



# Corporate & Works Committee

**Agenda:** *Corporate & Works Committee*

**Date:** *Monday 23 January 2006*

**Time:** *6.00pm*

## **Outline Of Meeting Protocol & Procedure:**

The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.

The Chairperson will commence the Order of Business as shown in the Index to the Agenda.

At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.

If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.

If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.

At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.

If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.

The Chairperson has the discretion whether to continue to accept speakers from the floor.

After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

## **Delegated Authority ("D" Items):**

General financial and corporate management of the Council, except those specifically excluded by statute, by Council direction or delegated specifically to another Committee.

Note: This not to limit the discretions of nominated staff members exercising Delegated Authorities granted by the Council.

Quarterly review of Council's Management Plan.

Finance Regulations, including:-

- Authorisation of expenditures within budgetary provisions where not delegated;
- Quarterly review of Budget Review Statements;
- Quarterly and other reports on Works and Services provision; and
- Writing off of rates, fees and charges because of non-rateability, bad debts, and impracticality of collection.

Auditing.

Property Management.

Asset Management.

Traffic Management - Works Implementation.

Works and Services - Monitoring and Implementations.

Legal Matters and Legal Register.

Parks and Reserves Management.

Infrastructure Management, Design and Investigation.

To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agenda (and as may be limited by specific Council resolution).

Confirmation of Minutes of its Meeting.

Any other matter falling within the responsibility of the Corporate and Works Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below.

## **Recommendation only to the Full Council ("R" Items):**

Such matters as are specified in Section 377 and within the ambit of the Committee considerations.

The voting of money for expenditure on works, services and operations.

Rates, Fees and Charges.

Donations

Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.

Matters not within the specified functions of the Committee.

Asset Rationalisation.

Corporate Operations:-

- Statutory Reporting; - Delegations.
- Adoption of Council's Management Plans; - Policies.
- Quality Service/Communications; - Tenders.
- Leases.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes

**Committee Membership:**

7 Councillors

**Quorum:**

The quorum for a Committee meeting is 4 Councillors.

# WOOLLAHRA MUNICIPAL COUNCIL

## Notice of Meeting

19 January 2006

To: His Worship the Mayor, Councillor Petrie, ex-officio  
Councillors      John Walker      (Chair)  
                         Claudia Cullen  
                         Marcus Ehrlich  
                         Tanya Excell  
                         Wilhelmina Gardner  
                         Keri Huxley  
                         Fiona Sinclair King

Dear Councillors

### **Corporate & Works Committee Meeting – 23 January 2006**

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Corporate and Works Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 23 January 2006 at 6.00pm.**

Gary James  
General Manager

## Meeting Agenda

<b>Item</b>	<b>Subject</b>	<b>Pages</b>
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

### **Items to be Decided by this Committee using its Delegated Authority**

D1	Confirmation of Minutes of Meeting held on 12 December 2005	1
D2	Monthly Financial Report – December 2005 – 987.G/1	2
D3	Disclosure of Interest Returns submitted by new designated employees – October to December 2005 – 169.G	5
D4	Report from Legal Sub-Committee Meeting held on 13 December 2005 – 795.G	8
D5	The Gunyah, Watsons Bay - 432.G	14

### **Items to be Submitted to the Council for Decision with Recommendations from this Committee**

R1	Holdsworth Street Community Centre Renovations – 126.G	19
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**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of minutes of meeting held on 12 December 2005**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 12 December 2005 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.

**Recommendation:**

That the Minutes of the Corporate and Works Committee Meeting of 12 December 2005 be taken as read and confirmed.

Les Windle  
Manager - Governance

**Item No:** D2 Delegated to Committee  
**Subject:** Monthly Financial Report - December 2005  
**Author:** Don Johnston - Finance Manager  
**File No:** 987.G/1  
**Reason for Report:** To present Council's Financial Report for the month of December 2005.

**Recommendation:**

A. THAT the Monthly Financial Report for December 2005 be received and noted.

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**Background:**

The December 2005 Monthly Financial Report is submitted to the Corporate and Works Committee for consideration.

The monthly report includes the following:-

Summary of Investments.  
Summary of Receipts and Payments and statement of bank balance

Michael Polivis  
**Acting Finance Manager**

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**INVESTMENTS AS AT 31/12/2005**

<u>CATEGORY</u>	<u>PURCHASED</u>	<u>MATURING</u>	<u>DAYS</u>	<u>%</u>	<u>B/B</u>	<u>MARGIN</u>	<u>AMOUNT</u> \$	<u>TOTALS</u> \$	<u>% of TOTAL</u>
<b><u>IMB LIMITED (S&amp;P RATING, A3)</u></b>									
11AM CALL				5.45			300,000.00		
TERM DEPOSIT	07-Nov-05	04-Jan-06	58	5.72	5.61	0.11	1,500,000.00		
TERM DEPOSIT	01-Dec-05	11-Jan-06	41	5.70	5.60	0.10	1,500,000.00	3,300,000.00	15.17%
<b><u>LOCAL GOVT FINANCIAL SERVICE P/L (S&amp;P RATING, A1)</u></b>									
C.R.I.	17-Oct-05	16-Jan-06	91	5.83	5.63	0.20	2,000,000.00		
C.R.I.	19-Dec-05	18-Jan-06	30	5.86	5.61	0.25	1,600,000.00		
C.R.I.	23-Dec-05	23-Jan-06	31	5.89	5.62	0.27	1,000,000.00	4,600,000.00	21.15%
<b><u>AN CREDIT UNION Limited</u></b>									
TERM DEPOSIT	17-Aug-05	13-Feb-06	180	5.94	5.65	0.29	2,000,000.00		
TERM DEPOSIT	30-Nov-05	08-Mar-06	98	5.93	5.63	0.30	1,500,000.00		
TERM DEPOSIT	14-Dec-05	15-Mar-06	91	5.95	5.64	0.31	1,500,000.00	5,000,000.00	22.98%
<b><u>CPS CREDIT UNION (SA) Limited</u></b>									
TERM DEPOSIT	07-Dec-05	05-Apr-06	119	5.93	5.64	0.29	2,000,000.00	2,000,000.00	9.19%
<b><u>GREATER BUILDING SOCIETY Limited</u></b>									
TERM DEPOSIT	23-Dec-05	26-Apr-06	124	6.00	5.70	0.30	1,501,888.17	1,501,888.17	6.90%
<b><u>HERITAGE BUILDING SOCIETY</u></b>									
TERM DEPOSIT	30-Nov-05	18-Jan-06	49	6.00	5.63	0.37	1,000,000.00		
TERM DEPOSIT	30-Nov-05	08-Feb-06	70	6.00	5.62	0.38	1,000,000.00		
TERM DEPOSIT	22-Dec-05	22-Feb-06	62	6.00	5.63	0.37	850,576.13		
TERM DEPOSIT	22-Dec-05	22-Mar-06	90	6.00	5.65	0.35	1,501,016.71	4,351,592.84	20.00%
<b><u>SAVINGS &amp; LOANS CU (SA) Limited</u></b>									
TERM DEPOSIT	23-Nov-05	25-Jan-06	63	5.85	5.61	0.24	1,000,000.00	1,000,000.00	4.60%
<b>GRAND TOTAL</b>							-	<b>21,753,481.01</b>	<b>100.00%</b>

I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 19.(3)(b) of Regulation 3 of the Local

Government (Financial Management) Reg 1993 and Council's investment policy.

J.C. Blake  
FINANCE OFFICER

M. Polivis  
ACTING FINANCE MANAGER

**Summary of Receipts, Payments and Bank Balance**

<b>Cash Book Balance as at 30 November 2005</b>		(729,854.94)
<b>Receipts</b>		
Rates	1,883,751.66	
Investments - Called In	1,803,327.75	
Miscellaneous	1,929,210.79	
<b>Total Receipts</b>		5,616,290.20
<b>Payments - Cheque</b>		
Cheque Payments	(1,952,935.53)	
Cancelled Cheques	4,951.00	
Total Cheque Payments for period	(1,947,984.53)	
<b>Payments - EFT</b>		
EFT Creditor	(1,281,443.59)	
New Investments	(750,000.00)	
Total EFT Payments for period	(2,031,443.59)	
<b>Payments - Direct Debits From Bank A/c</b>		
Payroll	(1,556,169.91)	
Councillor Fees	(16,156.20)	
Bank Charges	(21,036.98)	
Total Direct Debits for period	(1,593,363.09)	
<b>Total Payments</b>		(5,572,791.21)
<b>Cash Book Balance as at 31 December 2005</b>		(686,355.95)
Unpresented Cheques	No. of Cheques: 172	311,212.84
Outstanding Deposits & Miscellaneous Items		939,799.01
<b>Reconciled Cash Book Balance as at 31 December 2005</b>		564,655.90
<b>Bank A/c Balance as at 31 December 2005</b>		564,655.90

**Outstanding Cheques > \$30,000.00**

Cheque No.	Cheque Date	Amount
188016	22/12/2005	\$59,779.64



**Item No:** D3 Delegated to Committee  
**Subject:** **Disclosure of Interest Returns submitted by new Designated employees - October to December 2005**  
**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 October to December 2005

**Recommendation:**

1. That the Disclosure of Interest Returns of the new designated persons who were required to submit a Primary Return during the period October to December 2005 be tabled.
2. 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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**Background:**

Designated persons are required to lodge a disclosure of interest return:

- (1) within three months of becoming a designated person, (Primary Return) and
- (2) for each July 1 to June 30 period (Ordinary Return).

A designated person is described in Section 441 of the Local Government Act as:

*S441 Who are 'designated persons'*

*For the purposes of this chapter, "designated persons" are:*

*the general manager*

*other senior staff of the council*

*a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict of interest between the person's duty as a member of staff or delegate and the person's private interest*

*a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

The occupants of the following Council positions have been determined to be designated persons for the purpose of Section 441 of the Local Government Act:

Directors	Senior staff of Council
Managers	Deemed to exercise designated persons functions
Assessment Management Engineer	Exercises designated persons functions
Assessment Officers	Exercises designated persons functions
Blg/DA Compliance Officers	Exercises designated persons functions
Design/Urban Design Team Leaders	Exercises designated persons functions
Development Engineers	Exercises designated persons functions
Environmental Health Officers	Exercises designated persons functions
Fire Safety Officers	Exercises designated persons functions
Heritage Officers	Exercises designated persons functions
Landscape Development/Tree Officers	Exercises designated persons functions
Parks Co-ordinator	Exercises designated persons functions
Property Officers	Exercises designated persons functions
Program Development Officers	Exercises designated persons functions
Ranger Supervisor	Exercises designated persons functions
Traffic Team Leader	Exercises designated persons functions
Waste Services Team Leader	Exercises designated persons functions
Admin Assistant – Printing & Purchasing	Exercises designated persons functions
Adult Lending Services Librarian	Exercises designated persons functions
Branch Librarians	Exercises designated persons functions
Children's & Young Adult Librarian	Exercises designated persons functions
Information Systems Librarian	Exercises designated persons functions
Plant & Fleet Co-ordinator	Exercises designated persons functions
Purchasing Team Leader	Exercises designated persons functions
Trades Superintendent	Exercises designated persons functions
Co-ordinator Civil Services	Exercises designated persons functions
Construction Engineer	Exercises designated persons functions
Maintenance Supervisor	Exercises designated persons functions
Consultant Planners	Exercises designated persons functions

The Local Government Act requires, at Section 450A(1), the General Manager to keep a register of returns disclosing the interests of Councillors and designated persons.

Section 450A(2)(a) requires the returns lodged with the General Manager be tabled at the first meeting held after the last day for lodgement. The purpose of this report is to table the Primary Disclosure of Interest Returns of designated persons who were required to lodge a return during the period October 1, 2005 to December 31, 2005.

### **Tabling of Returns:**

Six new designated persons were required to submit Primary Disclosure of Interest Returns during the period and each designated person submitted their return in accordance with the legislative requirements.

**Conclusion:**

The designated persons required to complete Primary Disclosure of Interest Returns during the quarter ended 31 December 2005 completed their declarations in accordance with the legislative requirements.

The Returns are tabled in accordance with the requirements of the Local Government Act and it is recommended that the information be noted.

Les Windle  
Manager Governance

Geoff Clarke  
Director Corporate Services

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Annexures:

Nil

**Item No:** D4 Delegated to Committee  
**Subject:** **Report from Legal Sub-Committee Meeting held on 13 December 2005**  
**Author:** Les Windle - Manager Governance  
**File No:** 795.G  
**Reason for Report:** To consider the recommendations from the Legal Sub-Committee meeting.

**Recommendation:**

That recommendations R1, R2 and R3 of the Legal Sub-Committee meeting held on Tuesday 13 December 2005 be adopted.

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**Background:**

The Legal Sub-Committee met on Tuesday 13<sup>th</sup> December 2005 and considered reports on the following matters:

- R1 Presentation on Land and Environment Court Appeal for 21 Jersey Road, Woollahra
- R2 Report on Case Outcomes
- R3 Monthly Legal Services Status Reports

The Minutes of the Sub-Committee meeting are attached and it is recommended that the recommendations from the Sub-Committee be adopted.

Les Windle  
Manager Governance

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**Annexures:**

1. Minutes of the Legal Sub-Committee meeting – 13 December 2005

**Item No:** D5 Delegated to Committee  
**Subject:** **The Gunyah, Watsons Bay**  
**Author:** Kylie Walshe  
**File No:** 432.G  
**Reason for Report:** Expiration of the lease to the Scout Association of Australia.

**Recommendation:**

- A. THAT Council commence direct management of the use of the Gunyah, and enter into negotiations with Scouts Australia for a licence to use the facility for scouting activities, if and when required.
- B. THAT these proposed fees and charges be placed on public exhibition for 28 days.
- C. THAT a report be presented to Council at the end of the public exhibition period for adoption of the charges subject to any submissions.

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**Background:**

The Gunyah (also known as Vaucluse Scout Hall) is a community facility located at 335 Old South Head Rd, Watsons Bay. It consists of a hall, kitchen, foyer areas and storage room. The Gunyah is one of three buildings on the site, (Annexure 1 – Site Plan) with the adjacent Kulhi Hut jointly used by Council staff and for storage by the Scouts. The Rovers Den has been assessed by a structural engineer and a heritage officer, and is due for demolition in February 2006.

The Gunyah is located on Crown Land. Council is trustee of the land reserved for community purposes and preservation of historic sites and buildings. The Gunyah is listed as a significant item in the Watsons Bay Heritage Conservation Area Development Control Plan and is the subject of the Watsons Bay Public School Conservation Plan, 1984.

Council granted the Scout Association of Australia a 10-year lease for exclusive use of the Gunyah from 1 January 1996; this expired on 31 December 2005. As such, it is time to evaluate the management and use of the facility. This report reviews the current use and recommends short term usage and management of the facility. The long term use of the facility will be determined by Council through its review of all community facilities and property assets, currently the responsibility of the Assets Working Party. In the meantime, this facility offers significant opportunities for Council to provide a facility for use by the community for recreation and community purposes.

**Past Usage & Management**

The Scouts Association have a long association with the site, with usage dating back to 1929. The expired lease was held with the NSW Branch and the day-to-day management undertaken by the local group, Vaucluse Scouts. This group has been experiencing some difficulties in managing the facility over the past 12 months, with diminishing numbers of scouts and volunteers. It has also been reported to Council by community members that it has been very difficult to hire the facility.

The condition of the facility is also poor, with significant cleaning and sorting required to bring the facility up to an acceptable standard for use by the community.

**Proposal:**

Due to the difficulties experienced by the Scouts in managing this facility, it is recommended that the direct management of the facility be undertaken by Council's Community Services Division.

In recognition of the significant history and contribution of Scouts, it is recommended that a licence agreement be negotiated with the Scouts to use the whole facility at set times and a section of the facility for the storage of scouting equipment.

It is proposed that Council hire the facility out to a variety of community groups and individuals for community and private purposes, requiring the adoption of fees and charges. This will enable Council to raise sufficient income to manage and maintain the building in an acceptable condition. It will be managed in the same manner as Rose Bay Cottage, Cooper Park Community Hall and Canonbury Cottage. It is envisaged that the facility will be used for activities for children, young people and older people in our community, such as vacation care activities, health & fitness activities, meetings of community organisations, discussion groups etc. It will not be able to be used by a section of the community as it is inaccessible, with quotes currently being sourced regarding access into the front of the building.

**Consultation:**

Consultation commenced with Vaucluse Scouts in late 2004, with official notification sent in September 2005 to Scouts NSW and Vaucluse Scouts regarding the need to discuss the expiration of the lease. No response was received, despite many attempts to contact the group leader. Contact was eventually made with a representative of Scouts NSW, resulting in the correspondence of 5 January 2006. (Annexure 2) Despite this request there is no evidence that the local Scout group has the ability or inclination to use or manage the Gunyah, with very little activity occurring in the facility during 2005.

All identified hirers of the Gunyah have been contacted to discuss the termination of the lease to Scouting Australia. All have indicated that they would be pleased for Council to manage the facility as they have experienced difficulties in booking the facility, and the facility has been in a less than acceptable condition for some time.

Consultation on the fees and charges will occur through the proposed 28 day public exhibition process.

**Options:**

Council has three options:

1. Renew the lease to Scouts Australia. As the facility is currently poorly managed and not readily available for use by the community, this is not recommended.
2. Council undergo an expression of interest process to determine if any other community organisation wishes to lease the premises. As the Assets Working Party are looking at the long term future of all community and property assets this is not recommended.
3. Council commence the direct management of the facility, with the long term use of the facility still to be determined by Council. In the meantime, the facility will be cleaned and made available for use for community and recreation purposes.

### **Identification of Income & Expenditure:**

The lease with Scouting Australia was \$1 per annum, with approximately \$3,000 expended by Council on general maintenance per annum. In this proposal, the management of this facility will be undertaken within existing resources, with the need to employ contractors to clean and maintain the facility on a regular basis.

To generate income and maximise use of the facility it is proposed that it be available to be hired out on an hourly, daily or weekly basis for community and recreation activities. This hire will provide a moderate income to Council, which will cover the increased costs associated with its management, with no net cost to Council. In order to hire this facility out Council is required to adopt fees and charges. The proposed fees and charges are:

- Community Groups per hour (minimum 2 hours) - \$25
- Community Groups per session (3.5hours) - \$75
- Community Groups per day (7 hours) - \$120
- Community Groups per week - \$500
- Children Parties per session under 12 (3.5 hours) - \$75
- Private per hour (minimum 2 hours) - \$60
- Key / Cleaning deposit - \$115

These fees are comparable with the fees and charges of other community facilities, such as Cooper Park Community Hall, as it is a similar type of facility. These will be reviewed for 2006/07 during the budget process for that financial year.

### **Conclusion:**

Despite the request from Scouts Australia to renew the lease of the Gunyah this is not recommended. For improved management and access to the facility by the community, this proposal includes the use of the Gunyah by Scouts Australia through a non-exclusive licence, with management to be undertaken directly by Council. This will result in the provision of a well maintained facility for use by a wide section of the community until such time as Council determines its long term use.

In order to hire out the Gunyah it is recommended that the proposed fees and charges be placed on public exhibition for a period of 28 days and presented to Council at the end of the exhibition period.

Kylie Walshe  
**Director Community Services**

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### **Annexures:**

Annexure 1: Site Plan.

Annexure 2: Correspondence from Scouts Australia.

**Item No:** R1 Recommendation to Council  
**Subject:** **Holdsworth Street Community Centre Renovations**  
**Author:** Kylie Walshe  
**File No:** 126.G  
**Reason for Report:** Amendments to the funding required for the renovations at Holdsworth Street Community Centre.

**Recommendation:**

- A. That Council approve the use of an additional \$20,000 of the 2004/05 Council subsidy to Holdsworth Street Community Centre for the amendments to the renovations at 64 Holdsworth St, Woollahra.
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**Background:**

Council received a request from Holdsworth Street Community Centre (HSCC) to use \$30,000 of the funds allocated to HSCC by Council in 2004/05 to renovate the Centre at 64 Holdsworth St, Woollahra. This request was considered at the Corporate & Works Committee meeting of 21 November 2005, and adopted by full Council on 28 November 2005:

- A. *That Council approve the use of \$30,000 of the 2004/2005 Council subsidy to Holdsworth Street Community Centre for the proposed renovations to the facility at 64 Holdsworth Street, Woollahra.*

**Proposal:**

This proposal is that Council approve the use of an additional \$20,000 of the 2004/2005 Council subsidy to Holdsworth Street Community Centre to cover amendments to the original renovation plans.

The renovations commenced in late December 2005, with most of the structural work complete. During this construction period it was identified that a number of additional requirements needed to be included in the project; such as fly screens on the doors, the relocation of a washing machine and dryer, shelving for work stations and the enclosure of an area for a meeting room. A copy of the plans with these items included will be available at the Committee meeting.

At the time that the construction commenced, these items had not been costed but are important and necessary for the operation of the Centre. The cost of these items calculate to approximately \$20,000, with the total project now \$50,000.

**Identification of Income & Expenditure:**

In the 2004/05 end of year financial report HSCC placed \$50,000 of unspent funds from Council's subsidy of 2004/05 into a reserve. Council have approved use of \$30,000 of these funds for the renovations at 64 Holdsworth St, Woollahra. The renovations will now require all of these funds, with no impact on current services or Council's budget.



**Conclusion:**

In order to provide appropriate office space for staff and members of HSCC an additional \$20,000 is required to complete the commenced renovations to an acceptable standard. The use of these funds will have no impact on Council's budget or service provision by HSCC.

Kylie Walshe  
**Director Community Services**

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**Annexures:**

Annexure 1: Report to Corporate & Works 21 November 2005