

Corporate & Works Committee Minutes

Monday 20 April 2009

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Corporate & Works Committee Minutes

**Minutes of the Meeting held on
Monday 20 April 2009 at 6.00pm**

Present: Councillors Anthony Boskovitz
Peter Cavanagh (Chair)
Nicola Grieve
Ian Plater
Isabelle Shapiro

Staff: S Dunshea (Director – Corporate Services)
W Hatton (Director – Technical Services)
G James (General Manager)
Z Marolia (Manager Property & Projects)
A Sheedy (Property Officer)
H Tola (Team Leader – Governance)
K Walshe (Director – Community Services)

Also in Attendance: Nil.

Leave of Absence

Leave of Absence previously granted by Council: Nil.

Apologies: Apologies were received and accepted from Councillor Medcraft.

Late Correspondence

Late correspondence was submitted to the committee in relation to Items: D4

Declarations of Interest

Councillor Shapiro declared a Pecuniary Interest in item D6 (5 Wyuna Road, Point Piper – Proposed Road Closure and Sale) as her parents are neighbours to the subject property and will be affected by the proposal. As the recommendation before the Committee was to undertake a site inspection, Councillor Shapiro did not leave the meeting in this instance, however advised that when the item is reconsidered by the Committee (following the site inspection), she would again declare a Pecuniary Interest.

Items Decided by this Committee using its Delegated Authority (Items D1 to D7)

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 30 March 2009**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 30 March 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.

(Shapiro/Grieve)

Resolved:

That the Minutes of the Corporate and Works Committee Meeting of 30 March 2009 be taken as read and confirmed.

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

(Grieve/Plater)

Resolved:

- A. That the monthly financial report for March 2009 be received and noted.
- B. That the Committee receive an update report from the Investment Working Party including details of any offers received from the administrators in respect of CDO settlement arrangements.

Item No: D3 Delegated to Committee
Subject: **Quarterly Debtors Report - March 2009**
Author: Don Johnston, Manager Finance
File No: 331G 2008/2009
Reason for Report: To report to the Committee the status of outstanding fees and charges debtors as at 31 March 2009

(Plater/Shapiro)

Resolved:

That the Committee move into Closed Session in accordance with Section 10A(2)(d) of the Local Government Act to consider the confidential annexures.

Adopted

In Closed Session

Motion moved by Councillor Grieve

- A. That the Quarterly Debtors Report – March 2009 be received and noted.
- B. That unless the confidential annexure reveals details of personal hardship naming individual ratepayers, that the annexure be made public.

The Motion lapsed for want of a seconder.

The Committee considered the confidential annexures.

(Plater/Shapiro)

That the Committee move back into open session.

Adopted

In Open Session

**Motion moved by Councillor Plater
Seconded by Councillor Shapiro**

That the recommendation in the business paper be adopted.

The Motion was put and carried.

(Plater/Shapiro)

Resolved:

- A. That the Quarterly Debtors Report – March 2009 be received and noted.
- B. That the Confidential Annexure remain confidential.

Item No: D4 Delegated to Committee
Subject: **18 Cranbrook Road, Bellevue Hill - Proposed Easement**
Author: Anthony Sheedy, Property Officer
File No: 119.18
Reason for Report: To give consideration to the formalising of existing road reserve encroachment by granting of an easement permitting an encroaching structure to remain.

Note: Late correspondence was tabled by Anthony Sheedy Council's Property Officer.

(Grieve/Boskovitz)

Resolved:

- A. That the encroachment on Cranbrook Road reserve at the front of 18 Cranbrook Road, Bellevue Hill be formalised by granting of an Easement to Permit Encroaching Structures 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 monetary compensation for the granting of the easement be determined by a registered Valuer.
- C. That the owners of 18 Cranbrook Road, Bellevue Hill pay compensation to Council for granting the Easement, including all Council's costs in this matter.
- D. That following the obtaining of the easement compensation valuation, a further report be submitted to the Corporate and Works Committee.

Item No: D5 Delegated to Committee
Subject: **10 Wharf Road, Vacluse - Proposed Road Closure and Sale**
Author: Anthony Sheedy, Property Officer
File No: 492.10
Reason for Report: To give consideration to the closure and subsequent sale of unmade roadway adjoining the property.

(Grieve/Plater)

Resolved:

That the site be inspected prior to the Corporate and Works Committee meeting of 4 May 2009.

Item No: D6 Delegated to Committee
Subject: **5 Wyuna Road, Point Piper - Proposed Road Closure and Sale**
Author: Anthony Sheedy, Property Officer
File No: 506.5
Reason for Report: To give consideration to the closure and subsequent sale of unmade roadway adjoining the property.

Note: Councillor Shapiro declared a Pecuniary Interest in this item as her parents are neighbours to the subject property and will be affected by the proposal. As the recommendation before the Committee was to undertake a site inspection, Councillor Shapiro did not leave the meeting in this instance, however advised that when the item is reconsidered by the Committee (following the site inspection), she would again declare a Pecuniary Interest.

(Grieve/Plater)

Resolved:

That the site be inspected prior to the Corporate and Works Committee meeting of 4 May 2009.

Item No: D7 Delegated to Committee
Subject: **Disclosure of Interest Returns Submitted by New Designated Employees January to March 2009**
Author: Les Windle – Manager 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 January to March 2009

(Shapiro/Plater)

Resolved:

- A. That the Disclosure of Interest Returns of the new designated persons who were required to submit a Primary Return during the period January to March 2009 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.
-

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

Item No: R1 Recommendation to Council
Subject: **Review of Code of Conduct**
Author: Les Windle, Manager Governance
File No: 817.G
Reason for Report: To undertake the statutory review of Council's Code of Conduct

(Grieve/Shapiro)

Recommendation:

That the draft Code of Conduct as contained in Annexure 1 to the report to the Corporate & Works Committee on 20 April 2009 be adopted.

Item No: R2 Recommendation to Council
Subject: **Appointment of Auditors for the Six Years from 1 July 2008 to 30 June 2014**
Author: Don Johnston, Manager Finance
File No: T 08/21 and 329G
Reason for Report: To recommend the appointment of Council's Auditors for the six years ending 30 June 2014

(Boskovitz/Shapiro)

Recommendation:

- A. That Spencer Steer be appointed as Council's Auditor for the six years from 1 July 2008 to 30 June 2014 for an initial year's fee of \$47,000 (exclusive of GST) with subsequent years fees being indexed by movements in CPI as at 31 March each year.
 - B. That the successful and unsuccessful tenderers be advised accordingly.
-

Item No: R3 Recommendation to Council
Subject: **Corporate Planning - Preliminary draft Community Strategic Plan**
Author: Kylie Walshe, Director Community Services
File No: 627.G
Reason for Report: To present the Preliminary draft Community Strategic Plan for endorsement for use as the basis of the 2009-2013 Delivery Program and Operational Plan 2009/10.

(Grieve/Shapiro)

Recommendation:

- A. That the Preliminary draft Community Strategic Plan be referred to a Strategic and Corporate Committee on 5 May 2009 for endorsement.
- B. That the draft Delivery Program 2009-2013 and Operational Plan 2009/10 be considered by a Strategic and Corporate Committee on 5 May 2009, prior to the 28 day public exhibition period.
- C. That a Community Engagement Working Party be established, with 5 Councillors and senior staff.

Item No: R4 Recommendation to Council
Subject: **Eastbourne Road, Darling Point Reconstruction Project**
Author: Kelley Ambrose, Purchasing Coordinator
File No: Tender No 09/01
Reason for Report: To recommend to Council the acceptance of a Tender

(Shapiro/Plater)

Recommendation:

- A. That Council enter into a Contract with Sydney Civil Pty Ltd for the Eastbourne Road, Darling Point Road Reconstruction Project for the sum of \$225,200.00 (excluding GST and provisional rates).
 - B. That successful and unsuccessful tenderers be advised accordingly.
-

Item No: R5 Recommendation to Council
Subject: **2009/2010 Draft Budget - Loan funding alternatives**
Author: Don Johnston, Manager Finance
File No: 331G 2009/2010
Reason for Report: To report back to the Committee on an alternative to loan borrowings in the 2009/2010 Budget

Motion moved by Councillor Plater
Seconded by Councillor Shapiro

That the recommendation in the business paper be adopted.

Amendment moved by Councillor Boskovitz

- A. That there be no borrowings in the 2009/2010 Budget.
- B. That the shortfall in required capital funding be determined at the Strategic and Corporate Committee Meeting on the 5 May 2009.
- C. That the project to complete the Double Bay Streetscapes works be deferred for consideration in a future year's budget.

The Amendment lapsed for want of a seconder.
The Motion was put and carried.

(Plater/Shapiro)

Recommendation:

- A. That there be no borrowings in the 2009/2010 Budget.
- B. That the revised \$778k shortfall in required capital funding be funded from Council's Property Reserve and applied to the Infrastructure Renewal Program.
- C. That it be noted that a further \$127k will be retained in Reserves as a consequence of not being required to fund loan repayments in 2009/2010.
- D. That the project to complete the Double Bay Streetscapes works be deferred for consideration in a future year's budget.

There being no further business the meeting concluded at 7.15pm.

We certify that the pages numbered 1473 to 1482 inclusive are the Minutes of the Corporate & Works Committee Meeting held on 20 April 2009 and confirmed by the Corporate & Works Committee on 4 May 2009 as correct.

Chairperson

Secretary of Committee