



W A V E R L E Y
C O U N C I L

EXTRAORDINARY COUNCIL MEETING

A meeting of W A V E R L E Y C O U N C I L will be held at Waverley Council Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

6.30 PM TUESDAY, 1 MARCH 2016

A handwritten signature in black ink, appearing to read 'Kyrton'.

Arthur Kyrton
General Manager

Waverley Council
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AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Mayor will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

‘God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.’

1. **Apologies/Leaves of Absence**

2. **Declarations of Pecuniary and Non-Pecuniary Interests**

3. **Addresses to Council by Members of the Public**

4. **Notices of Motion**
 - CM/4.1/16.03E Clarifying Waverley Council’s Position on Waverley Cemetery2

5. **Closed Session3**

The following matter is proposed to be dealt with in Closed Session and has been distributed to Councillors separately with the Agenda:

 - CM/5.1/16.03E CONFIDENTIAL REPORT – Prospective Property Purchase for Affordable Housing
 - This matter is considered confidential under section 10A(2)(c) of the *Local Government Act 1993*.

6. **Resuming Open Session5**

7. **Meeting Closure**

NOTICE OF MOTION
CM/4.1/16.03E



Subject: Clarifying Waverley Council's Position on Waverley Cemetery

TRIM No.: A02/0658-06

Submitted by: Councillor Betts
Councillor Kay

MOTION:

That Council reaffirms that it will not proceed with building a crematorium, pavilion and Centennial Park style perimeter fence at Waverley Cemetery.

CLOSED SESSION

CM/5/16.03E



Subject: Moving into Closed Session

Author: Arthur Kyron, General Manager

WAVERLEY
COUNCIL

RECOMMENDATION:

That:

1. Council moves into closed session to deal with the matter listed below, which is classified as confidential under the provisions of Section 10A (2) of the *Local Government Act 1993* for the reason specified:

CM/5.1/16.03E CONFIDENTIAL REPORT – Prospective Property Purchase for Affordable Housing

This matter is considered to be confidential in accordance with Section 10A(2)(c) of the *Local Government Act*, and the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

2. Pursuant to Section 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) of the *Local Government Act 1993*.
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 1993*.

Introduction/Background

In accordance with section 10A(2) of the Act, a Council may close part of its meeting to deal with business of the following kind:

- (a) personnel matters concerning particular individuals.
- (b) personal hardship of any resident or ratepayer.
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would, if disclosed:
 - i prejudice the commercial position of a person who supplied it: or
 - ii confer a commercial advantage on a competitor of Council;
 - iii reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law.
- (f) matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any Code of Conduct requirements applicable under Section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2005*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clause 252 of the *Local Government (General) Regulation*, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

**RESUMING IN OPEN SESSION
CM/6/16.03E**



WAVERLEY
COUNCIL

Subject: Resuming in Open Session
Author: Arthur Kyron, General Manager

RECOMMENDATION:

That Council resumes in Open Session.

Introduction/Background

In accordance with clause 253 of the *Local Government (General) Regulation 2005*, when the meeting resumes in open session the Chair will announce the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.