

# Corporate & Works Committee Minutes

Monday 7 July 2008

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# Corporate & Works Committee Minutes

**Minutes of the Meeting held on  
Monday 7 July 2008 at 6.00pm**

Present: Councillors      Andrew Petrie            (Chair)  
   Anthony Boskovitz      (Except for Items R4 & R5)  
   John Comino

Staff:                              G Clarke                    (Director – Corporate Services)  
   W Hatton                  (Director – Technical Services)  
   G James                    (General Manager)  
   A Sheedy                  (Property Officer)

Also in Attendance:        Nil

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**Note:**        There was a lack of a quorum and therefore all the Recommendations are referred to the Council for determination.

## **Leave of Absence**

Leave of Absence previously granted by Council: Councillors Fiona Sinclair King & John Walker

Apologies: Apologies were received and accepted from Councillor Marcus Ehrlich and Leave of Absence granted.

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## **Late Correspondence**

Late correspondence was submitted to the committee in relation to Items: Nil

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## **Declarations of Interest**

Councillor Petrie declared a non pecuniary interest in Item R8 as one of the legal firms had acted on his behalf in the past.

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**Items with Recommendations from this Committee  
Submitted to the Council for Decision (Items R1 to R8)**

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**Item No:** R1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 16 June 2008**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 16 June 2008 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

(Comino/Boskovitz)

**Recommendation:**

That the Minutes of the Corporate and Works Committee Meeting of 16 June 2008 be taken as read and confirmed.

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**Item No:** R2 Delegated to Committee  
**Subject:** **Disclosure of Interest Returns Submitted by new designated employees April to June 2008**  
**Author:** Helen Tola – Team Leader - Governance  
**File No:** 169.G  
**Reason for Report:** To table the disclosure of interest returns that have been lodged by new designated employees during the period April to June 2008

(Comino/Boskovitz)

**Recommendation:**

- A. That the Disclosure of Interest Returns of the new designated persons who were required to submit a Primary Return during the period April to June 2008 be tabled.
  - B. That Council notes that the Primary Disclosure of Interest Returns have been submitted in accordance with the requirements of the Local Government Act 1993.
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**Item No:** R3 Delegated to Committee  
**Subject:** **3 Queens Ave, Vacluse - Proposed Road Closure and Sale**  
**Author:** Anthony Sheedy - Property Officer  
**File No:** 374.3  
**Reason for Report:** To give consideration to the closure and subsequent sale of unmade roadway adjoining the property.

(Comino/Petrie)

**Recommendation:**

- A. That the portion of unmade road reserve adjoining 3 Queens Avenue, Vacluse be valued for its market sale price.
- B. That a further report be submitted, following part A above.

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**Item No:** R4 Recommendation to Council  
**Subject:** **Policy for dealing with encroachments on the Council Road Reserve**  
**Author:** Warwick Hatton - Director Technical Services  
**File No:** 999.G  
**Reason for Report:** To recommend adoption of a policy on encroachments on the Council Road Reserve.

(Comino/Petrie)

**Recommendation:**

That the attached *Policy for Managing Encroachments on Council Road Reserves* be adopted.

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**Item No:** R5 Recommendation to Council  
**Subject:** **4 Wunulla Road, Point Piper - Proposed Road Closure and Sale**  
**Author:** Anthony Sheedy, Property Officer  
**File No:** 505.4  
**Reason for Report:** To give consideration to the closure and subsequent sale of unmade roadway adjoining the property.

(Boskovitz/Comino)

**Recommendation:**

1. That Council proceed with the road closure, subject to a deposit of \$25,000 being received by Council before the application to close the road is made. This amount is to be non-refundable except where the Minister's approval to the closure is not given.
2. That subject to the portion of Road being closed, Council proceed with the sale of unmade roadway adjoining 4 Wunulla Road, Point Piper with the following conditions:
  - (a) A purchase price of \$1363 per square metre plus GST; purchase price to be subject to final survey.
  - (b) The balance of the purchase price is to be paid in full upon Gazettal of the road closure and completion of the sale.
  - (c) The owner of 4 Wunulla Road, Point Piper is to pay all costs, including but not limited to, GST, legal, survey etc associated with the closure and sale.
3. That the Seal of Council be affixed to all necessary documentation to effect the Road closure and sale, ie Contract for Sale, Plan of Road Closure, Transfer documents etc.

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**Item No:** R6 Recommendation to Council  
**Subject:** **86 Wallis St, Woollahra - Road Reserve Encroachment**  
**Author:** Anthony Sheedy, Property Officer  
**File No:** 482.86  
**Reason for Report:** To give consideration to the formalisation of an existing encroachment by granting of an easement to permit existing structure to remain on roadway adjoining the property.

**Note:** Mr Darren Devlin addressed the Committee.

(Comino/Petrie)

**Recommendation:**

- A. That the encroachment on the Bowden Street road reserve at the rear of 86 Wallis Street, Woollahra, be formalised by granting of an Easement to Permit Existing Structure to Remain, to continue for the life of the building, or the redevelopment of the site, or the redevelopment of the structure, whichever occurs first.

- B. That compensation of \$2000 (plus any applicable GST), and all Council's costs in this matter, be payable to Council by the owners of 86 Wallis Street, Woollahra in return for granting the Easement.

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**Item No:** R7 Recommendation to Council  
**Subject:** **Yarranabbe Road - Road, Footpath and Drainage Reconstruction Part A & B**  
**Author:** Mark Ramsay - Manager Depot & Waste Services  
**File No:** Tender No 08/07  
**Reason for Report:** To recommend to Council the acceptance of a Tender

(Comino/Petrie)

**Recommendation:**

- A. The tender panel recommends that Council enter into a Contract with Ozpave (Aust) Pty Ltd for Part A – Yarranabbe Road from New Beach Road to Darling Point Road for the sum of 340,303.60 (excluding GST).
- B. The tender panel recommends that Council enter into a Contract with Statewide Civil Pty Ltd for Part B - Yarranabbe Road – Darling Point Road to Thornton Street for the sum of \$287,857.40 (excluding GST).
- C. That successful and unsuccessful tenderers be advised accordingly.

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**Item No:** R8 Recommendation to Council  
**Subject:** **Legal Services Tender - Acceptance of Tenders**  
**Author:** Geoff Clarke  
Director Corporate Services  
**File No:** Tender 08/10  
**Reason for Report:** For the committee to recommend to the Council the acceptance of certain tenders for legal services for the next 3 years

**Note:** Councillor Petrie declared a non pecuniary interest in this item as one of the legal firms had acted on his behalf in the past.

(Comino/Petrie)

**Recommendation:**

- A. That the Committee resolve into closed session to consider the confidential report on the legal services tender under the terms of the Local Government Act 1993, Section 10A(2)(d) as the information concerns commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
- B. That the confidential recommendation be adopted.

There being no further business the meeting concluded at 6.16pm.

*We certify that the pages numbered 1978 to 1985 inclusive are the Minutes of the Corporate & Works Committee Meeting held on 7 July 2008 and confirmed by the Corporate & Works Committee on 21 July 2008 as correct.*

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**Chairperson**

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**Secretary of Committee**