

Meeting Date: Tuesday 20 September 2016
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 6.04pm

Chairperson: The Mayor, Councillor Pickering opened the meeting at 6.04pm and then chaired the meeting until the new Chairperson, Councillor Etmekdjian was elected.

Councillors Present: The Mayor, Councillor Pickering and Councillors Etmekdjian (Chairperson), Chung, Laxale, Maggio, Pendleton, Perram, Stott and Yedelian OAM.

Apologies: Councillor Simon.

Note: Councillor Maggio left the meeting at 6.23pm and did not return. He was not present for consideration or voting on Confidential Items 7 and 8.

Note: Councillor Laxale left the meeting at 6.36pm and did not return. He was not present for voting on Confidential Item 7 and the consideration and voting on Confidential Item 8.

Staff Present: Acting General Manager, Acting Chief Operating Officer, Acting Director – Corporate and Community Services, Acting Director – City Strategy and Planning, Director – City Works and Infrastructure, General Counsel, Acting Chief Financial Officer, Tenders and Contracts Manager, Tenders and Contracts Officer, Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

DISCLOSURES OF INTEREST

Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in Item 8 – Request for Tender - Provision of Minor Works and Services and Pre-Qualification for Large Civil and Landscape Works 2016-2017 and 2017-2018, for the reason that one of the recommended tenderers for pre-qualification is a former client of his business, which he has not had any contact with for about six years.

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 16 August 2016

RECOMMENDATION: (Moved by Councillors Etmekdjian and Pendleton)

That the Minutes of the Finance and Governance Committee 7/16, held on 16 August 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 **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

2 INVESTMENT REPORT - August 2016

RECOMMENDATION: (Moved by Councillors Etmekdjian and Stott)

That Council endorse the report of the Acting Chief Financial Officer dated 1 September 2016 on Investment Report – August 2016.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 JUNE QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2015-2019 AND 2015/2016 OPERATIONAL PLAN

RECOMMENDATION: (Moved by Councillors Maggio and Etmekdjian)

- (a) That the report of the Acting Chief Financial Officer dated 30 June 2016 on the June Quarterly Review Report - Four Year Delivery Plan 2015-2019 and One Year Operational Plan 2015/2016 be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in no changes to Council's Working Capital of a projected balance as at 30 June 2016 of \$3.29 million, be endorsed and included in the 2015/2016 Budget.
- (c) 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 \$4.77 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer dated 15 August 2016 be endorsed.
- (e) 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: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Maggio, Perram, Stott and Yedelian OAM

Against the Motion: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

4 COMMUNITY HALLS AND MEETING ROOMS HIRE POLICY

RECOMMENDATION: (Moved by Councillors Stott and Pendleton)

That Council endorse the Draft Community Halls and Meeting Rooms Hire Policy.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 ACCESS ADVISORY COMMITTEE - MINUTES OF 6 JULY 2016 MEETING AND NEW NOMINATION

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

That Council endorse nomination of Ms Cecilia Jeongman Park, Ability Linker and volunteer leader of the Korean Cockatoos Carers Group, for a position on the Access Advisory Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

6 REPORTS DUE TO COUNCIL

RECOMMENDATION: (Moved by Councillors Stott and Laxale)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

That Council now consider the following Late Items prior to moving into Confidential Session, the time being 6.17pm:-

- Item 9 – Code of Meeting Practice.
- Item 10 – Election of Chairperson and Deputy Chairperson

Record of Voting:

For the Motion: Unanimous

LATE ITEMS

9 CODE OF MEETING PRACTICE

RECOMMENDATION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council endorse the draft City of Ryde Code of Meeting Practice for public exhibition as amended and **ATTACHED – CIRCULATED UNDER SEPARATE COVER.**
- (b) That public submissions be invited on the draft Code of Meeting Practice from 29 September 2016 to 10 November 2016.
- (c) That a further report be provided to Council, via the Finance and Governance Committee, to consider submissions and adoption of the draft Code of Meeting Practice.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

Note: At this stage of the meeting, the Mayor, Councillor Pickering vacated the Chair at 6.20pm and the Acting General Manager, as Returning Officer, chaired the meeting for Item 10 and conducted the election of Chairperson and Deputy Chairperson.

10 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer, gave an overview of the election process in relation to the election of the Chairperson and Deputy Chairperson.

METHOD OF VOTING FOR CHAIRPERSON AND DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer presented the options on the method of voting for Chairperson and Deputy Chairperson.

RESOLUTION: (Moved by Councillor Maggio and The Mayor, Councillor Pickering)

- (a) That the method of voting for the election of the Chairperson and Deputy Chairperson be open voting by show of hands.
- (b) That the Acting General Manager, as Returning Officer, undertake the election of the Chairperson and Deputy Chairperson for the ensuing twelve (12) months by announcing the nominations and then conducting the election.

Record of Voting:

For the Motion: Unanimous

ELECTION OF CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Chairperson of the Committee and received nominations being for Councillor Etmekdjian and Councillor Pendleton.

The Acting General Manager, as Returning Officer called for any further nominations. As there were none, nominations were closed.

The Acting General Manager, as Returning Officer confirmed with Councillor Etmekdjian and Councillor Pendleton that they accepted their nomination.

The ELECTION FOR CHAIRPERSON was conducted which resulted in the following voting:

Councillor Etmekdjian 6 votes

Voting in favour: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Stott and Yedelian OAM

Councillor Pendleton 3 votes

Voting in favour: Councillors Laxale, Pendleton and Perram

As a result of the voting, COUNCILLOR ETMEKDJIAN WAS DULY ELECTED CHAIRPERSON FOR THE ENSUING YEAR.

ELECTION OF DEPUTY CHAIRPERSON

The Acting General Manager, as Returning Officer called for nominations for the position of Deputy Chairperson of the Committee and received nominations being for Councillor Maggio and Councillor Perram.

The Returning Officer called for any further nominations. As there were none, nominations were closed.

The Returning Officer confirmed with Councillor Maggio and Councillor Perram that they accepted the nomination.

The ELECTION FOR DEPUTY CHAIRPERSON was conducted which resulted in the following voting:

Councillor Maggio 6 votes

Voting in favour: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Stott and Yedelian OAM

Councillor Perram 3 votes

Voting in favour: Councillors Laxale, Pendleton and Perram

As a result of the voting, COUNCILLOR MAGGIO WAS DULY ELECTED DEPUTY CHAIRPERSON FOR THE ENSUING YEAR.

Note: The Chairperson, Councillor Etmekdjian then assumed the Chair.

Note: Councillor Maggio left the meeting at 6.23pm and did not return.

CLOSED SESSION

ITEM 7 - 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.

ITEM 8 – REQUEST FOR TENDER - PROVISION OF MINOR WORKS AND SERVICES AND PRE-QUALIFICATION FOR LARGE CIVIL AND LANDSCAPE WORKS 2016-2017 AND 2017-2018

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.

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

RESOLUTION: (Moved by The Mayor, Councillor Pickering and Councillor Yedelian OAM)

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 6.26pm. The public and media left the Committee Meeting Room.

7 ADVICE ON COURT ACTIONS

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

Note: Councillor Laxale left the meeting at 6.36pm during discussion on this Item and did not return. He was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

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 **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

8 REQUEST FOR TENDER - PROVISION OF MINOR WORKS AND SERVICES AND PRE-QUALIFICATION FOR LARGE CIVIL AND LANDSCAPE WORKS 2016-2017 AND 2017-2018

Note: Councillor Perram disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that one of the recommended tenderers for pre-qualification is a former client of his business, which he has not had any contact with for about six years.

Note: Councillors Maggio and Laxale were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by The Mayor, Councillor Pickering and Councillor Stott)

- (a) That Council accept the tenders for Provision of Minor Works & Services and Pre-qualification for Large Civil and Landscape Works up until 31 October 2018 from the tenderers outlined in the **CONFIDENTIAL ATTACHMENTS** be accepted on an “as required” basis for the items outlined.
- (b) That Council delegate to the General Manager the authority to execute all contract documents for the Provision of Minor Works & Services Tender and Pre-qualification for Large Civil & Landscape Works.
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

OPEN SESSION

Note: Councillors Maggio and Laxale were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Stott)

That the Committee resolve itself into open session.

Record of Voting:

For the Motion: Unanimous

Note: Open Committee resumed at 6.45pm.

The meeting closed at 6.45pm.

CONFIRMED THIS 15TH DAY OF NOVEMBER 2016.

Chairperson