recommendation in Circular 40/60 of December 2004 (page 7, clause (xiv)).
- Clarifying that no unauthorised or unlicensed software is to be installed on Council laptops provided to Councillors and that Councillors must comply with Council's Internet & Email Usage Policy at all times when using the laptops (page 8, clause (xv)).
- Clarifying that an additional phone line will be provided at each Councillors place of residence, if required and provide for a maximum reimbursement of \$100 per Councillor per month for calls associated with the additional phone line. This is considered to be a reasonable monetary limit and is in accordance with the Department's recommendation in Circular 40/60 of December 2004 (page 8, clause (xvi)(a)).
- Standardising the type of mobile phone to be provided to Councillors (page 8, clause (xvi)(b)).
- Provision for the reimbursement for Councillors and spouses/partners expenses in certain circumstances, in accordance with legal advice (page 9, clauses (xix) and (xx)).
- Provision of an expenses claim form to be used in claiming reimbursement for expenditure (page 11).

Section 253 of the *Local Government Act* states that when substantially amending the Councillors' Expenses & Facilities Policy, 28 days public notice of the proposal must be given. Given that the changes proposed in this report are substantial and will generate a greater cost to Council, the changes will require public exhibition.

#### **FINANCIAL IMPACT STATEMENT:**

Other than the capital cost associated with the purchase of laptop computers for Councillors, the balance of the expenditure envisaged by the alterations to the policy can be accommodated within the existing Councillors' budget. The cost for the provision of laptop computers in the order of \$60,000 has been funded from the Information Technology (I.T.) Reserve.

**CONCLUSION:**

It is recommended that the attached (draft) Councillors' Expenses & Facilities Policy incorporating the amendments detailed in this report and also those detailed in the report to the 22 February 2005 Council Meeting, be placed on public exhibition in accordance with the requirements of Section 253 of the *Local Government Act* and that the matter be reported back to Council at the conclusion of the public exhibition period.

**RECOMMENDATION:**

That the draft Councillors' Expenses & Facilities Policy (as distributed) be placed on public exhibition in accordance with the requirements of Section 253 of the *Local Government Act* and that the matter be reported back to Council at the conclusion of the public exhibition period.

**ATTACHMENT/S:**

1. 1. Draft Councillors' Expenses & Facilities Policy .
2. Legal advice in relation to payment of expenses for Mayor/Councillor spouses and partners.

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

.....  
JULIE HARTSHORN  
SENIOR ADMINISTRATIVE  
COORDINATOR

Draft



## **PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY**

Adopted 15 February, 1994.  
Last revised 22 June, 2004.



## **PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY**

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## INTRODUCTION

This policy is made under the Local Government Act, 1993, including section 252 to 254. The Act requires that the Council must adopt a policy concerning the payment of expenses and the provision of facilities to the Mayor and other Councillors.

Section 428(2)(f) requires a council to include in its Annual Report:

- The total amount of money expended during the year on Mayoral fees and Councillor fees.
- Council's policy on the provision of facilities for, and the payment of expenses to Councillors.
- The total amount of money expended during the year on providing those facilities and paying those expenses.

Section 12 provides that the public is entitled to inspect the Council's policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors, free of charge, and may obtain a copy, either free of charge or on payment of reasonable copying charges.

## PART 1 - PRELIMINARY

### (i) Citation

This policy is in accordance with the requirements of the Local Government Act, 1993, and may be cited as the "Payment of Expenses and Provision of Facilities to Councillors Policy".

### (ii) Commencement

This policy was initially adopted by Council on 15th February, 1994.

### (iii) Policy objectives

- To ensure that the fees paid, civic expenses reimbursed and facilities provided to the Mayor, Deputy Mayor and Councillors are appropriate to the importance of the Office and are consistently applied and transparent.
- To ensure that no Councillors suffer hardship by reason of meeting their civic responsibilities as an elected person.
- To adequately reimburse Councillors for expenses incurred in the performance of their duties, including expenses incurred in becoming adequately informed on subjects relevant to their civic duties.

## PART 2 - CONFERENCES, SEMINARS AND VISITATIONS (Including Sister City relationships)

### Conferences, seminars, courses within NSW

- (i) Councillors may attend conferences, seminars and accredited courses within NSW without the approval of the Council.

However, approval to attend conferences and seminars within NSW must be determined by the Mayor and the General Manager upon a written request by the individual Councillor wishing to attend a conference, etc, stating the reasons why he or she wishes to attend and what benefits it will bring to the Council.

~ Page 2 ~

- (ii) The Mayor and Councillors may attend conferences, seminars and accredited courses outside NSW only with approval of the Council, and shall submit a written request for this purpose stating the reasons why he or she wishes to attend and what benefits it will bring to the Council.
- (iii) The Mayor may attend conferences in NSW as necessary without approval. Further, all Councillors are eligible to attend the Annual Conference of the NSW Local Government Association and all female Councillors are eligible to attend the Annual Australian Local Government Women's Association's NSW Branch Conference.
- (iv) No advance sustenance allowance will be paid, but that the actual cost of meals, which are not provided as part of the approved conference or seminar programme, be met by Council (by way of reimbursement to Councillors following their return).
- (v) The council will pay all normal registration costs which are charged by organisers including the cost of related official luncheons, dinners and tours which are relevant to the interest of the Council or assist Councillors to discharge the functions of their civic office.
- (vi) Full economy airfare will be used by Councillors travelling to and from conferences, except where a Councillor indicates he/she is confident that no changes will be made to the proposed itinerary in which case a review of the cheapest fares available be undertaken. Further, that in all cases, advantage be taken of special conference discount fares to achieve significant economies in travel expenses.
- (vii) If a private motor vehicle is used the "mileage" allowance will be paid at the then current rate set by the NSW Local Government (State) Award.  
  
If a Councillor decides to drive his/her own vehicle to an intrastate or interstate conference, the mileage allowance payable to that individual is not to exceed the return economy class air fare for travel to the destination in question.  
  
Costs of vehicle hire and/or taxi fares which are reasonably incurred while attending conferences will be reimbursed by the Council.
- (viii) Reasonable accommodation costs, including the night before and/or after the conference where this is necessary, will be met by the Council for conferences and seminars outside the Sydney metropolitan area.
- (ix) Reasonable business out-of-pocket expenses will be reimbursed for costs associated with attending the conference, seminar, meeting or function. Reasonable out-of-pocket expenses will be limited to: parking fees; taxi fares; meals not included in the conference program and the reasonable cost of drinks accompanying a meal. Council will not meet the cost of laundry or the cost incurred for the use of a bar-fridge in a hotel room.

- (x) Where the attendee is accompanied by his or her spouse/partner, the Council will not pay for any cost supplement involved in the accommodation. All costs for the spouse/partner (including travel, tours, meals etc.) are to borne by the attendee.
- (xi) Any visitations to, and travel and accommodation costs associated with, sister city arrangements by Randwick Councillors must be approved by a Council Meeting prior to acceptance of any invitations, and any gifts or benefits associated with such visits by both parties shall show full regard to the requirements of both Councils' Codes of Conduct.

**Interstate & overseas travel**

- (xii) Council will pay the same expenses as detailed above (for conferences within NSW) for Councillors travelling interstate and overseas on Council business only if Council resolves that such travel be undertaken. The proposal will be considered at an Open Council Meeting through a report from the General Manager. Reports are to indicate:
  - o The total cost of the travel and a break-down of the total cost into the following areas - transport, accommodation and out-of-pocket reimbursement of expenses per person (including any amounts expected to be reimbursed by participants).
  - o Who is to take part in the travel;
  - o The length of the stay overseas;
  - o The purpose of the travel and the objectives to be achieved in undertaking the travel, including an explanation of what community benefits are expected as a result of the travel;
  - o Where exceptional cases arise for overseas travel (ie. the travel has not been documented in Council's adopted Management Plan) and travel has to be undertaken at short notice, the report to the Council will include why the travel is considered to be exceptional.

If the trip is to be sponsored by private enterprise, ICAC guidelines and reporting structures shall be followed.

For overseas travel, a daily meal and an incidental expenses allowance will be paid to each authorised attendee in accordance with the Australian Taxation Office determination in relation to reasonable travel and meal allowance expense amounts, provided that such expenses are subject to a period of stay not exceeding the period for the conference or authorised business plus one day each way for travelling.

[Note: the Ruling for the 2005-2006 financial year is TD 2005/32 and is available on the ATO Legal Database at [www.ato.gov.au](http://www.ato.gov.au). The median salary range will be used]

Claims for reimbursement of conferences/seminars/courses expenses must be submitted on the claim form attached to the policy.

**Reimbursements for conferences, seminars and visitations must be verified by the provision of receipts.**

**Claims for reimbursement of expenses must be submitted on the claim form attached to this policy (see Appendix A).**

**Claims for reimbursement of expenditure may be back-dated for a period of three (3) months or back to the beginning of the current financial year (whichever is the longer period of time).**

### **PART 3 - FACILITIES FOR MAYOR**

The Mayor is entitled to receive:

- (i) A Mayoral Fee (Allowance) to be set by Council annually following determination by the Remuneration Tribunal.
- (ii) Full private use of the Council's Mayoral vehicle.
- (iii) A mobile telephone (and car kit) with the rental and maintenance, to be paid by the Council, but with a limitation of \$300 per month as the maximum call cost to be borne by the Council. (Note: There is a requirement for utilization of the "Call Select" (\*) or other mobile provider's facility which allows for private mobile telephone calls to be segregated for billing purposes and which allows the raising of Sundry Debtors accounts by Council relating to private use.)
- (iv) Mayoral name badges.
- (v) Chauffeur services when required on Council matters.
- (vi) Office accommodation at the Town Hall and standard business equipment. The provision of a refreshment cabinet in the Mayor's Office maintained and stocked by the Council within budgetary limits.
- (vii) A copy of the Local Government Act and Regulations in the Mayor's Office.
- (viii) Use of the Mayoral Robes and Mayoral Chain of Office while acting in the official capacity of Mayor.
- (ix) Reimbursement for reasonable expenses incurred by the Mayor in attending functions or performing duties in the role of Mayor.
- (x) Expenses of the Mayor's spouse/partner in the following circumstances:
  - a. Where the reasonable expenses of the spouse/partner have been met by the Mayor; and
  - b. The Mayor's spouse/partner has been officially invited to and has accompanied the Mayor to a function/event; and
  - c. The function relates to the discharge of the civic and/or ceremonial functions of the Mayor; and

~ Page 5 ~

d.

The attendance of the Mayor's spouse at the function(s) is considered reasonable necessary or appropriate in order for the Mayor to fulfill his/her statutory role (eg. Where the Mayor is hosting a ball or reception, or the attendance of the Mayor and his/her spouse/partner as official guests at a local function to which guests are invited with their respective spouses/partners).

This reimbursement does not extend to functions where the attendance of the Mayor's spouse or partner may be convenient, but could not be properly seen as relating to the discharge of functions of civic office (eg. Attendance at the Annual Conference of the Local Government Association).

- (xi) All benefits provided to a Councillor, with the proviso that the Mayor will only be provided with one mobile phone and the total call costs will be in accordance with Part 3, Clause (iii) (above).

#### **PART 4 - FACILITIES FOR DEPUTY MAYOR**

The Deputy Mayor is entitled to receive:

- (i) A Deputy Mayoral Fee (Allowance) to be set by Council annually following determination by the Remuneration Tribunal.
- (ii) Deputy Mayoral name badges.
- (iii) A mobile telephone with the rental and maintenance to be paid by the Council, but with a limitation of \$300 per month as the maximum call cost to be borne by the Council. (Note: There is a requirement for utilization of the "Call Select" (\*) or other mobile provider's facility which allows for private telephone calls to be segregated for billing purposes and which allows the raising of Sundry Debtors accounts by Council relating to private use.)
- (iv) All benefits provided to a Councillor with the proviso that the Deputy Mayor will only be provided with one mobile phone and the total call costs will be in accordance with Part 4, Clause (iii) (above).

#### **PART 5 - FACILITIES FOR COUNCILLORS**

Councillors are entitled to receive:

- (i) A Councillor's Fee (Allowance) to be set by Council annually following determination by the Remuneration Tribunal.
- (ii) An expandable attaché case with combination lock (Dimensions 44.5cm, x 31.8cm x 10cm) as per the current State Government Contract or South Sydney Regional Organisation of Councils' Purchasing Agreement.
- (iii) Stationery items limited to letterheads, business cards (bearing coloured personal photographs if requested), "With Compliments" slips and envelopes, for use on Council business and subject to reasonable limits as determined by the General Manager.

- (iv) A maximum of 300 Christmas Cards per Councillor per annum for use in a Councillor's official role as an elected member. The cards to be arranged and ordered by Council staff in accordance with budgetary limits.
- (v) The cost of postage associated with mail sent by Councillors, in the course of carrying out their civic duties, to their constituents will be borne by the Council to a maximum of \$600 per Councillor per annum, including the postage costs for the up to 300 Christmas cards supplied to Councillors in accordance with Part 5, Clause (xvii) of this Code (see below).
- (vi) Councillors' name badges.
- (vii) Secretarial support when required on Council matters.
- (viii) Cabcharge facilities, use of a Council driver upon request or reimbursement for use of private vehicles (in accordance with the NSW Local Government (State) Award). Councillors will be reimbursed for out-of-pocket travel expenses incurred in attending approved courses, conferences, seminars, Council or Council Committee Meetings, authorised Council inspections or other authorised business of the Council (including travel to any organization to which a Councillor has been appointed as a delegate or any other activity that has been authorised by the Council).
- (ix) Meals and refreshments following meetings of Council and its Committees.
- (x) A copy of the Council's Policy Register and other necessary codes required for reference purposes.
- (xi) A copy of the Local Government Act and Regulations, the Environmental Planning and Assessment Act and Building Code of Australia in the Councillors' Rooms.
- (xii) Access, to the a shared Councillors' Rooms in the Town Hall.
- (xiii) Full indemnity against any action, liability, claim or demand, arising from the bona fide performance of their responsibilities, with the exception of defamation claims where the availability and extent of an indemnity shall be determined by Council, in its absolute discretion, after the claim has been disposed of by a final judgement in proceedings, withdrawn, settlement or compromise of proceedings or otherwise as the case may be, having regard to all circumstances that Council, in its absolute discretion, considers relevant.
- (xiv) That Councillors be reimbursed reasonable expenses for the use of child care facilities whilst attending Council or Committee meetings, subject to a limit of \$600 per Councillor per annum.

- (xv) A laptop computer, as per the current State Government Contract, with specification and configuration necessary to access and utilise appropriate Council systems. Laptops will be provided with: Windows operating system; standard Microsoft Office package; anti-virus software; and facilities to enable dial-up to Council. No unauthorised or unlicensed software is to be installed on the laptops and Councillors are required to comply with Council's Internet & Email Usage Policy at all times, when using Council's laptops.
- (xvi) The following office equipment to facilitate communication between Councillors, Council's administration and residents, with Council responsible for equipment, rental, maintenance, consumables and service charges and costs:
- a) A fax phone/printer/copier/scanner unit incorporating handset and answering machine or equivalent as per the current State Government Contract and Council will arrange and pay for the installation of a telephone line at each Councillor's place of residence (if required) to facilitate the operation of the phone/printer/copier/scanner unit and meet all necessary installation and connection costs. A Maximum of \$100 per Councillor per month to be borne by Council for call costs;

and

- b) A standard issue mobile phone (as provided to Council staff) with rental and maintenance to be paid by Council, but with a maximum of \$200 per Councillor per month to be borne by Council for call costs. (Note: there is a requirement for utilization of the "Call Select" (\*) or other mobile provider's facility which allows for private telephone calls to be segregated for billing purposes and which allows the raising of Sundry Debtors accounts by Council relating to private use);

and

- c) A person pager and paging service.

The above mentioned "office equipment" to be updated periodically as and when considered appropriate by the General Manager.

- (xvii) All equipment remains the property of Council and is returnable on a Councillor ceasing to hold office. However, Councillors not seeking re-election, resigning or defeated at the Poll may request to retain/purchase these items. The General Manager shall consider each request and determine an appropriate price, having regard to Council's policy on disposal of "minor value" assets under the Disposal of Assets Policy and Procedures.

Payment for the purchase of the equipment must be made within 7 working days of the determined price being conveyed to the Councillor.

- (xviii) From within the Councillors' Rooms in the Town Hall, access to external E-mail and internet facilities and internal E-mail with staff appearing on the Councillor/Staff Liaison Listing (as periodically issued by the General Manager). Further, Council will pay each Councillor up to \$50 per month for expenses relating to the provision of internet facilities at their private residences, as arranged by them with their external internet provider.

- (xix) Reimbursement for reasonable expenses incurred by a Councillor in attending functions if officially invited to functions/events representing the Council.
- (xx) Expenses of a Councillor's spouse/partner in the following circumstances:
  - a. Where the reasonable expenses of the spouse/partner have been met by the Councillor; and
  - b. The Councillor's spouse/partner has been officially invited to and has accompanied the Councillor to a function/event; and
  - c. The function relates to the discharge of the civic functions of the Councillor; and
  - d. The attendance of the Councillor's spouse at the function(s) is considered reasonable necessary or appropriate in order for the Councillor to fulfill his/her statutory role (eg. Where the Councillor is hosting a reception, or the attendance of the Councillor and his/her spouse/partner as official guests at a local function to which guests are invited with their respective spouses/partners and the Councillor is representing the Council at the function).

This reimbursement does not extend to functions where the attendance of the Mayor's spouse or partner may be convenient, but could not be properly seen as relating to the discharge of functions of civic office (eg. Attendance at the Annual Conference of the Local Government Association).

**Claims for reimbursement of all expenses must be submitted on the claim form attached to this policy (see Appendix A)**

**Note: A reference to "per annum" in this policy refers to a financial year (from 1 July to 30 June) or part thereof. Where a Councillor only holds office for part of a financial year, "per annum" expenditure limits will be reimbursed on a pro-rata basis. Claims for reimbursement of expenditure may be back-dated for a period of three (3) months or back to the beginning of the current financial year (whichever is the longer period of time).**



# APPENDIX A

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**CLAIM FOR REIMBURSEMENT OF EXPENSES  
BY COUNCILLORS**

I hereby submit my claim for reimbursement of expenses in accordance with the provisions of the Local Government Act and Council’s Policy with respect to the Payment of Expenses & Provision of Facilities to Councillors.

**Name of claimant: Councillor**.....

Claim for reimbursement of expenses:

Date	Nature of business	Nature of claim	Amount claimed
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Claim for reimbursement of travel expenses:

Date	Nature of business (include where the travel was to/from & the purpose of the travel)	Method of travel	Distance in Kms	Rate/Km	Amount claimed
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**Total amount claimed:** \$

*Please note: Receipts must be attached to this claim form in order for reimbursement to be processed.*

Signature: .....

Date: .....



## Deacons

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24 March 2005

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Mr Mark Hummerston  
Director  
Governance, Management & Information Services  
Randwick City Council  
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MAROUBRA JUNCTION

**Independent  
Affiliated Firms**  
Hong Kong  
Indonesia  
Malaysia  
People's Republic of China  
Singapore  
Taiwan  
Thailand  
Vietnam

Our Ref: Jeremy Bingham

Dear Sir

### **Payment of expenses of Mayor's Spouse or Partner**

I refer to your email of 17 February last seeking my advice on Council's authority to meet the expenses of the Mayor's spouse or partner when carrying out civic or ceremonial duties associated with the office of Mayor.

#### **1. Statutory provision re expenses**

Section 252 of the *Local Government Act* provides that Council may pay expenses "incurred or to be incurred by, and the provision of facilities to," the mayor and councillors "in relation to discharging the functions of civic office". Any such payment must be in accordance with the adopted policy of Council.

#### **2. Limitation on expenses**

In order to be payable by Council, any expenses –

- (1) must be incurred, or to be incurred, by the Mayor;
- (2) must relate to discharging the functions of civic office;
- (3) must be in accordance with Council's adopted policy; and
- (4) must not be a general expense allowance.

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### 3. **Functions of civic office**

Under section 226 of the Act the role of the Mayor includes "to carry out the civic and ceremonial functions of the mayoral office".

### 4. **Advice**

Circular No. 04/60 of 22 December 2004 from the Department of Local Government is technically correct in stating that Council must not reimburse the expenses of the Mayor's spouse or partner, because section 252 of the Act only authorises the payment of expenses incurred by the Mayor. If an expense is met by the spouse or partner, then the Act does not authorise Council to reimburse that expense.

However, there are many occasions when the attendance of a Mayor's spouse or partner is reasonably necessary or appropriate in order for the Mayor to fulfil his or her statutory role. If the relevant expenses of the spouse or partner are paid by the Mayor, then in my opinion Council may reimburse those expenses in accordance with its adopted policy.

For example, there are numerous occasions where the Mayor cannot appropriately fulfil his or her civic or ceremonial role without the attendance of his or her spouse or partner. An example would be the hosting by the Mayor of a civic ball, dinner dance or civic reception where guests are invited with their spouses or partners. A similar case would be the attendance by the Mayor and his spouse or partner as official guests at a charity ball or other local function to which guests are invited with their respective spouses and partners.

There are also numerous occasions throughout the year when the Mayor is unable to attend a local function as official guest but it is appropriate that he or she be represented at that function by his or her spouse or partner.

In such circumstances, if the reasonable expenses of the spouse or partner are met by the Mayor, such expenses may be reimbursed by Council.

On the other hand, there are some occasions when the attendance of the Mayor's spouse or partner may be convenient, but could not properly be seen as relating to the discharge of the functions of civic office. An example of such an occasion would, in my opinion, be attendance at the annual Local Government Conference, where spouses and partners do not participate in the deliberations of the conference and in fact have an entirely separate programme of events arranged for their participation while the conference is in progress. The presence of spouses and partners at such conferences is pleasant and convivial, but has no direct relationship to the discharge of the functions of the Mayoral office.

As far as regional organisations such as SSROC are concerned it is difficult to see how the attendance of the Mayor's spouse or partner at even an occasional social function of such an organisation could be seen as relating to the discharge of "the civic and ceremonial functions" of the

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Deacons

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Mayor. However, if Council were to determine under section 226 of the Act that the role of the Mayor includes attendance at meetings and functions of SSROC then the attendance of the Mayor's spouse or partner at an appropriate function could be seen as relating to the discharge of the Mayor's duties.

Each expense claim needs to be considered on its own merits, and the expense must also relate to the discharge of the functions of civic office. Any payment of expenses by Council must, of course, be in accordance with the adopted policy of Council.

As far as the payment of expenses of the spouse or partner of a councillor is concerned, the same principles apply except that "the functions of civic office" in relation to a councillor are those set out in section 232(2) of the Act.

I trust the foregoing answers the queries raised in your email, but if my further advice or assistance is required, please let me know.

Yours faithfully



Jeremy Bingham  
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## ***Director, Governance & Financial Services' Report 55/2005***

<b>SUBJECT:</b>	POLICY UPDATE - DELEGATION OF AUTHORITY TO MAYOR AND GENERAL MANAGER JOINTLY		
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<b>DATE:</b>	7 December, 2005	<b>FILE NO:</b>	F2005/00282
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**REPORT BY:** DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

### **INTRODUCTION:**

In order to reduce the number of mayoral minutes and other various reports going to Council recommending small donations to worthwhile community initiatives, it has become necessary to amend the delegation to approve miscellaneous donations.

### **ISSUES:**

It has become quite evident in recent years that Council is having to consider an ever-increasing number of mayoral minutes and council reports dealing with worthwhile, yet minor, donations to individuals and community groups.

By increasing the delegation to the Mayor and General Manager under policy number 1.02.02 from \$100.00 to \$1,000.00, many more donations will be able to be dealt with administratively. This will obviously reduce the number of mayoral minutes and officers' reports to be considered by council and leave more time to consider issues with a higher priority.

It should be noted however, that all such donations will continue to be included in the monthly report to the Administration & Finance Committee in order to keep councillors fully informed of all approved donations.

### **FINANCIAL IMPACT STATEMENT:**

There is no extra financial impact on Council as these donations are already budgeted for.

### **CONCLUSION:**

By increasing this delegation to the Mayor and General Manager from \$100.00 to \$1,000.00, many more donations will be able to be dealt with administratively. This will reduce the number of mayoral minutes and officers' reports to be considered by council.

**RECOMMENDATION:**

That

(a) Part 2 of Policy No. 1.02.02 be amended to read:-

“To approve donations up to the sum of \$1,000.00, provided that funds are available within the adopted budget for miscellaneous donations, subject to Council being informed monthly of all donations granted” and

(b) The policy register be updated accordingly.

**ATTACHMENT:**

Updated Draft Policy

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

.....  
DAVID KELLY  
MANAGER, ADMINISTRATIVE  
SERVICES

**RANDWICK CITY COUNCIL****POLICY REGISTER****PART 1 - COUNCIL MATTERS, MAYOR, COUNCILLORS AND STAFF**Policy No: 1.02.02

**POLICY TITLE: DELEGATION OF AUTHORITY - MAYOR AND  
GENERAL MANAGER JOINTLY.**

File No. F2005/00282

**OBJECTIVE**

To prescribe those powers and authorities of the Council which are delegated to the Mayor and General Manager and to delegate authority to the Mayor and 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****Instrument Of Delegation**

That pursuant to Section 377 of the Local Government Act, 1993, and subject to compliance with all Council policies and lawful directions made by Council or any public authority, Council hereby delegates to the **MAYOR AND GENERAL MANAGER** authority to exercise or perform on behalf of Council all the powers, authorities, duties and functions of the Council listed hereafter namely:

**(a) Legal**

To affix the Seal of the Council to any documents as a result of a resolution of Council which specifically refers to those documents.  
(61/2001 – 24/4)



**(b) Miscellaneous Donations**

To approve donations up to the sum of \$1,000.00, provided that funds are available within the adopted budget for Miscellaneous Donations, subject to Council being informed monthly of all donations granted. (224/1996 - 27/8) (227/1996 - 27/8) (61/2001 - 24/4) (--/2005 - 13/12)

Minute No: 538/1983	Meeting Date: 8 November, 1983
546/1983	8 November, 1983
Amended	
Minute No: 276/1986	Meeting Date: 24 June, 1986
254/1991	20 August, 1991
410/1993	21 September, 1993
402/1994	16 August, 1994
637/1994	13 December, 1994
224/1996	27 August, 1996
227/1996	27 August, 1996
61/2001	24 April, 2001
--/2005	13 December, 2005



## *Director, Governance & Financial Services' Report 56/2005*



<b>SUBJECT:</b>	COST SHIFTING ONTO LOCAL GOVERNMENT
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<b>DATE:</b>	6 December, 2005	<b>FILE NO:</b>	F2005/00094
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**REPORT BY:** DIRECTOR, GOVERNANCE & FINANCIAL SERVICES

### **INTRODUCTION:**

A the meeting of the Administration and Finance Committee held on 13 September it was resolved (inter alia) *“that a report be brought forward in relation to this matter (Energy Australia – shifting of charges for public lighting on to Councils: F2005/00094) and that the Report to address such issues including the effect on council’s long term financial plan and the resulting restriction of Council’s ability to provide services to the community.”*

### **ISSUES:**

#### **Energy Australia – Shifting of Charges for Public Lighting**

In June 2004 EnergyAustralia advised Council that the Independent Pricing and Regulatory Tribunal (IPART) changed the regulatory framework applying to EnergyAustralia’s public lighting services. In the past, part of the cost of providing and maintaining public lighting equipment was borne by other electricity customers. Under the new regime, public lighting customers (Councils) are required to pay the full cost of public lighting services.

In June 2005 EnergyAustralia recognised that there was a significant price increase associated with its initial proposal and the revised prices will be passed on over a longer period.

EnergyAustralia has indicated a price increase of 10% **plus** CPI for 2005/2006 followed by a 5% **plus** CPI for the subsequent three years to 2008/2009. It should be noted that the variation in the methodology relates to the supply and maintenance of public lighting equipment and does not include the cost of energy.

The following table indicates the impact on the Council’s annual budget and its long term financial plan of the increase **over** and above the inflation rate.

**2005/2006**

**\$83,064**

<b>2006/2007</b>	<b>\$45,685</b>
<b>2007/2008</b>	<b>\$47,969</b>
<b>2008/2009</b>	<b>\$50,368</b>

### **NSW Fire Brigades – Council Contribution**

In addition to the transfer of additional costs to local government of street lighting identified above, Council needs to be reminded of the substantial impost on local government of the cost of the contribution towards the cost of fire protection in the Sydney Fire District. In 2005/2006 the cost to this Council will be \$1,528,975. This is not considered to be a cost that should be passed onto local government. Unsuccessful representations have been made by local government generally to the state government over many years about the fairness of this impost. The cost is apportioned across the five year moving average of the value of the rateable land of all councils within the Sydney Fire District.

The cost of this levy has also been increasing generally over the rate of inflation as shown by the table below:

<b>Year</b>	<b>Levy</b>	<b>Increase</b>	<b>% increase</b>
2000/2001	\$1,214,226		
2001/2002	\$1,250,502	\$36,276	2.99%
2002/2003	\$1,359,112	\$108,610	8.69%
2003/2004	\$1,321,426	-\$37,686	-2.77%
2004/2005	\$1,416,158	\$94,732	7.17%
2005/2006	\$1,528,975	\$112,817	7.97%

Council's ability to fund these increases is constrained by the rate pegging legislation. The annual rate pegging increase generally approximates the inflation rate. This is shown in the table below:

<b>Year</b>	<b>Increase</b>	<b>C.P. I.</b>
<b>2001/2002</b>	<b>2.8</b>	<b>2.9</b>
<b>2002/2003</b>	<b>3.3</b>	<b>3.1</b>
<b>2003/2004</b>	<b>3.6</b>	<b>2.4</b>
<b>2004/2005</b>	<b>3.5</b>	<b>2.4</b>
<b>2005/2006</b>	<b>3.5</b>	<b>3.2 est.</b>

Note: This table excludes the special rate variations that were granted to this Council.

The Local Government and Shires Association of New South Wales has set up an independent inquiry into the financial sustainability of local Government and included in the terms of reference is "*to assess the financial capacity of local government to meet its statutory obligations, expected functions and emerging challenges.*"

One of the specific local government issues that should be addressed as part of this enquiry is "*responsibility and cost shifting from other tiers of government.*" Clearly the two examples detailed in this report are examples of cost shifting and should be examined as part of this enquiry.

It is intended that a submission including these examples be sent by the closing date of 14 December, 2005.

**FINANCIAL IMPACT STATEMENT:**

The impact of increased cost shifting as outlined in this report affect the ability of Council to meet its obligations while it is constrained by rate pegging to meet these increased costs.

**CONCLUSION:**

In summary, the increase in the two costs detailed in this report are above the percentage amounts that council is permitted to increase its rate revenue. In order to cover these increases Council must either cut its activities in other services, or increase its revenue from other sources.

**RECOMMENDATION:**

That:

1. This Director, Governance and Financial Services' Report be received and noted; and
2. Delegation be given to the General Manager to make a submission to the Local Government and Shires Association of New South Wales by 14 December, 2005.

**ATTACHMENT/S:**

Nil

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

## MOTIONS PURSUANT TO NOTICE

### **12.1 Notice of Rescission Motion by Councillors Belleli, Matson and Notley-Smith – Ordinary Council Meeting, Tuesday, 22<sup>nd</sup> November, 2005 – Item 6.5, Mayor's Minute 144/2005 - Options for Reducing the Trading Hours of the Coogee Bay Hotel and Beach Palace Hotel.**

That the resolution passed at the Ordinary Council Meeting held on Tuesday, 22<sup>nd</sup> November, 2005, reading as follows:-

*that:*

- 1. a Social Impact Assessment (in accordance with the methodology prescribed in the Liquor Act 1982) be undertaken by a suitably qualified and experienced consultant nominated by the General Manager.*
- 2. any further actions contained within Council's resolution Number 403, be held in abeyance pending the completion of the Social Impact Assessment and consideration of a subsequent report to Council.*

BE AND IS HEREBY RESCINDED.

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

That the recommendation contained in Mayor's Minute 144/2005 (Options for reducing the trading hours of the Coogee Bay Hotel and Beach Palace Hotel) be considered at the next Council meeting.

### **12.2 Motion By Councillor Belleli – 2006 National Tree Day – Woomera Reserve.**

That Woomera Reserve be chosen for Randwick City Council's 2006 National Tree Day and Council consider planing approx 300 native trees around the perimeter of the reserve. No plantings are to interfere with sporting fields.

### **12.3 Motion By Councillor Belleli – Feasibility of Skate Park at or near La Perouse or Yarra Bay.**

That a report for Council be prepared that addresses the feasibility of a skate park at or near La Perouse or Yarra Bay. The report is to consider location, costing and funding sources and type of construction (i.e. steel or concrete).

### **12.4 Motion By Councillor Belleli – Planting of Native Trees.**

That Council provide funding in the 2006/07 budget for 50 native trees in Coral Sea Park, 30 native trees in Ella Reserve and 20 native trees in Rubie Reserve.

### **12.5 Motion By Councillor Matson – Maroubra Beach Pavillion – Café & Kiosk – Lease Tender Evaluation.**

That this matter and the confidential reports considered by Council and resolutions made be referred to the Director-General of the Department of Local Government for review and advice.

**12.6 Motion By Councillor Matson – Beach Palace application to Liquor Administration Board to vary license conditions.**

That Council consider the recent submission the Liquor Administration Board concerning an application by the Beach Palace to either revoke or vary conditions 1,2,3,4,7,8,9,10 and 16 of its liquor license and then resolve to amend that submission to remove support for increasing the maximum number of patrons by the removal of condition 3 (the intent is not to support the revocation of condition 3.)

**12.7 Motion By Councillor Woodsmith – Wylies Baths Sub-Leasing.**

That Council resolves to:

- (a) discontinue the sub-leasing of Wylies Baths to the Wylies Bath Trust Inc;
- (b) bring a report before a Council meeting outlining the appropriate steps to be taken to achieve this; and
- (c) authorises the General Manager to liaise with Wylies Baths Trust Inc to expedite this resolution.

**12.8 Motion by Councillors Matson and Notley-Smith – Conduct of Councillor Bastic during the Maroubra By-Election pre-selection process.**

That the General Manager convene a meeting of the Conduct Committee and bring before it all details of Cr Bastic's alleged actions in regards to the production of "How to Vote" cards for him.

**12.9 Motion by Councillors Notley-Smith & Nash – Disqualification from Civic Office.**

That a report be brought before Council with the view to Council making representations to the Minister for Local Government calling for amendments to be made to the Local Government Act 1993 concerning the circumstances in which a Councillor ought to be prevented from continuing in their role as a Councillor and their civic office therefore being declared vacant. Specifically, the report shall address the circumstance in which a Councillor is convicted of a criminal offence during their term of office, the position taken in other Australian states with respect to the disqualification of Councillors convicted of criminal offences during their term in office, the offences which ought to preclude a Councillor found guilty of any of those offences from remaining in civic office (particularly serious indictable offences), as well as previous instances/cases where such situations have occurred whether in New South Wales or elsewhere throughout Australia.