

Council Meeting

MINUTES OF MEETING NO. 16/09

Meeting Date: Tuesday 22 September 2009
Location: Council Chambers, Level 6
Time: 7.30pm

Councillors Present: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Apologies: Nil

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Chief Financial Officer, Manager Waste and Fleet, Media & Community Relations Officer and Senior Administration Co-ordinator.

PRAYER

Reverend Chris Ridings of the North Ryde Community Church was present and offered prayer prior to the commencement of the meeting.

CONFIRMATION OF MINUTES – ORDINARY MEETING No. 15/09

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

That the Minutes of the Ordinary Meeting No. 15/09 held on 8 September 2009 be confirmed subject to items 1 and 3 being amended to insert the record of electronic voting as follows:

ITEM 1 ELECTION OF MAYOR FOR ENSUING 12 MONTHS

As detailed on Page 4 of the Minutes, THE ELECTION FOR MAYOR was conducted by the General Manager, as Returning Officer, which resulted in the following voting:-

Councillor Etmekdjian	6 votes
Councillor Butterworth`	6 votes

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Record of Voting:

Votes for Councillor Etmekdjian: Councillors Etmekdjian, Maggio, Perram, Petch, Pickering and Yedelian OAM

Votes for Councillor Butterworth: Councillors Butterworth, Campbell, Li, O'Donnell, Salvestro-Martin and Tagg

ITEM 3 ELECTION OF DEPUTY MAYOR FOR ENSUING 12 MONTHS

As detailed on Page 5 of the Minutes THE ELECTION FOR DEPUTY MAYOR was conducted by the General Manager, as Returning Officer, which resulted in the following voting:-

Councillor Maggio: 4 votes
Councillor Yedelian OAM: 3 votes
Councillor O'Donnell: 5 votes

Record of Voting:

Votes for Councillor Maggio: Councillors Etmekdjian, Maggio, Pickering and Tagg

Votes for Councillor Yedelian OAM: Councillors Li, Petch and Yedelian OAM

Votes for Councillor O'Donnell: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Perram and Salvestro-Martin

As Councillor Yedelian had the fewest votes he was excluded from the second ballot.

THE SECOND BALLOT FOR DEPUTY MAYOR was conducted by the General manager, as Returning Officer, which resulted in the following voting:

Councillor Maggio: 7 votes
Councillor O'Donnell 5 votes

Record of Voting:

Votes for Councillor Maggio: Councillors Etmekdjian, Li, Maggio, Petch, Pickering, Tagg and Yedelian OAM

Votes for Councillor O'Donnell: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Perram and Salvestro-Martin

Record of Voting:

For the Motion: Unanimous.

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CONFIRMATION OF MINUTES – ORDINARY MEETING No. 14/09

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the Minutes of the Ordinary Meeting No. 14/09 held on 25 August 2009 be confirmed.

Record of Voting:

For the Motion: Unanimous.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

MAYORAL MINUTES

There are no Mayoral Minutes

MINUTES OF THE PLANNING AND ENVIRONMENT COMMITTEE NO. 1/09

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That the Minutes of the Planning and Environment Committee Report No. 1/09 be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

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MINUTES OF THE DEVELOPMENT COMMITTEE NO. 9/09

RESOLUTION: (Moved by Councillors Pickering and Petch)

That Part A of the Development Committee Report No. 9/09 be dealt with seriatim and Part B be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

PART A – ITEMS TO BE DETERMINED BY COUNCIL

- 4 **17 AEOLUS AVENUE, RYDE. LOT: 80 DP: 12753 – Local Development Application for demolition and erection of new two storey dwelling. LDA2009/0158**

RESOLUTION: (Moved by Councillors Pickering and Petch)

That Local Development Application No 2009/158 at 17 Aeolus Avenue Ryde, being LOT: 80 DP: 12753 be approved in accordance with the recommendation in the report of the Team Leader – Assessment dated 21 August 2009, Development Committee Agenda No 09/09 on pages 82 to 98 with the addition of part (d) to condition 12 as follows:

12. (d) A dilapidation survey is to be undertaken of the garage and boundary fencing at the adjoining property No 19 Aeolus Avenue. The dilapidation survey shall be carried out prior to any work commencing on the site. The applicant shall, at their own cost, rectify any damage caused to 19 Aeolus Avenue during construction of the proposal prior to the issue of an Occupation Certificate.

Record of Voting:

For the Motion: Unanimous.

MINUTES OF WORKS AND COMMUNITY SERVICES COMMITTEE 1/09

RESOLUTION: (Moved by Councillors Tagg and Petch)

That the Minutes of the Works and Community Committee Report No. 1/09 be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

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MINUTES OF THE PUBLIC FACILITIES AND SERVICES COMMITTEE 12/09

RESOLUTION: (Moved by Councillors Perram and Campbell)

That the Minutes of the Public Facilities and Services Committee 12/09 be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

GENERAL MANAGER'S REPORTS

1 DEFERRED ITEM - Bowden Street, Meadowbank - Underground Power and Multi-Function Poles

RESOLUTION: (Moved by Councillors O'Donnell and Campbell)

- (a) That the report of the Manager - Access, dated 26 August 2009 on BOWDEN STREET, MEADOWBANK - Underground Power and Multi-Function Poles, be received and noted.
- (b) That Council accept the offer from Billbergia Pty Ltd to underground power and telecommunications cables and construct multi-function pole lighting in Bowden Street and Underdale Lane, Meadowbank with a Council contribution of \$420,000.
- (c) That the budget for the Bowden Street multi-function pole lighting be increased from \$339,500 to \$420,000.
- (d) That the additional amount of \$80,500 be funded from savings to be identified at the September 2009 Quarterly Review.

Record of Voting:

For the Motion: Unanimous.

2 DEFERRED ITEM - Enhancement of Citizenship Ceremonies**RESOLUTION:** (Moved by Councillors Petch and Pickering)

That the Motion detailed below be considered in seriatim by Council:

- (a) That the report of the Manager - Community Relations and Events, dated 27 August 2009 on ENHANCEMENT OF CITIZENSHIP CEREMONIES, be received and noted.
- (b) That the commencement time for Citizenship Ceremonies be amended to commence at 6.00pm
- (c) That the screening of slides showing scenes from the City of Ryde and it's people be screened during the Local Government speech at all Citizenship Ceremonies.
- (d) That all MPs be invited to congratulate recipients on stage immediately after the Mayor has presented new recipients with their certificates.

Record of Voting:For the Motion: Unanimous.**Motion:** (Moved by Councillors Petch and Pickering)

- (a) That the report of the Manager - Community Relations and Events, dated 27 August 2009 on ENHANCEMENT OF CITIZENSHIP CEREMONIES, be received and noted.

Record of Voting:For the Motion: Unanimous.**Motion:** (Moved by Councillors Petch and Pickering)

- (b) That the commencement time for Citizenship Ceremonies be amended to commence at 6.00pm.

Record of Voting:For the Motion: The Mayor, Councillor Butterworth, and Councillors Campbell, Etmekdjian and Pickering and MaggioAgainst the Motion: Councillors Li, O'Donnell, Perram, Petch, Salvestro-Martin,

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Tagg and Yedelian OAM

As a result of the vote being five (5) votes FOR the Motion and seven (7) votes AGAINST the Motion, the Motion was declared **LOST**

Motion: (Moved by Councillors Petch and Pickering)

- (c) That the screening of slides showing scenes from the City of Ryde and it's people be screened during the Local Government speech at all Citizenship Ceremonies.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, O'Donnell, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Pickering and Maggio

Motion: (Moved by Councillors Petch and Pickering)

- (d) That all MPs be invited to congratulate recipients on stage immediately after the Mayor has presented new recipients with their certificates.

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio, Petch, Pickering, and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Li, O'Donnell, Perram, Salvestro-Martin and Tagg

As a result of the vote being five (5) votes FOR the Motion and seven (7) votes AGAINST the Motion, the Motion was declared **LOST**

RESOLUTION: (Moved by Councillors Perram and Li)

- (a) That the report of the Manager - Community Relations and Events, dated 27 August 2009 on ENHANCEMENT OF CITIZENSHIP CEREMONIES, be received and noted.
- (b) That the screening of slides showing scenes from the City of Ryde and it's people be screened during the Local Government speech at all Citizenship Ceremonies.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, O'Donnell, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Pickering and Maggio

3 DEFERRED ITEM - Minutes of the Eastwood Events and Promotions Committee

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

- (a) That the report of the Manager - Community Relations and Events, dated 2 September 2009 on MINUTES OF THE EASTWOOD EVENTS AND PROMOTIONS COMMITTEE, be received and noted.
- (b) That the minutes of the meeting of the Eastwood Events and Promotions Committee, held on 24 August 2009 be received and noted.

Record of Voting:

For the Motion: Unanimous.

4 REGISTERS - Common Seal

RESOLUTION: (Moved by Councillors Petch and Salvestro-Martin)

That the report of the Executive Assistant - General Manager, dated 15 September 2009 on REGISTERS - Common Seal, be received and noted.

Record of Voting:

For the Motion: Unanimous.

5 COUNCILLOR WORKSHOP

RESOLUTION: (Moved by Councillors Salvestro-Martin and Petch)

That the report of the Acting Manager Councillor Services, dated 17 September 2009 on COUNCILLOR WORKSHOP, be received and noted.

Record of Voting:

For the Motion: Unanimous.

6 INVESTMENT REPORT - AUGUST 2009

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the report of the Chief Financial Officer, dated 11/09/2009 on INVESTMENT REPORT - AUGUST 2009, be received and noted.

Record of Voting:

For the Motion: Unanimous.

7 NSROC TENDER 8/09 - Supply, Supply and Delivery and Supply Delivery and Laying of Asphaltic Concrete and Associated Works.

RESOLUTION: (Moved by Councillors Petch and Campbell)

1. That the report of the Senior Roads Engineer - Assets, dated 4/09/2009 on NSROC TENDER 8/09 - Supply, Supply and Delivery and Supply Delivery and Laying of Asphaltic Concrete and Associated Works., be received and noted.
2. That the tenders be accepted as follows on an "as and when" required basis
 - (a) For Supply, Delivery and Laying of Asphaltic Concrete, and Profiling of Road Pavement works
 - Downer EDI Works Pty Ltd as preferred contractor
 - Boral Asphalt as the alternative contractor
 - (b) For Heavy Patching works
 - Downer EDI Works Pty Ltd as preferred contractor
 - AJ Paving Pty Ltd as the alternative contractor
 - (c) For Crack Sealing
 - SRS Roads Pty Ltd as preferred contractor
 - Downer EDI Works Pty Ltd as the alternative contractor
 - (d) For the Supply Only of Asphaltic Concrete Products
 - Downer EDI Works Pty Ltd as preferred contractor
 - State Asphalt Services Pty Ltd as the alternative contractor
 - (e) For Supply Only of Cold Mix
 - Pioneer Road Services Pty Ltd as preferred contractor
 - Boral Asphalt as the alternative contractor
 - (f) For Supply and Delivery of Asphaltic Concrete Products
 - Downer EDI Works Pty Ltd as preferred contractor
 - State Asphalt Services Pty Ltd as the alternative contractor
 - (g) For Supply and Delivery of Cold Mix.
 - Pioneer Road Services Pty Ltd as preferred contractor
 - Tropic Asphalts Pty Ltd as the alternative contractor

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3. That the other Tenderers be advised of Council's resolution in this matter and relevant tender deposits refunded.

Record of Voting:

For the Motion: Unanimous.

8 RYDE COMMUNITY & SPORTS CENTRE - COR RFT 06/09 - Tender Evaluation Report

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the report of the Project Manager - Buildings, dated 10/09/2009 on RYDE COMMUNITY & SPORTS CENTRE - COR RFT 06/09 - Tender Evaluation Report, be received and noted.
- (b) That the tender from AMFM Constructions Pty Ltd be accepted for the demolition of the amenities block and Optus telecommunications shed and for the construction of the community and sports facility including associated landscape works as detailed in their tender submission for a lump sum price of \$5,024,580 excluding GST.
- (c) That the General Manager be delegated authority to enter into a contract with AMFM Constructions Pty Ltd on the terms contained within the tender documents and for minor amendments to be made to the contract documents that are not of a material nature.
- (d) That all unsuccessful tenderers be notified of Council's decision in this matter.

Record of Voting:

For the Motion: Unanimous.

9 TENDER FOR THE SUPPLY OF WASTE AND RECYCLING BIN STATIONS - COR-RFT 10/09

RESOLUTION: (Moved by Councillors Salvestro-Martin and Petch)

- (a) That the report of the Environmental Engineer, dated 10/09/2009 on TENDER FOR THE SUPPLY OF WASTE AND RECYCLING BIN STATIONS - COR-RFT 10/09, be received and noted.

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(b) That the tender COR - RFT- 10/09, for the supply and delivery of Waste and Recycling Bin Stations be awarded to Wardrope & Carroll Engineering for a tender price of \$299,520.00 excluding GST for the initial 120 units, plus an additional 30 units at \$2,496.00 per unit.

(c) That the unsuccessful tenderers be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous.

10 ALLOCATION OF COMMUNITY AID GRANTS 2009-10

RESOLUTION: (Moved by Councillors Petch and Campbell)

1. That the report of the Manager - Community and Culture, dated 14/09/2009 on ALLOCATION OF COMMUNITY AID GRANTS 2009-10, be received and noted.
2. That the Community Aid Grants for 2009/10 be allocated as follows:
 - Christian Community Aid- \$35,200
 - North Ryde Community Aid- \$26,400
 - Hunters Hill Ryde Community Services- \$18,400.
3. That the applicants be informed in writing of the outcome of their application.

Record of Voting:

For the Motion: Unanimous.

11 RYDE PARK - New Cafe

RESOLUTION: (Moved by Councillors Petch and Salvestro-Martin)

That consideration of this matter be dealt with in Closed Session at the end of the meeting.

Record of Voting:

For the Motion: Unanimous.

12 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Petch and Salvestro-Martin)

That consideration of this matter be dealt with in Closed Session at the end of the meeting

Record of Voting:

For the Motion: Unanimous.

13 UNREASONABLE COMPLAINANT

RESOLUTION: (Moved by Councillors Petch and Salvestro-Martin)

That consideration of this matter be dealt with in Closed Session at the end of the meeting.

Record of Voting:

For the Motion: Unanimous.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION**1 DICTIONARY OF SYDNEY PROJECT - Local Government Association NSW**

RESOLUTION: (Moved By Councillors Petch And Perram)

That the correspondence be received.

Record of Voting:

For the Motion: Unanimous.

NOTICES OF MOTION**1 CITY OF RYDE GRAFFITI BROCHURE - Councillor Roy Maggio**

Motion: (Moved by Councillors Maggio and Pickering)

That the General Manager prepares a report to adopt a CoR Graffiti Brochure for the purpose of getting a grip on graffiti in the LGA. Publishing the brochure on our website, displaying it throughout the CoR and inserting it in our rate notices ensuring people are made aware of graffiti.

Amendment: (Moved by Councillors O'Donnell and Campbell)

That the General Manager prepare a report to Council detailing the City of Ryde's graffiti management strategy.

Record of Voting:

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Salvestro-Martin, Tagg and Yedelian OAM

Against the Amendment: Councillors Etmekdjian, Li, Maggio, Perram, Petch and Pickering

On being put to the meeting, the voting was 6-all and the Mayor gave his CASTING VOTE FOR THE AMENDMENT AND IT WAS DECLARED CARRIED.

RESOLUTION: (Moved by Councillors O'Donnell and Campbell)

That the General Manager prepare a report to Council detailing the City of Ryde's graffiti management strategy.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Etmekdjian, Li, Maggio, Perram and Pickering

2 COMMUNITY AND CULTURE GRANTS - Councillor Maggio

Note: Councillor Pickering left the Chamber during discussion of this item, the time being 9.35pm, and took no part in voting on the matter.

Motion: (Moved by Councillors Maggio and Etmekdjian)

That the General Manager, in conjunction with the other community and culture grants, provide a report to adopt a City of Ryde Community Capital Works Grants program.

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Li, O'Donnell, Perram, Petch, Salvestro-Martin and Tagg.

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As a result of the vote being three (3) votes FOR the Motion and eight (8) votes AGAINST the Motion, the Motion was declared **LOST**

3 BRUSH FARM HISTORICAL EXHIBITION - Councillor Perram

Motion:(Moved by Councillors Perram and Yedelian OAM)

That Council approach Mr Gregory Blaxell to request that a copy of his address delivered at the opening of the Brush Farm historical exhibition on 4 September 2009 be made available to the community and if forthcoming:

- (a) the text of the address be made available on Council's web site;
- (b) the availability of the address be advertised in the Ryde City news and the mayor's column.

Record of Voting:

For the Motion: Unanimous.

4 MACQUARIE PARK FORUM MEMBERSHIP NOMINATION - Councillor Petch

Motion:

That Council accepts the attached nomination for membership to the Macquarie Park Forum and appoints the person to this Community Advisory Committee.

RESOLUTION: (Moved by Councillors Perram and Petch)

That consideration of this matter be dealt with in Closed Session at the end of the meeting.

Record of Voting:

For the Motion: Unanimous.

NOTICES OF RESCISSION

There are no Notices of Rescission

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QUESTIONS BY COUNCILLORS AS PER POLICY

There are no Questions by Councillors as per Policy

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CLOSED SESSION**NOTICE OF MOTION 4 MACQUARIE PARK FORUM MEMBERSHIP
NOMINATION - Councillor Petch****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2)(a) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: personnel matters concerning particular individuals.

ITEM 11 - RYDE PARK - New Cafe**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 12 - 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.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

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It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

ITEM 13 - UNREASONABLE COMPLAINANT

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: (f) details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

RESOLUTION: (Moved by Councillors Petch and Perram)

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

Record of Voting:

For the Motion: Unanimous.

Note: The Council closed the meeting at 9.48pm. The public and media left the Chamber.

MACQUARIE PARK FORUM MEMBERSHIP NOMINATION - Councillor Petch

Motion: (Moved by Councillors Petch and The Mayor, Councillor Butterworth)

- (a) That Council accepts the attached nomination for membership to the Macquarie Park Forum and appoints the person to this Community Advisory Committee.
- (b) That Councillor Petch be appointed as a delegate to the Macquarie Park Forum.

Record of Voting:

For the Motion: Unanimous.

11 RYDE PARK - New Cafe

Note: An item of correspondence dated 15 September 2009 from Group Manager – Public Works was tabled regarding this matter and IS ON FILE.

Motion: (Moved by Councillors Tagg and Campbell)

- (a) That the report of the Manager - Buildings and Property, dated 12/08/2009 on RYDE PARK - New Cafe, be received and noted.

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- (b) That the proposal to lease and operate the café by Cheeky2 Café as outlined in this report, be adopted.
- (c) That the General Manager be delegated the authority to finalise the commercial arrangements as outlined in this report and to agree to minor amendments that do not impact on the materiality of the proposal and to enter into a lease with the selected operator.

Amendment: (Moved by Councillors Pickering and Etmekdjian)

That the matter of the Ryde Park – New Café be deferred to allow Council to resolve the issues relating to the Harry Anderson Pavilion.

Record of Voting:

For the Amendment: Councillors Etmekdjian, Li, Petch and Pickering

Against the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Maggio, Perram, Salvestro-Martin, Tagg and Yedelian OAM

As a result of the vote being four (4) votes FOR the Amendment and eight (8) votes AGAINST the Amendment, the Amendment was declared **LOST**.

RESOLUTION: (Moved by Councillors Tagg and Campbell)

- (a) That the report of the Manager - Buildings and Property, dated 12/08/2009 on RYDE PARK - New Cafe, be received and noted.
- (b) That the proposal to lease and operate the café by Cheeky2 Café as outlined in this report, be adopted.
- (c) That the General Manager be delegated the authority to finalise the commercial arrangements as outlined in this report and to agree to minor amendments that do not impact on the materiality of the proposal and to enter into a lease with the selected operator.

Record of Voting:

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Etmekdjian, Li, Maggio, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Amendment: Councillor Pickering

12 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors O'Donnell and Petch)

That the report of the General Counsel, dated 15/09/2009 on ADVICE ON COURT ACTIONS, be received and noted.

Record of Voting:

For the Motion: Unanimous.

13 UNREASONABLE COMPLAINANT

Motion: (Moved by Councillors Maggio and Petch)

- a) That the report of the Group Manager Environment & Planning, dated 8/09/2009 on UNREASONABLE COMPLAINANT, be received and noted.
- (b) That Council endorse the proposed action of limiting Mr Hong's future interactions with council staff to mail correspondence only, except in circumstances in which he exercises his right to lodge documentation with council.
- c) That Mr Hong be advised in writing of this decision.
- d) That a copy of this report be provided to:
 1. The NSW Ombudsman.
 2. The Architects Registration Board.

Amendment: (Moved by The Mayor, Councillor Butterworth and Campbell)

- a) That the report of the Group Manager Environment & Planning, dated 8/09/2009 on UNREASONABLE COMPLAINANT, be received and noted.
- (b) That the matter be deferred to allow the General Manager to meet with the unreasonable complainant to endeavour to mediate any conflict between the parties.
- (c) That in the event that mediation fails the General Manager is delegated to undertake whatever action he deems necessary.

Record of Voting:

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Li, Perram, Pickering, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Amendment: Councillors Etmekdjian and Maggio

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ON BEING PUT TO THE MEETING THE AMENDMENT WAS DECLARED
CARRIED.

RESOLUTION: (Moved by The Mayor, Councillor Butterworth and Campbell)

- a) That the report of the Group Manager Environment & Planning, dated 8/09/2009 on UNREASONABLE COMPLAINANT, be received and noted.
- (b) That the matter be deferred to allow the General Manager to meet with the unreasonable complainant to endeavour to mediate any conflict between the parties.
- (c) That in the event that mediation fails the General Manager is delegated to undertake whatever action he deems necessary.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillor Maggio

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Pickering):

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 10.25pm.

On resuming business in Open Council, all Councillors were present in the Chamber and the General Manager formally reported the business transacted in Closed Session.

RESOLUTION: (Moved by Councillors Petch and Perram)

That the General Manager's report of the business transacted in Closed Session be received and adopted as a resolution of Council without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous.

NATIONAL ANTHEM

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 10.27pm.

CONFIRMED THIS 13th DAY OF OCTOBER 2009

Chairperson

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General Manager

Mayor