

Council Meeting

MINUTES OF MEETING NO. 4/10

Meeting Date: Tuesday 23 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 (LOA)

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Media & Community Relations Officer, Road and Community Safety Project Officer and Business Services Co-ordinator.

PRAYER

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

CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Yedelian and Maggio)

That the Minutes of the Ordinary Council Meeting No. 3/10 held on 9 March 2010 be confirmed with the following correction to Item 4: Council/Committee Meeting Agendas (Page 3):

Record of Voting to be corrected to reflect Councillor Li as having voted against the Motion only.

Record of Voting

For the Motion: Unanimous

DISCLOSURES OF INTEREST

Councillor Tagg disclosed a non-pecuniary interest in Item 4 – School Flashing Lights – Current Situation of the Council Report No. 04/10, for the reason that he is a Rotarian with Macquarie Park Club.

Councillor Etmekdjian disclosed a non-pecuniary interest in Item 4 – School Flashing Lights – Current Situation of the Council Report No. 04/10, for the reason that he is a Rotarian.

Councillor Maggio disclosed a non-pecuniary interest in Item 4 – School Flashing Lights – Current Situation of the Council Report No. 04/10, for the reason that he is a Rotarian.

Councillor Petch disclosed a non-pecuniary interest in Item 4 – School Flashing Lights – Current Situation of the Council Report No. 04/10, for the reason that he is a Rotarian.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

| No. | Name | Item |
|-----|-----------------------------------|-------------------------------------|
| 1 | Phillip Isaacs, North Ryde Rotary | Item 4: School Flashing Lights |
| 2 | Roseanna Gallo, Macquarie Rotary | Item 4: School Flashing Lights |
| 3 | Jennie Minifie | Item 7: Heritage Advisory Committee |
| 4 | Noel Plumb | Item 7: Heritage Advisory Committee |

MAYORAL MINUTES

There are no Mayoral Minutes

MINUTES OF WORKS AND COMMUNITY COMMITTEE REPORT NO. 03/10

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Part A of the Works and Community Committee Report No. 03/10 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**3 RYDE BICYCLE COMMITTEE - Minutes of Meeting held 15 February 2010**

Motion: (Moved by Councillors Maggio and Petch)

- (a) That the M2 Motorway consultant be formally advised of the Committee's views and that design plans of the M2 Upgrade – Alternative Cycleway Route, be provided for review and comment by members of the Bicycle Advisory Committee and Council, when available.
- (b) That RailCorp be approached to ascertain views regarding converting two (2) parking spaces to a bicycle storage facility.
- (c) That a meeting be convened involving representatives of both Council and the RTA so that mutual agreement can be obtained in respect of the allocation of current RTA Grant Funding for cycleways for the period 2009/2010.
- (d) That the Issues Paper regarding the Andrew Street, Ryde be referred to a future meeting of the Ryde Traffic Committee for review of possible traffic management measures to improve the safety of cyclists in the area.

Amendment: (Moved by Councillors Li and Tagg)

- (a) That the M2 Motorway consultant be formally advised of the Committee's views and that design plans of the M2 Upgrade – Alternative Cycleway Route, be provided for review and comment by members of the Bicycle Advisory Committee and Council, when available.
- (b) That locations around Eastwood train station be explored for bicycle storage facilities, without the loss of car parking spaces.
- (c) That a meeting be convened involving representatives of both Council and the RTA so that mutual agreement can be obtained in respect of the allocation of current RTA Grant Funding for cycleways for the period 2009/2010.
- (d) That the Issues Paper regarding the Andrew Street, Ryde be referred to a future meeting of the Ryde Traffic Committee for review of possible traffic management measures to improve the safety of cyclists in the area.

The Amendment was put and **LOST** with there being three (3) votes for the Amendment and eight (8) votes against.

Record of Voting

For the Amendment: The Mayor, Councillor Butterworth, Councillors Tagg and Li.

Against the Amendment: Councillors Etmekdjian, Maggio, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin and Yedelian OAM

Further Amendment: (Moved by Councillor Yedelian and O'Donnell)

- (a) That the M2 Motorway consultant be formally advised of the Committee's views and that design plans of the M2 Upgrade – Alternative Cycleway Route, be provided for review and comment by members of the Bicycle Advisory Committee and Council, when available.
- (b) That RailCorp be approached to ascertain views regarding converting two (2) parking spaces to a bicycle storage facility.
- (c) That locations around Eastwood train station be explored for bicycle storage facilities, without the loss of car parking spaces.
- (d) That a meeting be convened involving representatives of both Council and the RTA so that mutual agreement can be obtained in respect of the allocation of current RTA Grant Funding for cycleways for the period 2009/2010.
- (e) That the Issues Paper regarding the Andrew Street, Ryde be referred to a future meeting of the Ryde Traffic Committee for review of possible traffic management measures to improve the safety of cyclists in the area.

The Amendment was put and **CARRIED**, thereby becoming the Motion.

Record of Voting

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

Against the Amendment: Councillor Li.

RESOLUTION: (Moved by Councillor Yedelian and O'Donnell)

- (a) That the M2 Motorway consultant be formally advised of the Committee's views and that design plans of the M2 Upgrade – Alternative Cycleway Route, be provided for review and comment by members of the Bicycle Advisory Committee and Council, when available.
- (b) That RailCorp be approached to ascertain views regarding converting two (2) parking spaces to a bicycle storage facility.
- (c) That locations around Eastwood train station be explored for bicycle storage facilities, without the loss of car parking spaces.
- (d) That a meeting be convened involving representatives of both Council and the RTA so that mutual agreement can be obtained in respect of the

allocation of current RTA Grant Funding for cycleways for the period 2009/2010.

- (e) That the Issues Paper regarding the Andrew Street, Ryde be referred to a future meeting of the Ryde Traffic Committee for review of possible traffic management measures to improve the safety of cyclists in the area.

Record of Voting

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

Against the Motion: Councillor Li.

COUNCIL MEETING

1 MOTIONS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Yedelian OAM and Salvestro-Martin)

That the items be considered in seriatim.

Record of Voting

For the Motion: Unanimous

2 REGISTERS - State Environmental Planning Policy No. 1

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

That the report of the Manager Assessment dated 4 March 2010 on REGISTERS - State Environmental Planning Policy No. 1 be endorsed by Council.

Record of Voting

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

Against the Motion: Councillor Maggio.

3 INVESTMENT REPORT - February 2010

Note: Additional information was provided at the Meeting and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the report of the Chief Financial Officer, dated 8/03/2010 on INVESTMENT REPORT - FEBRUARY 2010 , be endorsed

Record of Voting

For the Motion: Unanimous

4 SCHOOL FLASHING LIGHTS - CURRENT SITUATION

Note: Councillors Tagg, Maggio, Etmekdjian and Petch each disclosed a non-pecuniary interest in this Item.

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That Council provide a donation of \$4500 to Rotary for the purpose of programs enhancing community safety.
- (b) Funding for the donation in paragraph (a) be provided from an adjustment in the next quarterly review.
- (c) That Rotary be advised that any signage installed by Rotary with funds donated by Council are to be installed at Rotary's own risk and not on Council's behalf.
- (d) That Council advocate for the RTA to invest more RTA-approved flashing light signage in the City of Ryde.
- (e) That Rotary be thanked and congratulated for their initiative.

Record of Voting

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

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

5 RYDE YOUTH COUNCIL TERMS OF REFERENCE

Motion: (Moved by Councillors Maggio and Etmekdjian)

- (a) That Ryde Youth Council becomes a formal Advisory Committee of Council.
- (b) That the Ryde Youth Council draft Terms of Reference be adopted.
- (c) That expressions of interest for Ryde Youth Council 2010 be advertised.
- (d) That Councillor Maggio be appointed as a non-voting member, and Councillor Li be nominated as the alternate Councillor non-voting member.

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

- (a) That Ryde Youth Council becomes a formal Advisory Committee of Council.
- (b) That expressions of interest for Ryde Youth Council 2010 be advertised.

The Amendment was put and Carried thereby becoming the Motion.

Record of Voting

For the Motion: Unanimous

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

- (a) That Ryde Youth Council becomes a formal Advisory Committee of Council.
- (b) That expressions of interest for Ryde Youth Council 2010 be advertised.

Record of Voting

For the Motion: Unanimous

6 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

Motion: (Moved by Councillors Etmekdjian and Maggio)

- (a) That the Mayor and Councillors, and the General Manager (or his nominee) be authorised to attend the National General Assembly of Local Government to be held in Canberra from Monday, 14 to Thursday, 17 June 2010.
- (b) That the Mayor attend the Australian Council of Local Government meeting on Friday 18 June 2010.

- (c) That Council allow Councillors to submit suggested motions to the General Manager as detailed in the report, to enable any motions to be submitted by Friday 09 April 2010.

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

- (a) That the Mayor and a Councillor, and the General Manager (or his nominee) be authorised to attend the National General Assembly of Local Government to be held in Canberra from Monday, 14 to Thursday, 17 June 2010.
- (b) That the Mayor attend the Australian Council of Local Government meeting on Friday 18 June 2010.
- (c) That Council allow Councillors to submit suggested motions to the General Manager as detailed in the report, to enable any motions to be submitted by Friday 09 April 2010.

The Amendment was put and **LOST** with there being five (5) votes for the Amendment and six (6) votes against.

Record of Voting

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

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

The Motion was put and **CARRIED** with there being seven (7) votes for the Motion and four (4) votes against.

RESOLUTION: (Moved by Councillors Etmekdjian and Maggio)

- (a) That the Mayor and Councillors, and the General Manager (or his nominee) be authorised to attend the National General Assembly of Local Government to be held in Canberra from Monday, 14 to Thursday, 17 June 2010.
- (b) That the Mayor attend the Australian Council of Local Government meeting on Friday 18 June 2010.
- (c) That Council allow Councillors to submit suggested motions to the General Manager as detailed in the report, to enable any motions to be submitted by Friday 09 April 2010.

Record of Voting

For the Motion: The Mayor, Councillor Butterworth Councillors Etmekdjian, Maggio, Perram, Petch, Pickering and Yedelian OAM.

Against the Motion: Councillors Tagg, Li, O'Donnell and Salvestro-Martin

Note: Councillors Pickering and Tagg advised the General Manager at the end of the meeting that they wished to attend the National General Assembly.

7 HERITAGE ADVISORY COMMITTEE

Motion: (Moved by Councillors Pickering and Etmekdjian)

- (a) That the minutes of the Heritage Advisory Committee 01/2010 be noted.
- (b) That \$20,000 be included in the draft 2010/11 budget for the purposes of a Ryde Heritage Grants Scheme.
- (c) That \$3,000 be allocated to the 2009/10 Public Works Maintenance Budget for replacing signs in Brush Farm Park as outlined in the report of the Team Leader Strategic Planning dated 3 March 2010.
- (d) That Council notes that it approved a resolution in July 2005 that supported the nomination of Brush Farm Estate for national state heritage listing and that this has not been acted up to date by City of Ryde staff.
- (e) Accordingly, Council engage in a community consultation process of the users of the facilities and that a further report be provided to Council.
- (f) That a further report is presented to Council that considers the submission of the Heritage Advisory Committee to the Draft Heritage Study 2009.

Amendment: (Moved by Councillors Perram and Tagg)

- (a) That the minutes of the Heritage Advisory Committee 01/2010 be noted.
- (b) That \$20,000 be included in the draft 2010/11 budget for the purposes of a Ryde Heritage Grants Scheme.
- (c) That \$3,000 be allocated to the 2009/10 Public Works Maintenance Budget for replacing signs in Brush Farm Park as outlined in the report of the Team Leader Strategic Planning dated 3 March 2010.
- (d) That State Heritage Listing of Brush Farm Park is not pursued as protection is afforded the site under existing local and state planning controls including ***State Environmental Planning Policy (SEPP) 19 Bushland in Urban Areas***.
- (e) That a further report is presented to Council that considers the submission of the Heritage Advisory Committee to the Draft Heritage Study 2009.

The Amendment was put and **LOST** there being five (5) votes for the Amendment and six (6) votes against.

Record of Voting

For the Amendment: The Mayor, Councillor Butterworth and Councillors Maggio, O'Donnell, Perram and Tagg

Against the Amendment: Councillors Etmekdjian, Li, Petch, Pickering, Salvestro-Martin and Yedelian OAM

The Motion was put and **CARRIED** there being seven (7) votes for the Motion and four (4) votes against.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

- (a) That the minutes of the Heritage Advisory Committee 01/2010 be noted.
- (b) That \$20,000 be included in the draft 2010/11 budget for the purposes of a Ryde Heritage Grants Scheme.
- (c) That \$3,000 be allocated to the 2009/10 Public Works Maintenance Budget for replacing signs in Brush Farm Park as outlined in the report of the Team Leader Strategic Planning dated 3 March 2010.
- (d) That Council notes that it approved a resolution in July 2005 that supported the nomination of Brush Farm Estate for national state heritage listing and that this has not been acted up to date by City of Ryde staff.
- (e) Accordingly, Council engage in a community consultation process of the users of the facilities and that a further report be provided to Council.
- (f) That a further report is presented to Council that considers the submission of the Heritage Advisory Committee to the Draft Heritage Study 2009.

Record of Voting

For the Motion: Councillors Etmekdjian, Li, Perram, Petch, Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth and Councillors Maggio, O'Donnell and Tagg

8 REQUESTS FOR WAIVER OF FEES FOR EVENTS IN PARKS

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

- (a) That the request by Putney Anglican Church for an Anglican Easter Service at Kissing Point Park on Sunday 4 April 2010 be approved and that all applicable hire fees are waived on this occasion.

- (b) That the request by Buddhist Compassion Relief Tzu Chi Foundation Australia for a Tzu Chi Day event at Glen Reserve on 9 May 2010 be approved and that all applicable hire fees are waived on this occasion.
- (c) That both organisations pay the \$250 refundable bond as set out in Council's adopted Fees and Charges.

Record of Voting

For the Motion: Unanimous

9 ADVISORY COMMITTEE MINUTES - Access 3 February 2010

Note: Councillor Maggio left the meeting at 10.09pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Maggio)

- (a) That a forum for people with a disability and their carers be held around the time of the next International Day of Persons with Disabilities, 3 December 2010, in the October – December quarter.
- (b) That the casual vacancy on the Access Advisory Committee be filled after the conclusion of the current review of Advisory Committee Terms of Reference.

Record of Voting

For the Motion: Unanimous

Note: Councillor Maggio returned to the Chamber at 10.13pm.

10 GENERAL MANAGER'S PERFORMANCE OBJECTIVES FOR 2010/11

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the attached objectives (see Attachment 1) forms the basis for the General Manager's performance agreement and that the Mayor signs the agreed performance criteria on behalf of Council with the following addition:

2.10 Aim to improve the ratio of women in managerial positions.
- (b) That the General Manager develop a performance agreement action plan for the agreed objectives within 2 months of this report being adopted.
- (c) That Council hold a workshop to review the previous performance management process for the determination of a performance rating and annual review of the General Manager's remuneration to ensure that it is

keeping with the model contract for General Managers.

- (d) On completion of the workshop, a report is brought to Council recommending the performance management process and the membership of the General Manager's performance review Committee.
- (e) That Clause 7 'Performance agreement and review' of the General Manager's model contract be varied so that the General Manager's performance management process be finalised in August of each year (instead of May each year), following the unaudited end of year results of the Management Plan.

Record of Voting

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

Against the Motion: Councillor Pickering:

ITEM 11 - STAFF MATTER - CONFIDENTIAL

ITEM 12 - WEST RYDE URBAN VILLAGE REDEVELOPMENT - Early Access Licence

ITEM 13 - ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

That consideration of Items 11, 12 and 13 be deferred to the end of the meeting.

Record of Voting

For the Motion: Unanimous

14 COUNCIL CONTINUED SUPPORT IN ACKNOWLEDGING THE ARMENIAN GENOCIDE

RESOLUTION: (Moved by Councillors Petch and Pickering)

That Council support the request for the Commemoration of the Armenian Genocide this year and each year for the term of this Council by providing a venue for the after ceremony afternoon tea, providing a portable sound system for the ceremony, an official invitation from the Mayor of the day and for the site to be clean and tidy prior to the event.

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**1 QUESTIONS WITH NOTICE - Councillor Pickering**

The following questions were tabled and answered in accordance with Council's Code of Meeting Practice.

Question 1:

Why have Clergy not been invited to deliver the opening prayer at general council meetings for the past several months? On whose authority has this breach in procedure been exercised?

Answer 1:

Having reviewed the files and past resolutions, staff have been unable to identify a breach in procedure.

The matter of the Prayer was discussed by me and the previous General Manager and the advice provided at the time was that there was no resolution by Council requiring a Minister, religious leader, or clergy to deliver the prayer to Council.

In addition, Council officers advised that there had been difficulties in the past in securing members of the clergy to provide the Prayer.

On that basis, it was agreed between me and the then General Manager, that once the roster for 2009 was completed, that the Prayer be delivered by the General Manager in 2010.

Since this Question with Notice has been submitted a fulsome check of Council decisions on this matter has been undertaken.

It has long been a practice to have a prayer at the commencement of Council Meetings. This practice is reflected in the Order of Business set out in Council's Code of Meeting practice.

In 1996, as a result of a Notice of Motion from Cllr Lazzarini, Council resolved that, given the multicultural and religious diversity of Ryde's population, Council consider inviting religious leaders or clergy of non-Christian Communities or places of worship which are represented in Ryde, to offer a prayer of faith before Council Meetings, in a similar manner to that which currently occurs with Ministers of religion of the Christian faith.

When considering this motion, there was an amendment that any prayer of religious service, regardless of religious denomination be conducted prior to the commencement of Council Meetings or business. This amendment was **lost**.

Following this resolution, a report was provided to Council on the 9 April 1996. The recommendation was 'that no public prayer be given at Council meetings but time be allocated for private prayer'. This recommendation was moved and lost. Council in considering this matter did not carry any other resolution and therefore did not formalise the practice that was currently in place.

Consequently, beyond the requirement in Council's Code of Meeting Practice that there be a prayer at the beginning of Council Meetings there is no resolution of Council that this prayer be delivered by a member of the Clergy.

Question 2:

What is the status of the annual Mayor's Prayer Breakfast and when will this event next occur?

Answer 2:

The Mayor's Prayer Breakfast has been a Community Prayer Breakfast since 2005.

There is a small Committee of volunteers and staff who organise this event. The Committee will be convening next month to begin preparations for the event in August.

This event is supported by the Community Events team.

Question 3:

It has been noted that a number of community events that directly involve the City of Ryde have not been included in the Councillor's Information Bulletin (eg. Mayor's Cricket match, West Ryde Easter Parade). Will this information in future be included in the CIB?

Answer 3:

The information provided to Councillors, through the Councillors Information Bulletin (CIB) and Councillors Calendar that is available on the Councillors' portal, includes all City of Ryde organised events. The intention is to have all Chamber of Commerce meetings listed in the diary for the information of Councillors, however it was never proposed to include all the events undertaken by the Chambers.

In response to the two events mentioned, the suggestion of a Mayor's Cricket Match has been made in the discussions on the draft 2010/11 Budget, however no confirmation of this match has been made to date. Once this is approved, this event will be included in the diary.

In respect of the West Ryde Easter Parade, this is a West Ryde Chamber of Commerce event to be held on Saturday, 27 March 2010 and it is not proposed that this event or similar events would be included in the diary.

Question 4:

What is the status of the Expression Of Interest in relation to the property in Wharf Road?

Answer 4:

The EOI formally closed on 16 March 2010. At this time two (2) proposals were lodged. The assessment process has now begun and it is anticipated that a report will be submitted to COW on 20 April 2010.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CLOSED SESSION

ITEM 11 - STAFF MATTER - CONFIDENTIAL

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: (a) personnel matters concerning particular individuals (other than councillors).

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.

ITEM 12 - WEST RYDE URBAN VILLAGE REDEVELOPMENT - Early Access Licence

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.

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.

ITEM 13 - 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 Tagg)

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 10.31pm. The public and media left the chamber.

11 STAFF MATTER - CONFIDENTIAL

RESOLUTION; (Moved by Councillors Petch and Yedelian)

That Council endorse the actions as detailed in the report noting the implications on Council's budget.

Record of Voting

For the Motion: Unanimous

12 WEST RYDE URBAN VILLAGE REDEVELOPMENT - Early Access Licence

Note: A project update was provided and a copy is ON FILE.

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

- (a) That Council endorse the Licence Agreement at Attachment 2.
- (b) That the General Manager be authorised to sign the Licence Agreement on Council's behalf.

Record of Voting

For the Motion: Unanimous

13 ADVICE ON COURT ACTIONS**RESOLUTION;** (Moved by Councillors Petch and Yedelian)

That the report of the General Counsel, dated 17 March 2010, on ADVICE ON COURT ACTIONS, be endorsed.

Record of Voting

For the Motion: Unanimous

OPEN SESSION**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That Council resolve itself into open Council.

Record of Voting

For the Motion: Unanimous

Note: Open Council resumed at 10.40pm.

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

RESOLUTION: (Moved by Councillors Petch and Tagg)

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 10.41pm.

CONFIRMED THIS 27th DAY OF APRIL 2010

Chairperson