

EXTRAORDINARY COUNCIL MEETING

MINUTES

Held in the Council Chambers, City of Canada Bay Civic Centre, Drummoyne

Tuesday, 28 June 2022

Minutes of an Extraordinary Council Meeting

Held on Tuesday 28 June 2022

At the Council Chambers, City of Canada Bay Civic Centre, Drummoyne

Commencing at 5.31pm

Present:

Cr Tsirekas	Mayor (Chairperson)
Cr Di Pasqua	Deputy Mayor
Cr Bazouni	Councillor
Cr Cordaro	Councillor
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Little	Councillor
Cr Megna	Councillor

Officers in attendance:

Mr J Clark	General Manager
Ms K Loveridge	Director City Services and Assets
Ms M Cologna	Director Community and Environmental Planning
Mr E Hutchings	Director Corporate Services and Strategy
Ms M Lee	Manager Governance and Customer Services

NOTES

The meeting commenced at 5.31pm, moved into closed session at 5.54pm, resumed in open session at 7.08pm and concluded at 7.09pm.

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1 ACKNOWLEDGEMENT OF COUNTRY

The City of Canada Bay acknowledges the Wangal clan, one of the 29 tribes of the Eora nation and the traditional custodians of this land.

The City's Council pays respect to Elders past and present and extends this respect to all Aboriginal people living in or visiting the City of Canada Bay.

2 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

APOLOGIES

An apology was received on behalf of Councillor Carmela Ruggeri.

LEAVE OF ABSENCE

Nil.

APPLICATIONS FOR LEAVE OF ABSENCE

APOLOGY

RESOLVED 183/22

Moved: Cr Di Pasqua

Seconded: Cr Ferguson

That the apology received from Councillor Carmela Ruggeri be accepted and leave of absence granted.

CARRIED

3 DISCLOSURES OF INTERESTS

Note: At this stage of the meeting, Councillor Ferguson foreshadowed a Motion of Urgency in relation to Operation Tolosa – Legal Advice.

Councillor Tsirekas disclosed a significant non-pecuniary interest in relation to the foreshadowed urgency motion as he is involved in the matter.

4 PUBLIC FORUM

Note: There were no speakers on Items listed on the Agenda.

5 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

ITEM 5.1 DRAFT COMMUNITY STRATEGIC PLAN - OUR FUTURE 2036

RESOLVED 184/22

Moved: Cr Cordaro

Seconded: Cr Bazouni

That:

1. The submissions received in response to the public exhibition of the draft Community Strategic Plan – Our Future 2036, as summarised in attachment 2 to the report, be noted.
2. The Community Strategic Plan – Our Future 2036 attached to the report, with amendments contained in Attachment 2 to the report and included under 'Additional Amendment' within the body of the report, be adopted
3. The adopted Community Strategic Plan – Our Future 2036 be promoted through Council's communication channels.
4. Those who made submissions be advised of Council's resolution.

CARRIED

ITEM 5.2 DELIVERY PROGRAM 2022-2026 AND OPERATIONAL PLAN 2022-2023

RESOLVED 185/22

Moved: Cr Di Pasqua

Seconded: Cr Megna

That:

1. The submissions received in response to the public exhibition of the draft Delivery Program 2022-26 and Operational Plan 2022-23, as summarised in Attachment 7 to the report, be noted.
 2. The Delivery Program 2022–26 (including the Overarching Resourcing Strategy, and the Asset Management Plan and Long Term Financial Plan components of the Strategy) and Operational Plan 2022–23 (including the 2022-23 Budget, 2022-23 Revenue Policy and Schedule of Fees and Charges) attached to the report, with amendments as included in Attachment 7 to the report and under 'Additional Amendments' within the body of the report, in addition to the deletion of the 'Special Circumstances' provisions on page 294 of attachment 1 to the report (Fees and Charges), be adopted.
 3. The Workforce Management Plan component of the Overarching Resourcing Strategy contained within the Delivery Program 2022-26 be endorsed.
 4. It be noted that the 2022-23 budget is based upon continuation of the Sustainable Assets and Sustainable Services resourcing scenario contained within the Long Term Financial Plan.
 5. In accordance with Section 494 of the Local Government Act, 1993, the following Ordinary Rates and Charges be now made for the 2022-2023 rating year as follows:
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Residential - Ordinary Rate

An ad valorem rate in the \$ of 0.000936155 with a Minimum Rate of \$761.71

The Residential - Ordinary Rate is to be applied to all land categorised Residential throughout the whole of the Local Government Area.

Business - Ordinary Rate

Ad valorem rate in the \$ of 0.002231247 with a Minimum Rate of \$761.71

The Business Rate is to be applied to all land categorised as Business throughout the whole of City of Canada Bay Council Area.

Residential - Stormwater Management Charge

A stormwater management service charge amounting to \$25 per residential allotment.

A stormwater management service charge amounting to \$12.50 per residential strata allotment.

Business - Stormwater Management Charge

A stormwater management service charge amounting to \$25 per business allotment per 350m² or part thereof.

For a lot in a strata scheme that is categorised as business - the greater of:

\$5 or

the relevant proportion of the maximum annual charge that would apply to the land subject to the strata scheme if it were a parcel of land categorised as business.

6. Ordinary Rates and Charges included in 5 above are to be made in respect to the twelve month rating year commencing 1 July 2022 in accordance with Section 534 of the Local Government Act, 1993;
7. If the levying of a minimum rate would apply unfairly, or cause hardship to a rateable person who is rateable in respect of two or more separate parcels of land subject to the rate, then it may aggregate the land values of such of the parcels as it determines and levy the rate on the aggregated land values in accordance with sections 548A and 531B of the Local Government Act, 1993.
8. Pursuant to Section 566(3) of the Local Government Act 1993, interest on overdue rates be set at 6.0% per annum simple interest for the period 1 July 2022 to 30 June 2023 (inclusive), subject to Council reserving the right to vary the interest chargeable on overdue rates to accord with any variations made to the Local Government Act, 1993 and regulations there under.

CARRIED

6. MATTERS OF URGENCY

Note: In view of Councillor Ferguson's foreshadowing of an urgency motion earlier in the meeting, and it's subject matter, at 5.49pm, the Mayor, Councillor Angelo Tsirekas having disclosed a significant non-pecuniary interest on this Item left the chamber.

Note: The Deputy Mayor, Councillor Di Pasqua assumed the Chair.

ITEM 6.1 OPERATION TOLOSA – LEGAL ADVICE

RESOLVED 186/22

Moved: Cr Ferguson

Seconded: Cr Jago

That as a matter of urgency Council considers a motion in relation to Operation Tolosa – Legal Advice.

CARRIED

Note: The Chairperson ruled that the Motion was urgent.

Note: The Item in relation to Operation Tolosa – Legal Advice was considered in Closed Session as Item 7.1 on the Agenda.

7 CONFIDENTIAL MATTERS

RESOLVED 187/22

Moved: Cr Bazouni

Seconded: Cr Jago

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act, 1993* for the reasons specified:

ITEM 7.1 OPERATION TOLOSA – LEGAL ADVICE

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it may prejudice a current ICAC investigation.

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the Local Government Act, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the Local Government Act.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act.
4. The resolutions made by the Council in Closed Session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

CARRIED

Note: At 5.54pm, the Council moved into Closed Session.

ITEM 7.1 OPERATION TOLOSA - LEGAL ADVICE

Note: There was no resolution of Council on this Item.

RESOLVED 188/22

Moved: Cr Megna

Seconded: Cr Cordaro

That Council resume in Open Session.

CARRIED

Note: At 7.08pm, the Council in Closed Session returned to Open Session.

8 CONFIDENTIAL RESOLUTIONS

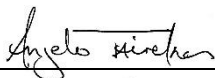
In accordance with Part 14 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.

Note: The Acting Chairperson announced there was no resolution of Council in relation to Item 7.1 – Operation Tolosa – Legal Advice.

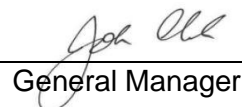
Note: The Mayor, Councillor Angelo Tsirekas did not return to the chamber.

The meeting concluded at 7.09pm.

This is the final page of the minutes comprising 8 pages numbered 1 to 8 of the Extraordinary Council Meeting held on Tuesday 28 June 2022 and confirmed on Tuesday 19 July 2022.



Mayor



General Manager