

Corporate & Works Committee Minutes

Monday 15 August 2011

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Corporate & Works Committee Minutes

**Minutes of the Meeting held on
Monday 15 August 2011 at 6.00pm**

Present: Councillors Andrew Petrie (Chair)
Anthony Boskovitz
Susan Jarnason
Greg Medcraft (Item R4)
David Shoebridge

Staff: Stephen Dunshea (Director – Corporate Services)
Gary James (General Manager)
Don Johnston (Manager Finance)
Tom O’Hanlon (Director – Technical Services)
Zubin Marolia (Manager – Property)

Also in Attendance: Nil

Leave of Absence

Leave of Absence previously granted by Council: Councillor Sean Carmichael

Apologies:

Apologies were received and accepted from Councillor Ian Plater and Leave of Absence granted.

Late Correspondence

Confidential late correspondence was submitted to the committee in relation to Item: R4

Declarations of Interest

Nil

Items Decided by this Committee using its Delegated Authority (Items D1 to D2)

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 18 July 2011**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 18 July 2011 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.

(Jarnason/Petrie)

Resolved:

That the Minutes of the Corporate and Works Committee Meeting of 18 July 2011 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **Monthly Financial Report - July 2011**
Author: Don Johnston, Manager Finance
File No: 349.G
Reason for Report: To present the monthly financial report for July 2011

(Shoebridge/Jarnason)

Resolved:

That the monthly financial report be received and noted.

**Items with Recommendations from this Committee
Submitted to the Council for Decision (Items R1 to R4)**

Item No: R1 Recommendation to Council
Subject: **9 Burrabirra Avenue Vaocluse – Road Reserve Encroachment**
Author: Zubin Marolia, Manager Property and Projects
File No: 68.9
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 road reserve adjoining the property.

(Shoebridge/Jarnason)

Recommendation:

That consideration of the matter be deferred to enable notification of the proposal to be provided to adjoining property owners and for an on-site meeting to be arranged for members of the Corporate & Works Committee.

Item No: R2 Recommendation to Council
Subject: **Statutory Review of Policy - Payment of Expenses and Provision of facilities to The Mayor, Deputy Mayor and Councillors Policy**
Author: Les Windle - Manager Governance
File No: 18.G
Reason for Report: For Council to fulfil its statutory requirement to annually review and publicly exhibit a proposed policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors

(Shoebridge/Jarnason)

Recommendation:

- A. THAT Council's current Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy as contained in Annexure 1 of the report to the Corporate and Works Committee meeting on 15 August 2011 be placed on public exhibition for a period of not less than 28 days as Council's proposed policy for the ensuing twelve months.
- B. THAT a further report be submitted to the Committee at the conclusion of the exhibition period.
- C. THAT a further report be provided to the Council Meeting on 22 August advising of the total amount paid under this Policy in 2010/11.

Item No: R3 Recommendation to Council
Subject: Hopetoun Avenue Vaucluse – Acquisition of Roadway for Public Use
Author: Anthony Sheedy Property Officer
File No: 240 part 9.
Reason for Report: To formalise the status of Hopetoun Avenue, Vaucluse as a public road.

(Boskovitz/Shoebridge)

Recommendation:

- A. That Council proceed with the dedication of Hopetoun Avenue, Vaucluse under Sections 16 & 17 of the Roads Act, 1993 as recommended by HWL Lawyers by undertaking the following actions:
- i) Affixing notices on Hopetoun Avenue, Vaucluse in a conspicuous place for 28 days.
 - ii) Placing an advertisement in a local newspaper advising of Councils intention to dedicate all of Hopetoun Avenue, Vaucluse as a public road in accordance with Section 17 of the Roads Act 1993.
 - iii) Providing notice of the road dedication in the NSW Gazette, Subject to S17 of the Roads Act, 1993.
- B. That Council instruct HWL Ebsworth Lawyers to execute the necessary actions to effectively have Hopetoun Avenue, Vaucluse dedicated as a public road.
- C. That Council authorise the Mayor and General Manager to execute and affix the Council seal to the documents required for the acquisition of Hopetoun Avenue, Vaucluse for the public use.
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Item No: R4 Delegation to Committee
Subject: Alleged Illegal Removal of a Palm Tree
Author: Tom O'Hanlon - Director Technical Services
File No: 450.4
Reason for Report: To report on options for possible prosecution relating to the alleged illegal removal of a palm tree.

Note: The Director - Technical Services tabled further legal advice from HWL Ebsworth Lawyers as confidential late correspondence in relation to this matter.

(Shoebridge/Jarnason)

Resolved:

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

In Closed Session

Note: The Committee discussed the confidential report and legal advice and drafted a confidential recommendation.

(Shoebridge/Jarnason)

That the Committee move into “Open Session”.

In Open Session

(Shoebridge/Boskovitz)

Recommendation:

- A. That the Confidential Recommendation be Adopted.
 - B. THAT in accordance with Council’s policy of confidentiality, the confidential report and legal advice remain confidential for a period of six (6) months or until the completion of any prosecution action taken by Council, whichever occurs last.
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There being no further business the meeting concluded at 6.47pm.

We certify that the pages numbered 2087 to 2093 inclusive are the Minutes of the Corporate & Works Committee Meeting held on 15 August 2011 and confirmed by the Corporate & Works Committee on 29 August 2011 as correct.

Chairperson

Secretary of Committee