

MINUTES

Finance and Governance Committee

Monday, 12 November 2018

6.00pm

Georges River Civic Centre

Hurstville



GEORGES RIVER COUNCIL

Present

Council Members

Councillor Vince Badalati (Chair), Deputy Mayor - Councillor Sam Elmir, Councillor Sandy Grekas, Councillor Colleen Symington, Councillor Warren Tegg, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Con Hindi, Councillor Stephen Agius, Councillor Rita Kastanias

Council Staff

General Manager - Ms Gail Connolly, Director, Director Business and Corporate Services - Mr David Tuxford, Director Assets and Infrastructure - Mr Laurie O'Connor, Director Environment and Planning - Ms Meryl Bishop, Director Transformation and Change - Ms Marissa Racemelara, Director Legal Services - Ms Jenny Ware, Internal Auditor – Ms Juliette Hall, Acting Executive Manager - Office of the General Manager - Ms Samantha Charlton, Executive Manager Premium Properties and Facilities – Mr Luke Coleman, Head of Strategic Property – Mr Bernard Morabito, Ms Amanda Berry – Senior Solicitor, Strategic Property Specialist – Mr Joe Milinkovic, Executive Assistant to Director Business and Corporate Services – Ms Melissa Dunn

Opening

The Chair, Councillor Badalati, opened the meeting at 6.05pm.

Acknowledgement of Country

Councillor Badalati acknowledged the traditional custodians of the land, the Biddegal people of the Eora Nation.

Apologies

There were no apologies.

Disclosures of Interest

Councillor Tegg declared a Non-Significant Non-Pecuniary interest in item FIN099-18 - Property Matter – Proposed Lease of Road Reserve – Beverley Park Golf Course for the reason that his Father is a member of Beverley Park Golf Club.

Public Addresses to the Meeting

ITEM	SPEAKER
Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Sophia Raffo
	Kevin Pietersz
	Jacky Mrencevski
	Frank Bates
Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve, Lugarno	Russell Green

Minutes of previous meetings

FINANCE AND GOVERNANCE COMMITTEE - 08 OCTOBER 2018

Recommendation: Councillor Hindi and Councillor Kastanias

That the Minutes of the Finance and Governance Committee held on 08 October 2018 be confirmed.

Record of Voting:

For the Motion: Unanimous

Suspension of Standing Orders

Resolved: Councillor Hindi and Councillor Agius

That Standing Orders be suspended to allow reports FIN099-18 Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course and FIN105-18 Property Matter – Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve, Lugarno, to be discussed first in the order of business to enable the residents and registered speakers attending the meeting specifically for those agenda items to leave the meeting thereafter should they choose to do so.

Record of Voting

For the Motion: Unanimous

Committee Reports

FIN099-18 Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course
(Report by Strategic Property Specialist)

Recommendation: Councillor Hindi and Councillor Konjarski

That a lease not be granted to Beverley Park Golf Club for parts of the golf course currently encroaching upon surrounding road reserves, in order to formalise occupation.

Record of Voting:

For the Motion: Unanimous

FIN105-18 Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve, Lugarno
(Report by Head of Strategic Property)

Recommendation: Councillor Hindi and Councillor Kastanias

- (a) That Council continues with the planning proposal to reclassify the land from community to operational land.
- (b) That the General Manager provides a supplementary report into the cost, potential funding sources, planning and legal implications of creating a public road rather than a private road with rights of carriageway, with a report to come back to the next Council meeting.

Record of Voting:

For the Motion: Unanimous

Resumption of Standing Orders

Resolved: Councillor Agius and Councillor Kastanias

That Standing Orders be resumed.

Record of Voting

For the Motion: Unanimous

FIN091-18 Advice on Costs and Status of Council's Court Proceedings - October 2018

(Report by Director Legal Services and General Counsel)

Recommendation: Councillor Hindi and Councillor Agius

That the report "Advice on Costs and Status of Council's Court Proceedings – October 2018" be received and noted.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Kastanias left the meeting at 7.07pm and did not return.

FIN092-18 Quarterly Budget Review for Quarter Ending 30 September 2018

(Report by Senior Business Performance Accountant)

Recommendation: Councillor Hindi and Councillor Agius

- (a) That Council receive and note the report on the Quarterly Budget Review for Quarter Ending 30 September, 2018.
- (b) That Council approve the variances to the 2018/19 Budget, as contained in Attachment 1, as a result of the Quarter Ending 30 September 2018 Budget Review.

Record of Voting:

For the Motion: Unanimous

FIN093-18 Investment Report as at 30 September 2018

(Report by Finance Officer)

Recommendation: Councillor Liu and Councillor Grekas

That Council receive and note the contents of the Investment Report as at 30 September 2018.

Record of Voting:

For the Motion: Unanimous

FIN094-18 Code of Conduct Statistics 2018
(Report by Coordinator Corporate Governance)

Recommendation: Councillor Hindi and Councillor Tegg

That Council receive and note the report on the Code of Conduct Complaints Statistics for the period ending 30 September 2018.

Record of Voting:

For the Motion: Unanimous

FIN095-18 Audit, Risk and Improvement Committee Minutes from 6 August 2018
(Report by Internal Auditor)

Recommendation: Councillor Tegg and Councillor Grekas

That the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 6 August 2018 provided as Attachment 1, be noted.

Record of Voting:

For the Motion: Unanimous

FIN096-18 Audit, Risk and Improvement Committee Minutes from the Special Financial Statements Meeting 24 October 2018
(Report by Internal Auditor)

Recommendation: Councillor Grekas and Councillor Elmir

That the Minutes of the Audit, Risk and Improvement Committee Special Financial Statements Meeting held on the 24 October 2018 provided as Attachment 1, be noted.

Record of Voting:

For the Motion: Unanimous

FIN098-18 Property Matter - Proposed Short Term Licence Agreement for Car Parking to New South Wales Police - 2 Belgrave Street, Kogarah
(Report by Head of Strategic Property)

Recommendation: Councillor Agius and Councillor Hindi

That the General Manager be authorised to enter into a licence agreement with NSW Police for ten basement level car parking spaces at 2 Belgrave Street, Kogarah for a period of six months as detailed within this report.

Record of Voting:

For the Motion: Unanimous

FIN100-18 Georges River Council Quarterly Property Portfolio Report
(Report by Strategic Property Specialist)

Recommendation: Councillor Symington and Councillor Elmir

That the report "Georges River Council Quarterly Property Portfolio Report" be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN101-18 Councillor Professional Development Annual Update
(Report by Acting Head of Executive Services)

Recommendation: Councillor Agius and Councillor Grekas

That the Councillor Professional Development Annual Update be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN102-18 Quarterly Report - Outstanding Council Resolutions as at 30 September 2018
(Report by Acting Executive Manager, Office of the General Manager)

Recommendation: Councillor Symington and Councillor Hindi

That the Quarterly Report - Outstanding Council Resolutions as at 30 September 2018, be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN103-18 Georges River Council Draft Annual Report 2017-2018
(Report by Community Engagement Officer)

Recommendation: Councillor Hindi and Councillor Agius

(a) That the Georges River Council Draft Annual Report 2017-2018 be approved and forwarded to the Minister of Local Government and an electronic version published on the Council Website.

(b) That the General Manager be delegated authority to undertake any necessary minor administrative or editorial changes to the Draft Annual Report 2017-2018.

Record of Voting:

For the Motion: Unanimous

FIN104-18 Cooperative Research Centre (CRC) Partnership Funding Application - Future Cities
(Report by Director Transformation and Change)

Recommendation: Councillor Symington and Councillor Konjarski

(a) That Georges River Council provide in-principle commitment as a project partner in the Future Cities Cooperative Research Council Funding application.

(b) That the General Manager be delegated authority to negotiate a formal commitment once

the results of the application are known, to a maximum value of \$25,000 per annum.

Record of Voting:

For the Motion: Unanimous

Confidential items (Closed Session)

The Chair, Councillor Badalati, asked the Director Business and Corporate Services if any representations had been received from the public that the item should not be discussed in closed session.

The Director replied that no representations had been received to the item in closed session.

The Chair, Councillor Badalati, asked if there were any members of the public gallery who would like to speak on the reasons Council proposes to consider the items in closed session, there were none.

Recommendation: Councillor Hindi and Councillor Tegg

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

FIN008A-18 Sans Souci Bathers Pavilion

(Report by Director Legal Services and General Counsel)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A (2) (g) it is considered the matter contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

That in accordance with the provisions of Section 11(2) of the Act, the reports and correspondence relating to these matters be withheld from the press and public.

Record of Voting:

For the Motion: Unanimous

Consideration of Confidential Recommendations

FIN008A-18 Sans Souci Bathers Pavilion

(Report by Director Legal Services and General Counsel)

Recommendation: Councillor Agius and Councillor Hindi

- (a) That the confidential report about the current status of Supreme Court proceedings 2018/00297522, *Blakehurst Marina Pty Limited v Georges River Council*, is received and noted.
- (b) That additional legal advice be provided to Council with respect to the demolition of the Sans Souci Bathers Pavilion from Council's insurer's legal team having regard to both:
- a. The earlier Council resolution, and
 - b. The recent appointment by Council's insurers of new solicitors.

Record of Voting:

For the Motion: Unanimous

Open Session

Recommendation: Councillor Symington and Councillor Grekas

That the meeting revert to Open Session.

Record of Voting:

For the Motion: Unanimous

Consideration of Recommendations from Closed Session

FIN008A-18 Sans Souci Bathers Pavilion

(Report by Director Legal Services and General Counsel)

Recommendation: Councillor Agius and Councillor Hindi

That the recommendations of the closed session be adopted.

Record of Voting:

For the Motion: Unanimous

Conclusion

The Meeting was closed at 7.15pm

Chairperson