

Council Meeting

MINUTES OF MEETING NO. 3/10

Meeting Date: Tuesday 9 March 2010
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Councillor Campbell (Leave of absence)

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

PRAYER

The General Manager offered prayer prior to the commencement of the meeting.

CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

That the Minutes of the Ordinary Council Meeting No. 2/10 held on 23 February 2010 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

COUNCIL MEETING**1 MOTIONS PUT WITHOUT DEBATE****RECOMMENDATION:**

That the recommendations in respect of items 2 to 5 inclusive, as submitted to Council Meeting 03/10, be adopted with the exception of items as determined by the Council.

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

That each item be considered in seriatim.

Record of Voting:

For the Motion: Unanimous.

2 REMOVAL OF TREES - Strangers Creek Rehabilitation

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

That the matter be deferred in order for the Works & Community Committee to undertake an inspection.

Record of Voting:

For the Motion: Unanimous.

3 COUNCIL'S PLANT & FLEET - Mayoral Vehicle

Addendum to Item 3 was brought forward and dealt with at this stage

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

That the existing Mayoral vehicle be replaced with a Toyota Camry Hybrid Level 2 when due for changeover in March 2010.

Record of Voting:

For the Motion: Unanimous.

4 COUNCIL/COMMITTEE MEETING AGENDAS - Availability to Councillors and Public

Motion: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That Council endorse the proposed timetable as detailed in this report, which increases the time Councillors and the general community have in accessing Council and Committee meeting agendas prior to meetings.
- (b) That Council endorse the introduction of the proposed timetable, as detailed in part (a) of the recommendation, for Council's meeting on 27 April 2010.

Amendment: (Moved by Councillors Perram and Salvestro-Martin)

- (a) That the business papers be made available to both the Councillors and the public on the Thursday prior to the meeting.
- (b) That Council endorse the introduction of the proposed timetable, as detailed in part (a) of the recommendation, for Council's meeting on 27 April 2010.

Record of Voting:

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

Against the Amendment: Councillors Etmekdjian, Li, Maggio, Pickering and Yedelian OAM

Resolution: (Moved by Councillors Perram and Salvestro-Martin)

- (a) That the business papers be made available to both the Councillors and the public on the Thursday prior to the meeting.
- (b) That Council endorse the introduction of the proposed timetable, as detailed in part (a) of the recommendation, for Council's meeting on 27 April 2010.

Record of Voting:

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

Against the Motion: Councillors Li, Maggio and Yedelian OAM

5 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Petch and Pickering)

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

There are no Precis of Correspondence for Consideration

NOTICES OF MOTION

There are no Notices of Motion

NOTICES OF RESCISSION

There are no Notices of Rescission

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**ITEM 5 - 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.

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.

RESOLUTION: (Moved by Councillors Petch and Pickering)

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 8.14pm. The public and media left the chamber.

5 ADVICE ON COURT ACTIONS

Motion: (Moved by Councillors Petch and Yedelian OAM)

That the report of the General Counsel, dated 01 March 2010, on ADVICE ON COURT ACTIONS, be endorsed.

Record of Voting:

For the Motion: Unanimous.

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Maggio)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 8.20pm.

On resuming business in Open Council, the General Manager formally reported the business transacted in Closed Session.

RESOLUTION: (Moved by Councillors Petch and Pickering)

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 8.22pm.

CONFIRMED THIS 23rd DAY OF March 2010

Chairperson