

Meeting Date: Tuesday 18 April 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 6.00pm

Councillors Present: Councillors Maggio (Chairperson), Laxale, Pendleton, Perram, Stott and Yedelian OAM.

Apologies: Councillors Etmekdjian and Simon.

Note: In the absence of Councillor Etmekdjian the Deputy Chairperson – Councillor Maggio chaired the meeting.

Staff Present: Acting General Manager, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Director – City Works and Infrastructure, Acting Chief Financial Officer, General Counsel, Manager – Risk Audit and Governance, Manager – Operations, Manager – Library Services, Manager – Community Services, Manager – Business Infrastructure, Acting Manager – Communications, Customer Service and Events, Tenders and Contracts Manager, Senior Projects Manager, Senior Coordinator – Property, Manager Project Development, Senior Coordinator – Parks and Recreation, Parks Officer, Senior Coordinator – City Activation, Risk Audit and Governance 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 21 March 2017

RECOMMENDATION: (Moved by Councillors Perram and Stott)

That the Minutes of the Finance and Governance Committee 2/17, held on 21 March 2017, be confirmed.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

2 INVESTMENT REPORT - March 2017

RECOMMENDATION: (Moved by Councillors Perram and Yedelian OAM)

That Council endorse the Investment Report – March 2017.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 DRAFT 2017/2021 FOUR YEAR DELIVERY PLAN INCLUDING DRAFT 2017/2018 ONE YEAR OPERATIONAL PLAN

RECOMMENDATION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council, pursuant to Sections 404 and 405 of the Local Government Act 1993, endorse the document titled "Draft Four-Year Delivery Plan 2017/2021 including One-Year Operational Plan 2017/2018", inclusive of the 2017/2018 Draft Budget, Fees and Charges and Capital Works Program and as detailed in this report.
- (b) That the Draft Four-Year Delivery Plan 2017/2021 including One-Year Operational Plan 2017/2018 be publicly exhibited for a period of not less than 28 days from 2 May 2017 to 30 May 2017.
- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday, 20 June 2017 prior to formally adopting its Four-Year Delivery Plan 2017/2021 including the One-Year Operational Plan 2017/2018.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

4 COUNCIL'S SUBSIDIES AND DISCOUNTS IN SERVICES AS AT 30 JUNE 2016

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Stott)

- (a) That Council note the current estimated Community Service Obligation (CSO) provided by the City of Ryde through its Fees and Charges is \$11.67 million;

- (b) That Council note the estimated total annual Community Service Obligations (CSOs), including cost shifting costs, CSOs from Fees and Charges and other sponsorships, community grants and subsidies provided by the City of Ryde and as detailed in the report, is estimated at \$20.56 million annually.
- (c) That Council maintain the current level of Community Service Obligations across its operations for the 2017/18 financial year.
- (d) That Council endorse Option 1, as outlined in this report, with respect to improving the level of CSO's as they relate to Council's fee related services.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 STRENGTHENING RYDE - Update March 2017

RECOMMENDATION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council note the progress and status of each project within the Strengthening Ryde initiative.
- (b) That Council note any ongoing initiatives will be reported to Council separately.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

LATE REPORT**11 CITY OF RYDE LOCAL GOVERNMENT ELECTION - 9 SEPTEMBER 2017**

RECOMMENDATION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council allocate a budget of \$660,000, funded from the Election Reserve, for the conduct of the September 2017 Local Government Election.
- (b) That this adjustment be made as part of the draft 2017/2018 Operational Plan.

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

Record of the Voting:

For the Motion: Councillors 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 **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

CLOSED SESSION

ITEM 6 - PAYMENT PORTAL AND PAYMENT GATEWAY eBUSINESS PROJECT - UPDATE ON NEGOTIATIONS AND WAY FORWARD

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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

ITEM 7 - COR-RFP-11/16 FOR THE MANAGEMENT AND OPERATION OF THE RYDE COMMUNITY AND SPORTS CENTRE

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; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

ITEM 8 - COR-RFT-01/17 ELOUERA RESERVE PLAYGROUND AND LANDSCAPE WORKS

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; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

ITEM 9- PROPERTY MATTER

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.

ITEM 10 - 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.

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

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

Record of the Voting:

For the Motion: Unanimous

Note: The Committee closed the meeting at 6.16pm. The public and media left the chamber.

6 PAYMENT PORTAL AND PAYMENT GATEWAY eBUSINESS PROJECT - UPDATE ON NEGOTIATIONS AND WAY FORWARD

RECOMMENDATION: (Moved by Councillors Maggio and Yedelian OAM)

That consideration of this matter be deferred until the Council meeting on 26 April 2017, to allow the General Manager to distribute additional information as discussed in the Committee.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

7 COR-RFP-11/16 FOR THE MANAGEMENT AND OPERATION OF THE RYDE COMMUNITY AND SPORTS CENTRE

RECOMMENDATION: (Moved by Councillors Maggio and Stott)

- (a) That pursuant to clause 178 (3) (e) of the Local Government (General) Regulation 2005 (**Regulation**):
 - (i) Council does not accept any of the tenders; and
 - (ii) Council enter into negotiations with any person (whether or not the person submitted a proposal) with a view to entering into a contract in relation to the management and operation of the Ryde Community and Sports Centre (RCSC) situated in ELS Hall Park.
- (b) That pursuant to clause 178 (4) of the Regulation, the Council's reasons for declining to invite fresh tenders or applications as referred to in resolution (a) (i) above and to enter into negotiations with any person, for the management and operation of the Ryde Community and Sports Centre are due to the minimal number of responses received and the resultant difficulties in the ability to adequately test the market.
- (c) That, if agreement is reached as a result of the negotiations referred to in resolution (a) (ii) above, the statutory advertising of the lease occur and should any written submissions objecting to the lease be received, a further report is to be provided to Council.
- (d) That subject to the requirements of resolution (c) above and (e) below, the Acting General Manager be delegated authority to enter into the negotiations referred to in resolution (a) (ii) above and to subsequently execute all relevant documents to effect any agreement that is reached with respect to those negotiations.
- (e) That a further report be provided to Council on the options for use of the synthetic turf sports field for community sports programs.
- (f) That all respondents are advised of Council's decision.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

8 COR-RFT-01/17 ELOUERA RESERVE PLAYGROUND AND LANDSCAPE WORKS

RECOMMENDATION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council accept the tender from Glascott Landscape and Civil for the Elouera Reserve Playground and Landscape Works to the amount of \$1,287,855.45 excluding GST as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Glascott Landscape and Civil 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.
- (c) That Council advise all the respondents of Council's decision.

Record of the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

9 PROPERTY MATTER

RECOMMENDATION: (Moved by Councillors Perram and Stott)

- (a) That Council endorses the proposal to divest this surplus site;
- (b) That, consistent with the recently adopted City-wide Property Strategy, net funds from this divestment are directed to the new Property Investment Fund (which is being established to support the Property Investment Portfolio); and
- (c) That the General Manager is delegated appropriate authority, as outlined in this report to undertake the divestment of the surplus property.

Record of the Voting:

For the Motion: Councillors Maggio, Pendleton, Perram, Stott and Yedelian OAM

Against the Motion: Councillor Laxale

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

10 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Stott and Perram)

That the report of the General Counsel be received.

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

Record of the Voting:

For the Motion: Councillors Laxale, Pendleton, Perram, Stott and Yedelian OAM

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2017** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

OPEN SESSION

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the Committee resolve itself into open Council.

Record of the Voting:

For the Motion: Unanimous

Note: Open Council resumed at 6.57pm.

The meeting closed at 6.57pm.

CONFIRMED THIS 16TH DAY OF MAY 2017.

Chairperson