

**SUPPLEMENTARY BUSINESS PAPER 1**

**COUNCIL MEETING**

**Tuesday, 19 April, 2016**

**Distributed on 18 April 2016**

**Meeting commences at 6:30pm**

**Council Chambers  
Level 3, 2-14 Fisher Street  
Petersham**

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## MEETING AGENDA – PRECIS SUPPLEMENTARY ITEMS

The following report appears as a late item with Mayoral approval as information required for the preparation of the report was not available at the time of distribution of the Business Paper.

### 1 Mayoral Minutes

### 2 Reports with Confidential Information

Reports appearing in this section of the Business Paper are confidential in their entirety or contain confidential information in attachments.

The confidential information has been circulated to Councillors separately.

#### C0416 Item 31 SYDNEY AIRPORT - RATES EQUIVALENT PAYMENTS

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File Ref: 15/7670/44463.16

This report provides Council with an update on the making of rates equivalent payments by SACL to Council in relation to non-rateable airport lands.

#### RECOMMENDATION

##### THAT:

1. Council moves into closed session to deal with this matter as the information contained in **CONFIDENTIAL ATTACHMENT 1** of this report is classified as confidential under section 10A(2)(g) of the *Local Government Act 1993* as it contains legal advice that would be privileged from production in legal proceedings on the ground of legal professional privilege; and
2. the report be received and noted.

And, in accordance with section 10A(4) of the Act, that the Chairperson allows members of the public to make representations as to whether this part of the meeting should be closed.

##### OR, WHERE THE MEETING IS NOT CLOSED:

##### THAT:

1. Council resolves that **CONFIDENTIAL ATTACHMENT 1** of this report be treated as confidential as it relates to a matter specified in section 10A(2)(g) of the *Local Government Act 1993* as it contains legal advice that would be privileged from production in legal proceedings on the ground of legal professional privilege; and
  2. the report be received and noted.
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Item No: C0416 Item 31  
 Subject: SYDNEY AIRPORT - RATES EQUIVALENT PAYMENTS  
 File Ref: 15/7670/44463.16

Prepared By: Brian Barrett - General Manager  
 Authorised By: Brian Barrett - General Manager

**SUMMARY**

This report provides Council with an update on the making of rates equivalent payments by SACL to Council in relation to non-rateable airport lands.

**RECOMMENDATION**

**THAT:**

1. Council moves into closed session to deal with this matter as the information contained in CONFIDENTIAL ATTACHMENT 1 of this report is classified as confidential under section 10A(2)(g) of the *Local Government Act 1993* as it contains legal advice that would be privileged from production in legal proceedings on the ground of legal professional privilege; and
2. the report be received and noted.

And, in accordance with section 10A(4) of the Act, that the Chairperson allows members of the public to make representations as to whether this part of the meeting should be closed.

**OR, WHERE THE MEETING IS NOT CLOSED:**

**THAT:**

1. Council resolves that CONFIDENTIAL ATTACHMENT 1 of this report be treated as confidential as it relates to a matter specified in section 10A(2)(g) of the *Local Government Act 1993* as it contains legal advice that would be privileged from production in legal proceedings on the ground of legal professional privilege; and
2. the report be received and noted.

<b>Our Place, Our Vision – Marrickville Community Strategic Plan 2023</b>	
4.1	The mayor and councillors are representative of the community and provide strong and visionary leadership

**BACKGROUND AND DISCUSSION**

On 9 June 2015, Council considered a report regarding the making of rates equivalent payments by SACL with respect to non-rated airport lands. In particular, the report addressed a refusal by SACL to pay the entire amount notified to it by Council and provided legal advice on Council's options with respect to the non-payment.

It is considered an opportune time to update Council on the status of measures being taken in response to the matter. Legal advice in this regard is provided at CONFIDENTIAL ATTACHMENT 1.

**FINANCIAL IMPLICATIONS**

Nil.

**PUBLIC PARTICIPATION**

Nil.

**ATTACHMENTS**

1. Advice - *Confidential*