



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS
ON TUESDAY, 1 MARCH 2016**

Present:

Councillor Sally Betts (Mayor) (Chair)	Hunter Ward
Councillor Tony Kay (Deputy Mayor)	Waverley Ward
Councillor Joy Clayton	Bondi Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward
Councillor Leon Goltsman	Hunter Ward
Councillor Miriam Guttman-Jones	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Paula Masselos	Lawson Ward
Councillor Bill Mouroukas	Waverley Ward

Staff in attendance:

Arthur Kyron	General Manager
Cathy Henderson	Director, Waverley Life
Peter Monks	Director, Waverley Futures
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 6.30 pm, those present were as listed above, with the exception of Cr Wakefield, who arrived at 6.51 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Mayor 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

Apologies were received and accepted from Cr Cusack.

Cr Strewe was previously granted a leave of absence for this meeting.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

3. Addresses to Council by Members of the Public

There were no addresses to Council.

4. Notices of Motion

CM/4.1/16.03E Clarifying Waverley Council's Position on Waverley Cemetery (A02/0658-06)

MOTION / UNANIMOUS DECISION

Mover: Cr Betts

Seconder: Cr Kay

That Council:

1. Reaffirms that it will not proceed with building a crematorium, pavilion and Centennial Park style perimeter fence at Waverley Cemetery, as referenced in the Conservation Management Plan 2003 and Plan of Management.
2. Will not propose a crematorium, pavilion or Centennial Park style fencing in any future Waverley Cemetery Conservation Management Plan or Plan of Management.

5. Closed Session**CM/5/16.03E Closed Session**

Before the motion to close the meeting was put, the Chair provided an opportunity for members of the public to make representations as to whether this part of the meeting should be closed. None were received.

MOTION / DECISION

Mover: Cr Mouroukas

Seconder: Cr Goltsman

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

At 6.55 pm, Council moved into closed session.

CM/5.1/16.03E CONFIDENTIAL REPORT – Prospective Property Purchase for Affordable Housing (A14/0349)**MOTION / DECISION**

Mover: Cr Betts

Seconder: Cr Kay

That:

1. Council treats this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
2. Council endorses expansion of the property search area into the Woollahra Local Government Area.
3. Council resolves to purchase, as tenants in common with Bridge Housing Limited, the property known as 46 Old South Head Road, Vaucluse, on the following terms:
 - (a) To the maximum sum as set out in clause 7 of this resolution.

- (b) On the terms set out in the Memorandum of Understanding (MOU) authorised by Council at the Operations Committee Meeting held on 6 October 2015.
 - (c) The due diligence reports identified in the MOU are to the satisfaction of the General Manager and Mayor.
4. Council authorises the General Manager to negotiate the purchase with Bridge Housing Limited by private treaty of the property known as 46 Old South Head Road, Vacluse, up to the maximum sum set out in clause 7 of this resolution prior to the auction or in the event that the property is not put to auction.
 5. Should the property proceed to auction, Council authorises the General Manager or delegate to attend the auction of the property and to execute the contract for sale of the property known as 46 Old South Head Road, Vacluse, on Council's behalf as purchaser as tenants in common with Bridge Housing Limited.
 6. Should the property proceed to auction, Council authorises the Bridge Housing Limited Development Director to bid on Council's behalf and on behalf of Bridge Housing Limited up to the maximum sum set out in clause 7 of this resolution.
 7. The maximum sum, offer or bid to purchase 46 Old South Head Road, Vacluse, be the sum referred to in the confidential report in section 7, option 1, but amended to replace '5%' with '10%'.

Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.

6. Resuming in Open Session

CM/6/16.03E Resuming in Open Session

MOTION / DECISION

Mover: Cr Goltsman
Seconder: Cr Mouroukas

That Council resumes in open session.

At 7.13 pm, Council resumed in open session.

Resolutions from Closed Session made public

In accordance with clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session, the Chair announced 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.

7. Meeting Closure

THE MEETING CLOSED AT 7.14 PM.

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SIGNED AND CONFIRMED
MAYOR
19 APRIL 2016