



# GEORGES RIVER COUNCIL

## FINANCE AND GOVERNANCE COMMITTEE

### MINUTES OF MEETING Monday, 13 November 2017

#### Present

##### Council Members

Councillor Sam Elmir (Chair)  
Councillor Lou Konjarski  
Councillor Nancy Liu  
Councillor Colleen Symington  
Councillor Warren Tegg  
Councillor Christine Wu

##### Council Staff

General Manager, Gail Connolly  
Chief Operating Officer, Carole Todd  
Executive Manager Premium Facilities, Luke Coleman  
Executive Manager People and Culture, Fiona Campbell  
Head of Strategic Property, Bernard Morabito  
Manager Project Delivery, Michelle Whitehurst  
Executive Assistant to Director Finance and Governance, Daniella Youkhana

##### Also in Attendance

Councillor Sandy Grekas

#### Opening

The Chair, Councillor Elmir, opened the meeting at 6.00pm.

#### Apologies

Nil

#### Disclosures of Interest

Councillor Symington declared a Pecuniary Interest in Item FIN379-17 – Property Matter – 6 Allen Street, South Hurstville for the reason that she owns and resides in a dwelling which is located in close proximity to 6 Allen Street, South Hurstville. Councillor Symington left the Chamber for this item and did not participate in discussions or voting on this item.

Councillor Tegg declared a Less than Significant Non-Pecuniary Interest in Item FIN380-17 – Property Matter – Proposed Rental Reduction for Beverley Park Golf Course for the reason that his father is a member of the Club. Councillor Tegg remained in the meeting and participated in discussions and voting on this item.

**Public Participation**

Name	Agenda item
Mr Frank Bates	<b>FIN380-17 - Property Matter – Proposed Rental Reduction for Beverley Park Golf Course</b>

**Minutes of previous meetings****FINANCE AND GOVERNANCE - 09 OCTOBER 2017**

**Recommendation:** Councillor Tegg and Councillor Konjarski

That the Minutes of the Finance and Governance Meeting held on 09 October 2017, as adopted by Council on 23 October 2017, be confirmed.

**Committee Reports**

**FIN371-17 Advice on Court Proceedings - October 2017**  
(Report by General Counsel)

**Recommendation:** Councillor Wu and Councillor Konjarski

That the report 'Advice on Court Proceedings – October 2017' be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN372-17 Investment Report as at 30 September 2017**  
(Report by Team Leader Financial Reporting)

**Recommendation:** Councillor Wu and Councillor Liu

That the Investment Report as at 30 September 2017 be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN373-17 Audit, Risk and Improvement Committee Charter and Audit Charter**  
(Report by Internal Auditor)

**Recommendation:** Councillor Tegg and Councillor Konjarski

That Council adopt the updated Audit, Risk and Improvement Committee Charter attached as Attachment 1 to the report.

**Record of Voting:**

For the Motion: Unanimous

**FIN374-17 Tender for the Design and Construction of Riverwood Wetlands Restoration**  
(Report by Manager Project Delivery)

**Recommendation:** Councillor Symington and Councillor Liu

- (a) That Council accept the Tender from Total Earth Care, in the amount of \$166,874, after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint Total Earth Care as the Principal Contractor under the Contract Number T17/014, subject to satisfactory outcome of the financial assessment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.

- (c) That Council officers inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

**Record of Voting:**

For the Motion: Unanimous

**FIN375-17 Tender for the Construction of a Roundabout at Belmore Road and Clarendon Road, Peakhurst**  
(Report by Manager Project Delivery)

**Recommendation:** Councillor Konjarski and Councillor Wu

- (a) That Council accepts the Tender from KK Consultants Pty Ltd, in the amount of \$156,420, after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint KK Consultants Pty Ltd as the Principal Contractor under the Contract Number T17/022 subject to satisfactory outcome of the financial assessment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.
- (c) That Council Officers inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

**Record of Voting:**

For the Motion: Unanimous

**FIN376-17 Tender for the Design and Construction of Drainage, Irrigation and Resurfacing of Harold Fraser Oval**  
(Report by Manager Project Delivery)

**Recommendation:** Councillor Konjarski and Councillor Symington

- (a) That Council accepts the Tender from Renworx Pty Ltd, in the amount of \$669,695.74, after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint Renworx Pty Ltd as the Principal Contractor under the Contract Number T17/044 subject to satisfactory outcome of the financial assessment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.
- (c) That Council Officers inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.
- (d) That Council in addition to the allocated budget for the project allocates \$75,000 for the Harold Fraser Oval practice cricket wickets from the Georges River Section 94A Contributions Plan and \$375,000 for the Harold Fraser Oval embellishments works from the Kogarah Section 94 Contribution Plan No. 5 - Open Space 2007.

**Record of Voting:**

For the Motion: Unanimous

**FIN377-17 Property Matter - Release and Extinguish Restrictive Covenant - 22 Stanley St Kogarah**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Liu and Councillor Symington

- (a) That Council release the Restrictive Covenant over land located at 22 Stanley Street, Kogarah described as Lots 64 and 65, Section B in Deposited Plan 1397.

- (b) That the release and extinguishment of the Restrictive Covenant not be reliant on the submission of a Development Application for the site.
- (c) That delegation is given to the General Manager to execute the formal application and all other associated documentation on behalf of the Council, for the release and extinguishment of the Restrictive Covenant.
- (d) That the applicant reimburse Council's costs in the release and extinguishment of the Restrictive Covenant.

**Record of Voting:**

For the Motion: Unanimous

**FIN378-17 Property Matter - Proposed Reclassification of Land at 4-6 Dora Street Hurstville**

(Report by Head of Strategic Property)

**Recommendation:** Councillor Liu and Councillor Wu

- (a) That Council, pursuant to Part 2 Division 1 Section 30 of the Local Government Act, 1993 reclassify Lots 13 and 14 in DP6510 located at 4-6 Dora Street, Hurstville from Community to Operational land.
- (b) That the General Manager be authorised to lodge a planning proposal and to execute all documentation to effect the reclassification of 4-6 Dora Street, Hurstville from Community to Operational.

**Record of Voting:**

For the Motion: Unanimous

**FIN379-17 Property Matter - 6 Allen Street South Hurstville**

(Report by Head of Strategic Property)

Councillor Symington left the meeting having previously declared an interest in this item.

**Recommendation:** Councillor Konjarski and Councillor Liu

- (a) That the General Manager be delegated authority to renegotiate the terms of sale as generally detailed in this report and in accordance with the financial terms outlined in the attached confidential report to the former Kogarah City Council detailed 25 July 2015.
- (b) That the Mayor and General Manager be authorised to execute all documentation relating to the disposal of 6 Allen Street, South Hurstville and under the common seal of Council if required.
- (c) That the General Manager continue to withhold Council's consent as landowner to the development application described in this report unless and until the applicant reasonably satisfies Council in accordance with the terms of the existing Contract relating to this Property.

**Record of Voting:**

For the Motion: Unanimous

Councillor Symington returned to the meeting.

**Procedural Motion**

**Moved:** Councillor Wu and Councillor Tegg

That FIN380-17 Property Matter – Proposed Rental Reduction for Beverley Park Golf Course be considered as the last item of business.

**Record of Voting:**

For the Motion: Unanimous

**FIN381-17 Tender for Georges River Council Car Parking Strategy for Business Zoned Land**

(Report by Senior Strategic Planner)

**Recommendation:** Councillor Liu and Councillor Wu

- (a) That Council accepts the Tender from Parking and Traffic Consultants Pty Ltd, in the amount of \$179,170 (Excl. GST), after having regard to all the circumstances, as the tender that appears to be the most suitable and appoint Parking and Traffic Consultants Pty Ltd as the Principal Consultant under the Contract Number T17/023.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.
- (c) That Council Officers Inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

**Record of Voting:**

For the Motion: Unanimous

**FIN382-17 Property Matter - Proposed Grant of Easement to Drain Water over 41D Kingsway, Kingsgrove**

(Report by Strategic Property Officer)

**Recommendation:** Councillor Wu and Councillor Symington

- (a) That Council resolve to grant an Easement to Drain Water over Lot 47 Section 4 in DP 11417 (41D Kingsway, Kingsgrove).
- (b) That the General Manager and Mayor be authorised to execute the s.88B Instrument or Transfer Granting Easement and all associated documentation to create the easement, under the Common Seal of the Council, if required.
- (c) That all costs associated with the granting of the easement be met by the applicant.

**Record of Voting:**

For the Motion: Unanimous

**FIN383-17 Telecommunications Facility, Redin Place Reserve Connells Point**

(Report by Head of Strategic Property)

**Recommendation:** Councillor Tegg and Councillor Konjarski

- (a) That the information contained in this report, including (confidential) legal advice be received and noted.
- (b) That the Mayor write to the Carrier requesting removal of the facility and expressing disappointment at the process and manner in which the Carrier has installed the facility.
- (c) That the Mayor write to the Telecommunications Industry Ombudsman to seek confirmation as to whether this facility is classified as low impact.

**Record of Voting:**

For the Motion: Unanimous

**Note:** Councillor Grekas participated in discussions on this item.

**FIN384-17 SOORT Increase**  
(Report by Executive Manager People and Culture)

**Recommendation:** Councillor Symington and Councillor Liu

That the report be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN385-17 Payroll Consolidation Project**  
(Report by Executive Manager People and Culture)

**Recommendation:** Councillor Konjarski and Councillor Wu

That the report be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**Confidential items (Closed Session)****Procedural Motion**

**Recommendation:** Councillor Tegg and Councillor Symington

That in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matter be considered in closed session at which the press and public are excluded.

**FIN380-17: Property Matter – Proposed Rental Reduction for Beverley Park Golf Club**

*In accordance with Section 10A(2)(c) the matter contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

*In accordance with Section 10A(2)(d(i)) the matter contains commercial information of a confidential nature that would, if disclosed:*

*(i) prejudice the commercial position of the person who supplied it.*

*In accordance with Section 10D it is considered that if the matter were discussed in an open Meeting, it would on balance, be contrary to the public interest as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and prejudice the commercial position of the person who supplied it.*

The Chair asked the Chief Operating Officer if any representations had been received from the public that the item should not be discussed in closed session.

The Chief Operating Officer replied that no representations had been received to the item in closed session.

**Record of Voting:**

For the Motion: Unanimous

**Consideration of Recommendations from Closed Session****FIN380-17: Property Matter – Proposed Rental Reduction for Beverley Park Golf Club****Procedural Motion**

**Recommendation:** Councillor Liu and Councillor Symington  
That the Committee move into Open session.

**Record of Voting:**

For the Motion: Unanimous

**FIN380-17 Property Matter - Proposed Rental Reduction for Beverley Park Golf Course**

**Recommendation:** Councillor Tegg and Councillor Konjarski

- (a) That a rent reduction of 50% for the golf course lease be granted to the Beverley Park Golf Club for the current financial year.
- (b) That the rent reduction be conditional upon the re-establishment of the Steering Committee in accordance with the existing lease agreement.
- (c) That Council provides a briefing session in early 2018 for Councillors regarding the development of a sustainable business plan for the future of Beverley Park Golf Course.

**Record of Voting:**

For the Motion: Unanimous

**Conclusion**

The Meeting was closed at 6.52pm.

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Chairperson