

# Corporate & Works Committee Minutes

Monday 20 October 2008

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# Corporate & Works Committee Minutes

**Minutes of the Meeting held on  
Monday 20 October 2008 at 6.05pm**

Present: His Worship The Mayor, Councillor Andrew Petrie ex-officio  
Councillors Peter Cavanagh (Chair)  
Anthony Boskovitz  
Nicola Grieve  
Ian Plater  
Isabelle Shapiro (Items D1 to D5)

Staff: G Clarke (Director – Corporate Services)  
W Hatton (Director – Technical Services)  
D Johnston (Manager Finance)  
Z Marolia (Manager – Property and Projects)  
J Matuzic (Manager Civil Works and Infrastructure)  
A Sheedy (Property Officer)

Also in Attendance: Nil

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## **Leave of Absence**

Leave of Absence previously granted by Council: Councillor Greg Medcraft

Apologies: Nil.

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## **Late Correspondence**

Late correspondence was submitted to the committee in relation to Items: R1

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## **Declarations of Interest**

Nil.

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**Items Decided by this Committee using its Delegated Authority (Items D1 to D5)**

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**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 7 October 2008**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Tuesday 7 October 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.

(Shapiro/Grieve)

**Resolved:**

That the Minutes of the Corporate and Works Committee Meeting of 7 October 2008 be taken as read and confirmed.

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**Item No:** D2 Delegated to Committee  
**Subject:** **Guilfoyle Park, Double Bay - Occupation Licence**  
**Author:** Anthony Sheedy, Property Officer  
**File No:** 209.1A  
**Reason for Report:** To formalise a Licence agreement for use of the eastern end of Guilfoyle Park for a monthly Growers Market on Saturdays between 9am - 1pm.

**Note:** Kate Dowling, President of the Double Bay Chamber of Commerce addressed the Committee.

(Shaprio/Grieve)

**Resolved:**

That Council enter into a Licence Agreement with Double Bay Chamber of Commerce pursuant to Development Application No. 400/2008 development consent conditions, for a trial period of 6 months, at a commencement rental of \$1 per month (exclusive of GST).

**Item No:** D3 Delegated to Committee  
**Subject:** **Monthly Financial Report – September 2008**  
**Author:** Toby Andreassen, Financial Accountant  
Michelle Phair, Team Leader Financial Services  
**File No:** 349.G  
**Reason for Report:** To present the monthly financial report for September 2008

(Petrie/Boskovtiz)

**Resolved:**

THAT the monthly financial report for September 2008 be received and noted.

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**Item No:** D4 Delegated to Committee  
**Subject:** **Infrastructure Renewal Strategy Presentation**  
**Author:** Jake Matuzic  
**File No:** 331.G  
**Reason for Report:** To inform new Councillors of Council's strategy

(Grieve/Petrie)

**Resolved:**

That the information be noted.

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**Item No:** D5 Delegated to Committee  
**Subject:** **Queens Ave, Vaocluse - Proposed Action to Regularise Encroachments on the Road Reserve**  
**Author:** Anthony Sheedy - Property Officer  
**File No:** 374. & 1220.G  
**Reason for Report:** To recommend actions for the management of encroachments in Queens Avenue, Vaocluse

**Note:** John Grant and Keith Robson of Vaocluse, addressed the Committee.

**Note:** The Committee amended part A and part B of the resolution.

(Petrie/Boskovitz)

**Resolved:**

A. That Council require the owners of Nos. 2, 4, 9 Queens Avenue to enter into a positive covenant in favour of Council for the encroachments adjoining their properties.

- B. That Council write to the owners of 3A Queens Avenue and 10 Vacluse Road requiring the removal of part of the encroachment adjoining their property, and requiring them to enter into a positive covenant in favour of Council for the remaining encroachment adjoining their property. The removal work to be carried out by the Council.
- C. That Council require the owners of 5 and 7 Queens Avenue to apply for an Easement to Permit Encroaching Structures to Remain for the encroachment adjoining their land.
- D. That Council require the owners of 11 Queens Avenue to enter into a Lease, and apply for an Easement to Permit Encroaching Structures to Remain for the area of the encroachment adjoining their land.

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**Items with Recommendations from this Committee  
Submitted to the Council for Decision (Items R1 to R2)**

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**Item No:** R1 Recommendation to Council

**Subject:** **3 Queens Ave, Vacluse - Proposed Road Closure and Sale**

**Author:** Anthony Sheedy - Property Officer

**File No:** 374.3 and 1220.G

**Reason for Report:** To give consideration to the closure and subsequent sale of unmade roadway adjoining the property.

**Note:** Late correspondence was tabled by Anthony Sheedy Council's Property Officer & Peter Coombes.

**Note:** John Grant of Vacluse and Alan Jarvis of Vacluse addressed the Committee.

**Motion moved by Councillor Boskovitz  
Seconded by Councillor Shapiro**

- A. THAT the sale of the unused road adjacent to No. 3 Queens Avenue not proceed.
- B. THAT the land and retaining wall be subject to an Easement to Permit Encroaching Structures to Remain.
- C. THAT, Council require the owner of 3 Queens Avenue, Vacluse to enter into a Positive Covenant in favour of Council for the remaining area of the encroachment adjoining their land, in order to maintain the improvements in such a way as to protect traffic sight lines and to accept liability for public risk.

**Amendment moved by Councillor Plater  
Seconded by Councillor Petrie**

1. That, Council proceed with the road closure and sale of the parcel of unused road adjacent to No.3 Queens Avenue, Vacluse.

2. That, subject to (1) and a deposit of \$15,000 being received by Council, an application be made to the NSW Department of Lands to close the road. This amount is to be non-refundable unless the Minister's approval to the closure is not given.
3. That subject to the portion of Road being closed, Council proceed with the sale of unmade roadway adjoining 3 Queens Avenue, Vaucluse with the following conditions:
  - (a) A purchase price of \$2,727 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 3 Queens Avenue, Vaucluse to pay all costs, including but not limited to, GST, legal, survey etc associated with the closure and sale.
4. That the Seal of Council be affixed to all necessary documentation to effect the Road closure and sale, i.e. Contract for Sale, Plan of Road Closure, Transfer documents etc.
5. That, Council require the owner of 3 Queens Avenue, Vaucluse to enter into a Positive Covenant in favour of Council for the remaining area of the encroachment adjoining their land, in order to maintain the improvements in such a way as to protect traffic sight lines and to accept liability for public risk.

**The Amendment was put.**

**There were 3 votes for the Amendment and 3 votes against the Amendment.**

**The Chair decided in the circumstance to put both the Motion and Amendment to the Council for consideration.**

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**Item No:** R2 Recommendation to Council  
**Subject:** **Tender 08/14 – Civil Infrastructure Reconstruction for Woollahra Municipal Council**  
**Author:** Kelley Ambrose, Purchasing Coordinator  
**File No:** Tender No 08/14  
**Reason for Report:** To recommend to Council the acceptance of a Tender

**(Boskovitz/Grieve)**

**Recommendation:**

- A. That, in order to provide a total budget of \$511,422 required to complete the projects (including a provisional amount of 5% for variations, project management and design incidentals), the current budget allocations totalling \$289,036 for the construction of:
  - Project A – Bradley Avenue Stage 2, Bellevue Hill
  - Project B – Darling Point Road, Darling Point
  - Project C – Alfred Street, Paddington
  - Project D – Nelson Street, Woollahra
  - Project E – Old South Head Road, Rose Bay

- be supplemented by an amount of \$222,386 by deferring the project at Towns Road, Chamberlain Avenue which has a budget allocation of \$241,559.
- B. That the funds remaining be transferred to the Environmental & Infrastructure Renewal Levy Reserve.
- C. That Council enters into a Contract with Sydney Civil Pty Ltd for:
- Project A – Bradley Ave Stage 2, Bellevue Hill for the lump sum price of \$123,491.00.
- D. That Council enter into a Contract with AYZ Constructions Pty Ltd for:
- Project B – Darling Point Road, Darling Point for the lump sum price of \$83,526.00
  - Project C – Alfred Street, Paddington for the lump sum price of \$87,130.00.
- E. That Council enter into a Contract with Civil Constructions Pty Ltd for:
- Project D – Nelson Street, Woollahra for the lump sum price of \$108,044.00.
  - Project E – Old South Head Road, Rose Bay for the lump sum price of \$84,878.00
- F. That successful and unsuccessful tenderers be advised accordingly.
- G. That the Towers Road, Chamberlain Avenue project be given priority consideration in the formation of next years works program.

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There being no further business the meeting concluded at 7.40pm.

*We certify that the pages numbered 3286 to 3293 inclusive are the Minutes of the Corporate & Works Committee Meeting held on 20 October 2008 and confirmed by the Corporate & Works Committee on 10 November 2008 as correct.*

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**Chairperson**

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**Secretary of Committee**