

Meeting Date: Tuesday 15 November 2016
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 6.17pm

Councillors Present: Councillors Etmekdjian (Chairperson), Laxale, Pendleton, Perram and Stott.

Note: Councillor Laxale left the meeting at 6.44pm and did not return. He was not present for voting on Items 10, 11, 12, 13 and 14.

Apologies: Nil.

Absent: Councillors Maggio, Simon and Yedelian OAM.

Staff Present: Acting General Manager, Acting Chief Operating Officer, Director – Corporate and Community Services, Acting Director – City Strategy and Planning, Director – City Works and Infrastructure, General Counsel, Acting Chief Financial Officer, Manager – Operations, Manager – Ryde Aquatic Leisure Centre (RALC), Senior Coordinator – Property and Development, Team Leader – Management Accounting, Mechanical and Essential Services Coordinator, Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 20 September 2016

RECOMMENDATION: (Moved by Councillors Perram and Stott)

That the Minutes of the Finance and Governance Committee 8/16, held on 20 September 2016, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

2 INVESTMENT REPORT - September 2016

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

- (a) That Council endorse the report of the Acting Chief Financial Officer dated 1 October 2016 on Investment Report – September 2016.
- (b) That Council invite its investment advisor to the next Finance and Governance Committee Meeting to further explain Council's investment returns and benchmark.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 INVESTMENT REPORT - October 2016

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

- (a) That Council endorse the report of the Acting Chief Financial Officer dated 1 October 2016 on Investment Report – October 2016.
- (b) That Council invite its investment advisor to the next Finance and Governance Committee Meeting to further explain Council's investment returns and benchmark.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

4 SEPTEMBER QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2016-2020 AND 2016/2017 OPERATIONAL PLAN

RECOMMENDATION: (Moved by Councillors Stott and Etmekdjian)

- (a) That the report of the Acting Chief Financial Officer dated 30 September 2016 on the September Quarterly Review Report - Four Year Delivery Plan 2016-2020 and One Year Operational Plan 2016/2017, *Quarter One, July – September 2016* be received and endorsed.

- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$3.25 million to Council's Working Capital of a projected balance as at 30 June 2017 of \$7.48 million, be endorsed and included in the 2016/2017 Budget.
- (c) That, subject to Council endorsing part (b), Council endorse a transfer of \$3.4 million to the Accommodation Reserve for the future lease payment of the North Ryde Office Building (resulting in the available Working Capital having a projected balance of \$4.08 million as at 30 June 2017), and this to be included in the 2016/2017 Budget.
- (d) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$1.12 million be endorsed.
- (e) That the Certificate of the Responsible Accounting Officer dated 3 November 2016 be endorsed.
- (f) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.

Record of Voting:

For the Motion: Councillors Etmekdjian, Perram and Stott

Against the Motion: Councillors Laxale and Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 ANNUAL PECUNIARY INTEREST RETURNS

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

That the Register of Disclosure of Pecuniary Interest Returns is tabled as required under Section 450A of the *Local Government Act*.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

6 ANNUAL REPORTING OF CODE OF CONDUCT COMPLAINTS STATISTICS

RECOMMENDATION: (Moved by Councillors Perram and Stott)

- (a) That Council note the **ATTACHED** table of Code of Conduct complaints for 1 September 2015 to 31 August 2016.
- (b) That Council provide these statistics to the Office of Local Government as required by the Model Code of Conduct – Complaints Procedure.

Record of Voting:

For the Motion: Councillors Etmekdjian, Pendleton, Perram and Stott

Against the Motion: Councillor Laxale

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

7 CODE OF MEETING PRACTICE

Note: A Memorandum from the Acting Chief Operating Officer dated 11 November 2016 was tabled in relation to this Item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Perram and Laxale)

That Council adopt the Code of Meeting Practice (**ATTACHED – CIRCULATED UNDER SEPARATE COVER**).

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

8 CITY OF RYDE - END OF TERM REPORT

RECOMMENDATION: (Moved by Councillors Stott and Perram)

- (a) That Council endorse this End of Term Report 2012-2016; and
- (b) That Council forward a copy of the End of Term Report 2012-2016 to the Office of Local Government and to the Local, State and Federal Government Members of Parliament; and

- (c) That Council publish a copy of the End of Term Report 2012-2016 on its website.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

9 RYDE YOUTH COUNCIL ADVISORY COMMITTEE - MEMBERSHIP RESIGNATIONS AND NEW NOMINATIONS

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

- (a) That Council endorse the nominations of the following individuals for membership on the Ryde Youth Council Advisory Committee:
- Mr James Kim ,
 - Mr Philip Mathew,
 - Mr Brendon Zhu
 - Miss Sophie Xiao,
 - Mr Joseph Koo
 - Miss Yan Zhai
- (b) That Council accepts the resignations of the following individuals from the Ryde Youth Council Advisory Committee:
- Miss Venetia Cameron
 - Miss Aigerim Tulekova
 - Miss Nicola Graham
 - Mr Edward Fang
- (c) That Council thanks the outgoing committee members for their contributions and service.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

10 OVERVIEW OF THE RYDE AQUATIC LEISURE CENTRE UPDATE AND SURF RYDER OPERATIONS - as at 30 September 2016

Note: Councillor Laxale left the meeting at 6.44pm during consideration of this Item and did not return. He was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Stott and Etmekdjian)

- (a) That Council receive and note this Quarter 1 report on both the Ryde Aquatic Leisure Centre and Surf Ryder's performance.
- (b) That Council note the update of the Strategic and Master Plan for the Olympic Park project precinct that includes the Ryde Aquatic Leisure Centre, Next Generation, tennis courts, car park and the adjoining facilities existing within Olympic Park.
- (c) That Council endorse an independent review of RALC's operations (including the operational effectiveness of the Surf Ryder), at a cost of approximately \$10,000, during Quarter 3 and report the results back to Council by June 2017.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

11 CLASSIFICATION OF LAND - 100-104 ROWE STREET, EASTWOOD

Note: Councillor Laxale was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Perram and Pendleton)

That the property located at 100-104 Rowe Street Eastwood be classified operational, to be reviewed at the earlier of, the expiration of the retail leases in 2024 or the completion of the flood mitigation works.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

CLOSED SESSION

ITEM 12 – REQUEST FOR TENDER - COR-RFT-11/16 - FIRE PROTECTION SERVICES PERIOD CONTRACT

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 13 - TRANSPORT INFRASTRUCTURE CONTRIBUTION DEED (TIC DEED) - NORTH RYDE STATION PRECINCT

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

ITEM 14 - ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Note: Councillor Laxale was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Stott)

That the Committee resolve into Closed Session to consider the above matters.

Record of Voting:

For the Motion: Unanimous

Note: The Committee closed the meeting at 6.58pm. The public and media left the chamber.

12 REQUEST FOR TENDER - COR-RFT-11/16 - FIRE PROTECTION SERVICES PERIOD CONTRACT

Note: Councillor Laxale was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Stott and Perram)

- (a) That Council accepts the tender from Chubb Fire and Security Pty Ltd, for the statutory programmed maintenance and testing of the fire protection equipment within the City of Ryde buildings to the amount of \$60,000 per annum for a three (3) year period with an option to extend for a further two (2) years as recommended in the Tender Evaluation Report.
- (b) That Council accepts the tenders from Newsound Fire Services Pty Ltd and Tyco International (Wormald) for quoting on reactive repairs of the fire protection equipment within the City of Ryde buildings.
- (c) That Council delegate to the Acting General Manager the authority to enter into a contract with Chubb Fire and Security Pty Ltd, Newsound Fire Services Pty Ltd and Tyco International (Wormald Pty Ltd) on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (d) That Council advise all the respondents of Council's decision.

On being put to the Meeting, Councillor Pendleton abstained from the voting and accordingly her vote was recorded Against the Motion.

Record of Voting:

For the Motion: Councillors Etmekdjian, Perram and Stott

Against the Motion: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

13 TRANSPORT INFRASTRUCTURE CONTRIBUTION DEED (TIC DEED) - NORTH RYDE STATION PRECINCT

Note: Councillor Laxale was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Stott and Perram)

- (a) That Council fund its \$10 million commitment for the Transport Infrastructure Contribution (TIC) Deed from Section 94, noting all works included in the Deed will be incorporated into the revised Section 94 Contributions Plan, due to be reported to Council in March 2017.

- (b) That Council fund its \$10 million commitment to the Deed initially as follows;
- i. Section 94 to fund the value (to be determined) of Rivett Street and Lucknow Road Intersection Works; and
 - ii. The remainder of the \$10 million to be funded from the Asset Replacement Reserve, noting this will be reimbursed from Section 94 in the future.
- (c) That the Acting General Manager be delegated authority to finalise and subsequently enter into the Transport Infrastructure Contribution (TIC) Deed with the Roads and Maritime Service, on behalf of Council.

Record of Voting:

For the Motion: Councillors Etmekdjian, Perram and Stott

Against the Motion: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

14 ADVICE ON COURT ACTIONS

Note: Councillor Laxale was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Stott and Pendleton)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **22 NOVEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

OPEN SESSION

Note: Councillor Laxale was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Perram)

That the Committee resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Committee resumed at 7.20pm.

The meeting closed at 7.20pm.

CONFIRMED THIS 13TH DAY OF DECEMBER 2016.

Chairperson