



WAVERLEY  
COUNCIL

**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 6 FEBRUARY 2018**

**Present:**

Councillor John Wakefield (Mayor) (Chair)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

**Staff in attendance:**

Cathy Henderson	Acting General Manager
Rachel Jenkin	Acting Director, Waverley Life
Peter Monks	Director, Waverley Futures
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

*At the commencement of proceedings at 6.35 pm, those present were as listed above, with the exception of Cr Goltsman, who arrived at 6.51 pm.*

**PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The General Manager read the following Opening Prayer:

*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.*

The Mayor read the following Acknowledgement of Indigenous Heritage:

*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**

There were no apologies.

**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 by members of the public.

**4. Reports****CM/4.1/18.02E Appointment of Acting General Manager (A02/0484)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That Council:

1. Treats Attachment 1 to 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)(a) of the *Local Government Act 1993*. The report contains personnel matters concerning particular individuals (other than councillors).
2. Appoints Peter Monks as Acting General Manager under section 336(1) of the *Local Government Act 1993* from 5.00 pm on 14 February 2018 until the date on which the new permanent appointee commences employment, on the terms and conditions contained in Attachment 1.
3. Delegates to Peter Monks, as Acting General Manager of Council, or to the person acting in the position of General Manager during any period of absence from duty of Peter Monks, all the powers and functions of the Council that it may under any Act of Parliament lawfully delegate, other than the functions prescribed in section 377(1) of the *Local Government Act 1993*, which may not be

delegated, effective from 5.00 pm, 14 February 2018, until the date on which the new permanent appointee commences employment, subject to the limitations set out in the Instrument of Delegation attached to this report.

## 5. Closed Session

### CM/5/18.02E 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 / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That:

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

#### CM/5.1/18.02E CONFIDENTIAL REPORT - Confidential Legal Matter

This matter is considered to be confidential in accordance with section 10A(2)(g) of the *Local Government Act*, and 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 advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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 as confidential under 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*.

*Cr Goltsman was not present for the consideration and vote on this item.*

*At 6.38 pm, Council moved into closed session.*

### CM/5.1/18.02E CONFIDENTIAL REPORT - Confidential Legal Matter (SF18/291)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

2. Approves the key terms of the proposed agreement with ISPT as contained in this report.
3. Notes that a report on the remaining terms of the agreement will come back to Council once negotiations have been finalised.

*Cr Goltsman was not present for the consideration and vote on this item.*

## 6. Resuming in Open Session

**CM/6/18.02E Resuming in Open Session**

### **MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council resumes in open session.

*Cr Goltsman was not present for the consideration and vote on this item.*

*At 6.45 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 6.54 PM.**

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**SIGNED AND CONFIRMED**  
**MAYOR**  
**20 FEBRUARY 2018**