

# MINUTES

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## Finance and Governance Committee

Monday, 03 December 2018

6.00pm

Georges River Civic Centre

Hurstville



GEORGES RIVER COUNCIL

## **Present**

### **Council Members**

Councillor Vince Badalati (Chair), Councillor Sam Elmir, Councillor Sandy Grekas, Councillor Con Hindi, Councillor Rita Kastanias, Councillor Lou Konjarski, Councillor Nancy Liu and Councillor Colleen Symington.

### **Council Staff**

General Manager - Ms Gail Connolly, Director Assets and Infrastructure - Mr Laurie O'Connor, Director Business and Corporate Services - Mr David Tuxford, Director Transformation and Change - Ms Marissa Racemelara, Senior Solicitor – Amanda Berry, Executive Manager, Premium Facilities – Luke Coleman, Head of Strategic Property – Bernard Morabito, Strategic Property Officer - Francene Christophorou, Acting Executive Manager - Office of the General Manager - Ms Samantha Charlton, Executive Services Officer – Mr Neil Treadwell.

### **Opening**

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**

**Resolved:** Councillor Elmir and Councillor Kastanias

That apologies for Councillor Warren Tegg and Councillor Stephen Agius be accepted.

### **Record of Voting:**

For the Motion: Unanimous

### **Disclosures of Interest**

There were no disclosures of interest made.

### **Public Addresses To The Meeting**

There were no public requests received to address the meeting.

### **Minutes of Previous Meetings**

#### **FINANCE AND GOVERNANCE COMMITTEE - 12 NOVEMBER 2018**

**Recommendation:** Councillor Hindi and Councillor Kastanias

That the Minutes of the Finance and Governance Committee held on 12 November 2018, be confirmed.

### **Record of Voting:**

For the Motion: Unanimous

## **Committee Reports**

### **FIN106-18 Advice on Costs and Status of Council's Court Proceedings - November 2018**

(Report by Director Legal Services and General Counsel)

**Recommendation:** Councillor Hindi and Councillor Elmir

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

#### **Record of Voting:**

For the Motion: Unanimous

### **FIN107-18 Increasing Transparency and Accountability for Council Funded Entities**

(Report by Director Business and Corporate Services)

**Recommendation:** Councillor Elmir and Councillor Konjarski

- (a) That Council advise all entities who receive Council community grant funding, venue hire grants, rental subsidies, heritage grants, event sponsorship and/or donations totalling \$15,000 or more in any financial year, that they must provide to Council an Audited set of Financial Statements during any financial year in which they receive such funding or subsidies.
- (b) That the Audited Financial Statements must be received by Council on/before 1 September each year that the funding is provided to the entities.
- (c) That Council introduce this process as from 1 January 2019 and advise all affected entities accordingly.
- (d) That Council exclude legislated funding, subsidies and memberships, such as SES funding and the like, from this process.
- (e) That any entity who receives or requires funding totalling \$15,000 or more in financial assistance that cannot meet this condition be excluded from the community grant funding, venue hire grants, rental subsidies, heritage grants, event sponsorship and/or donations program.
- (f) That Council receive, on a yearly basis, a report from the General Manager containing all relevant information on the Financial Statements submitted by the organisations who receive the funding and this information be reported with the presentation of Council's Annual Financial Statements in October/November of each year.
- (g) That the \$15,000 financial funding threshold for reporting include the combination of both cash and in-kind funding.
- (h) That Council makes the appropriate changes to all documentation, including Policies and Procedures relating to community grant funding, venue hire grants, rental subsidies, heritage grants, event sponsorship and/or donations, to ensure a clear and consistent approach to the new process being adopted by Council.

#### **Record of Voting:**

For the Motion: Unanimous

**FIN108-18 Georges River Council Loan Borrowing Policy**  
(Report by Senior Business Performance Accountant)

**Recommendation:** Councillor Hindi and Councillor Elmir

That Council adopt the attached Draft Georges River Council Loan Borrowing Policy which will become effective as from the date of adoption.

**Record of Voting:**

For the Motion: Unanimous

**FIN109-18 Investment Report as at 31 October 2018**  
(Report by Senior Financial Accountant - Reporting)

**Recommendation:** Councillor Hindi and Councillor Elmir

That Council receive and note the contents of the Investment Report as at 31 October 2018.

**Record of Voting:**

For the Motion: Unanimous

**FIN110-18 Property Matter - Licence Agreement for Penshurst West Football Club, Olds Park**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Hindi and Councillor Kastanias

That the report "Property Matter – Licence Agreement for Penshurst West Football Club, Olds Park" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN111-18 Property Matter - Licence Agreement for Penshurst Panthers Junior AFL Club, Olds Park**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Hindi and Councillor Kastanias

That the report "Property Matter - Licence Agreement for Penshurst Panthers Junior AFL Club, Olds Park" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN112-18 Property Matter - Licence Agreement for St George Little Athletics, Olds Park**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Hindi and Councillor Kastanias

That the report "Property Matter - Licence Agreement for St George Little Athletics, Olds Park" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN113-18 Property Matter - Licence Agreement for Riverwood Legion Club, Riverwood Park**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Hindi and Councillor Kastanias

That the report "Property Matter - Licence Agreement for Riverwood Legion Club, Riverwood Park" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN114-18 Property Matter - Licence Agreement for Kingsgrove Colts, Beverly Hills Park**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Hindi and Councillor Kastanias

That the report "Property Matter - Licence Agreement for Kingsgrove Colts, Beverly Hills Park" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN115-18 Property Matter - Proposed Lease of 31 Thurlow Street Riverwood, Riverwood Community Centre**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Hindi and Councillor Symington

That the report "Property Matter – Proposed Lease of 31 Thurlow Street Riverwood, Riverwood Community Centre" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN116-18 Property Matter - Deed of Licence for St George Creative Art and Craft Centre**  
(Report by Strategic Property Officer)

**Recommendation:** Councillor Grekas and Councillor Hindi

That the report "Property Matter - Deed of Licence for St George Creative Art and Craft Centre" be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**FIN117-18 Membership of Southern Sydney Region Organisation of Councils (SSROC)**  
(Report by Executive Services Officer)

**Recommendation:** Councillor Hindi and Councillor Elmir

That Council investigate the costs and benefits of not renewing membership of the Southern Sydney Regional Organisation of Councils and the Local Government NSW and that a further report be provided to Council at the earliest opportunity regarding the outcome of these investigations.

That Council continues with its SSROC membership until the further report is received.

**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 Elmir and Councillor Hindi

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

**FIN017A-18 Supreme Court Proceedings 2018/215935 (Request for Land Owner's Consent - 59 Park Road, Kogarah Bay)**  
(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.*

**FIN018A-18 Jubilee Stadium Naming Rights Expressions of Interest**  
(Report by Executive Manager Premium Facilities and Properties)

*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) (c) it is considered the matter information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*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**

**FIN017A-18 Supreme Court Proceedings 2018/215935 (Request for Land Owner's Consent - 59 Park Road, Kogarah Bay)**  
(Report by Director Legal Services and General Counsel)

**Recommendation:** Councillor Hindi and Councillor Kastanias

- (a) That the matter be deferred to Council for determination.
- (b) That an additional legal briefing from Councils Lawyers be provided at a Councillor Briefing and Workshop session prior to the next Ordinary Council meeting.

**Record of Voting:**

For the Motion: Unanimous

Note; Councillor Katris entered the meeting during discussion of the following item at 6.57pm.

**FIN018A-18 Jubilee Stadium Naming Rights Expressions of Interest**  
(Report by Executive Manager Premium Facilities and Properties)

**Recommendation;** Councillor Hindi and Councillor Kastanias

That the matter be referred to a Councillor Briefing and Workshop session.

**Record of Voting:**

For the Motion: Unanimous

**Open Session**

**Recommendation:** Councillor Elmir and Councillor Symington

That the meeting revert to Open Session.

**Record of Voting:**

For the Motion: Unanimous

**Consideration of Recommendations from Closed Session**

**Recommendation:** Councillor Elmir 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 7.00pm.

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Chairperson