

Corporate & Works Committee Minutes

Monday 18 May 2009

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Corporate & Works Committee Minutes

**Minutes of the Meeting held on
Monday 18 May 2009 at 6.00pm**

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

Staff: S Dunshea (Director – Corporate Services)
W Hatton (Director – Technical Services)
G James (General Manager)
D Johnston (Manager Finance)
Z Marolia (Manager Property and Projects)
K Walshe (Director – Community Services)
N Saleh (Manager – Information Systems)

Leave of Absence

Leave of Absence previously granted by Council: Councillor Isabelle Shapiro

Apologies:

An apology was received and accepted from Councillor Medcraft and Leave of Absence granted.

Late Correspondence

Late correspondence was submitted to the committee in relation to Items: D5 & R2

Declarations of Interest

Nil

Note: Item R2 was moved forward and dealt with following Item D1.

Note: Item R1 was moved forward and dealt with following Item R2.

Note: Item D2 was moved to the end of the Business Paper in order to consider the annexure in confidential session.

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

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 4 May 2009**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 4 May 2009 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.

(Petrie/Plater)

Resolved:

That the Minutes of the Corporate and Works Committee Meeting of 4 May 2009 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **Monthly Financial Report – April 2009**
Author: Don Johnston, Manager Finance
File No: 349G
Reason for Report: To present the monthly financial report for April 2009

Note: In accordance with Council's meeting procedures and policy Councillor Shoebridge called this matter to full Council for the following reasons:

1. Compliance with and scope of delegations
2. Membership of the Investment Committee created per Council resolution of 12 November 2007 and
3. Oversight of significant financial decisions being made by a public authority.
(See Item R4).

Item No: D3 Delegated to Committee

Subject: **Impact of the 2009 Local Government Filming Protocol on Council's Filming Application Processes.**

Author: Paul Fraser, Parks & Recreation Coordinator
Frank Rotta, Traffic Engineer

File No: 15.G

Reason for Report: To report the implications of the 2009 Local Government Filming Protocol on Council's application process, issues relating to the perceived increase of filmmakers and loss of income generated and budgeted for in the 2009/2010 draft budget.

(Plater/Petrie)

Resolved:

- A. That Council note the impact of the 2009 Local Government Filming Protocol on Council's Filming Permit procedure and future generated income.
 - B. That Council note the current fees and charges adopted in the draft Budget 2008 – 2009 have been amended in accordance with the permitted fees and charges outlined in the revised Local Government Filming Protocol.
 - C. That Council note that "Stand Plant Permits" may no longer be issued for oversized or heavy vehicles on Council roads when these vehicles are involved with filming activities.
 - D. That a recommendation be made to the Woollahra Traffic Committee that the filming approval issued by Council officers will function as the Road Event Permit when the filming involves sections of roadway controlled by Council.
 - E. That Council approval for temporary traffic alterations for Road Events related to filming applications which are referred to the Woollahra Traffic Committee be sub-delegated (as permitted in Council's delegation from the RTA) to the Director of Technical Services to ensure that filming applications can be dealt with in a timely manner.
 - F. That a recommendation be made to the Woollahra Traffic Committee that temporary parking signage alterations required by film applicants for the parking of vehicles be approved for all future filming applications.
 - G. That a review of the operation of the 2009 Local Government Filming Protocol be undertaken in February 2010.
 - H. That Council write to the Department of Premier and Cabinet objecting to the additional workload imposed on Council's resources by the Filming protocol without the expectation of payment to cover the costs incurred.
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Item No: D4 Delegated to Committee
Subject: **Hopetoun Avenue, Vacluse - Encroachments**
Author: Zubin Marolia, Manager Property and Projects
File No: 240 & 1220.
Reason for Report: To recommend treatment of encroachments along Hopetoun Avenue.

(Petrie/Grieve)

Resolved:

- A. That Council write to the owners of numbers 4, 8, 16, 18, 40, 82, 88, 92, 94, 102, 104, 106, and 170 Hopetoun Avenue, and 2 Fitzwilliam Road, Vacluse requiring them to enter into a **Positive Covenant** in favour of Council for the encroachments adjoining their properties.
- B. That Council write to the owners of numbers 6, 10, and 90 Hopetoun Avenue, and 1 Salisbury Place, Vacluse requiring an application to be made for an **Easement to Permit Existing Structure to Remain**, to continue for the life of the building, or until the redevelopment of the site, or the redevelopment of the structure, whichever occurs first.
- C. That, subject to further site investigation and survey identifying any encroachment upon the road reserve by the adjoining owner of 182 Hopetoun Avenue, that Council write to the owners requiring an application to be made for an **Easement to Permit Existing Structure to Remain**, to continue for the life of the building, or until the redevelopment of the site, or the redevelopment of the structure, whichever occurs first.
- D. That no new encroachments on the road reserve in Hopetoun Avenue be approved, and all new development be required to be behind the property boundary.

Item No: D5 Delegated to Committee
Subject: **SMS \ Email Notification**
Author: Nabil Saleh – Manager Information Systems
Stephen Dunshea – Director Corporate Services
File No: 6.G
Reason for Report: Response to adopted Notice of Motion

Note: This matter was called to full Council by Medcraft for the following reason:
1. That a communication strategy is critical to the whole Council and that I am concerned that we need a more pro-active and timely strategy than that recommended in the report. **(See Item R5)**

**Items with Recommendations from this Committee
Submitted to the Council for Decision (Items R1 to R5)**

Item No: R1 Recommendation to Council
Subject: **Dunbar House Lease Tender 09/02**
Author: Zubin Marolia – Manager Property & Projects
File No: Tender 09/02
Reason for Report: To recommend to Council the acceptance of a Tender

(Petrie/Plater)

Recommendation:

- A. That Council enter into a lease agreement with The Tea Room Unit Trust for a seven (7) year initial term plus year (7) year renewal option, at a commencement rent of \$200,000 per annum plus GST, with annual rent reviews based on CPI, subject to (B).
- B. That the lease agreement include a refurbishment commitment of no less than \$1,000,000 plus GST, by The Tea Room Unit Trust, subject to obtaining necessary approvals.
- C. That successful and unsuccessful tenderers be advised.

Item No: R2 Recommendation to Council
Subject: **EJ Ward Community Centre - Licence Proposal From Sir Roden Cutler Charities**
Author: Kylie Walshe, Director Community Services
Zubin Marolia, Manager - Property and Projects
File No: 1152.G
Reason for Report: To seek Council approval to publicly advertise the proposed licence agreement for EJ Ward Community Centre with Sir Roden Cutler Charities.

Note: Representatives of The Sir Roden Cutler Charities addressed the Committee.

(Petrie/Plater)

Recommendation:

1. That Council approve the rental of \$104,000 per annum (excl GST) for EJ Ward Community Centre and grant financial assistance, under Section 356 of the Local Government Act, of \$88,000 per annum to Sir Roden Cutler Charities, thus approving a subsidised rental amount of \$16,000 per annum, with an annual rental increase in line with the Consumer Price Index.
2. That Council resolve to advertise the proposed licence agreement with Sir Roden Cutler Charities for the use of EJ Ward Community Centre for a period of 5 years, with a further option for 5 years, in accordance with Section 47 of the Local Government Act 1993.

3. That community use of the E J Ward Centre be monitored.
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Item No: R3 Recommendation to Council
Subject: **Goods and Services Tax Compliance Certification**
Author: Don Johnston, Manager Finance
File No: 329G
Reason for Report: To seek a recommendation to Council in regard to Goods and Services Tax compliance certification.

(Plater/Petrie)

Recommendation:

THAT Council, having noted this report and the statement by the Responsible Accounting Officer, make the following resolution in regard to goods and services tax:

To assist compliance with Section 114 of the Commonwealth Constitution, Council certifies that:

- Voluntary GST has been paid by Woollahra Municipal Council for the period 1 May 2008 to 30 April 2009.
- Adequate management arrangements and internal controls were in place to enable Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Item No: R4 Recommended to Council
Subject: **Monthly Financial Report – April 2009**
Author: Don Johnston, Manager Finance
File No: 349G
Reason for Report: To present the monthly financial report for April 2009

Note: In accordance with Council's meeting procedures and policy Councillor Shoebridge called this matter to full Council for the following reasons:

1. Compliance with and scope of delegations
2. Membership of the Investment Committee created per Council resolution of 12 November 2007 and
3. Oversight of significant financial decisions being made by a public authority.

(Boskovitz/Petrie)

Recommendation:

- A. That the monthly financial report for April 2009 be received and noted.

Adopted**(Petrie/Boskovitz)**

THAT the Committee resolve to enter into closed session with the press and public excluded to consider the confidential annexure on this matter in accordance with the provisions of Section 10A(2)(c) of the Local Government Act 1993.

Adopted**In closed session**

Note: The Committee discussed the confidential annexure.

(Boskovitz/Plater)**Recommendation adopted by the Committee in closed session**

- B. That the Investments Working Party update be received and noted.
- C. That the Confidential Annexure remain confidential
- D. That the Investments Working Party meet before the Council Meeting on Monday 25 May 2009 to review the draft Deed of Company Arrangement (DOCA) if it is available and a report be presented to the Council Meeting advising of the Working Party's recommendation in respect of the draft DOCA.
- E. If the DOCA is not available for review before the Council Meeting on 25 May 2009, then the Working Party be authorised to review the DOCA before the meeting of creditors to be held on 27 May 2009 and to instruct the General Manager in respect of the DOCA.
- F That the Working Party's responsibilities and powers be extended to include an additional Part 4, being to manage any legal aspects and other matters impacting on Council's CDO investment portfolio.

(Petrie/Boskovitz)

The Committee move into open session.

Adopted**In Open Session****(Petrie/Boskovitz)**

That the recommendation adopted in closed session be confirmed by the Committee.

Adopted

Committee recommendation to Council:

- A. That the monthly financial report for April 2009 be received and noted.
- B. That the Investments Working Party update be received and noted.
- C. That the Confidential Annexure remain confidential
- D. That the Investments Working Party meet before the Council Meeting on Monday 25 May 2009 to review the draft Deed of Company Arrangement (DOCA) if it is available and a report be presented to the Council Meeting advising of the Working Party's recommendation in respect of the draft DOCA.
- E. If the DOCA is not available for review before the Council Meeting on 25 May 2009, then the Working Party be authorised to review the DOCA before the meeting of creditors to be held on 27 May 2009 and to instruct the General Manager in respect of the DOCA.
- F That the Working Party's responsibilities and powers be extended to include an additional Part 4, being to manage any legal aspects and other matters impacting on Council's CDO investment portfolio.

Item No: R5 Recommended to Council
Subject: SMS \ Email Notification
Author: Nabil Saleh – Manager Information Systems
Stephen Dunshea – Director Corporate Services
File No: 6.G
Reason for Report: Response to adopted Notice of Motion

Note: This matter was called to full Council by Medcraft for the following reason:

1. That a communication strategy is critical to the whole Council and that I am concerned that we need a more pro-active and timely strategy than that recommended in the report.

(Petrie/Boskovitz)

Recommendation:

- A. That the Committee note the Actions included in the draft Delivery Program 2009 to 2013 and Operational Plan 2009/10 regarding the development of an online community engagement strategy and information technology strategy.
- B. That detailed investigation of the email (push) technology for notification to subscription users be undertaken as part of the development of the online community engagement strategy.
- C. That the Committee agree to detailed investigation being undertaken into the BounceBack SMS on demand (pull) technology for the provision of information on a range of Council services and events.

- D. That a further report be presented on the BounceBack SMS technology detailing the specific services and events that could be supported through the use of this facility along with details of the resources required to maintain the system.
 - E. That the further investigation to be undertaken include reviewing tools and methods used to gather and store contact details for potential users.
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There being no further business the meeting concluded at 7.30pm.

We certify that the pages numbered 1972 to 1982 inclusive are the Minutes of the Corporate & Works Committee Meeting held on 18 May 2009 and confirmed by the Corporate & Works Committee on 1 June 2009 as correct.

Chairperson

Secretary of Committee