



WAVERLEY  
COUNCIL

**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 1 NOVEMBER 2022**

**Present:**

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

**Staff in attendance:**

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

*At the commencement of proceedings at 9.22 pm, those present were as listed above.*

*Crs Kay, Keenan and Nemesh attended the meeting by audio-visual link.*

## 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

Apologies were received from Cr Leon Goltsman.

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

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

### 3. Addresses by Members of the Public

There were no addresses by members of the public.

### 4. Closed Session

**CM/4/22.11E**            **Closed Session**

#### **MOTION / DECISION**

Mover:        Cr Lewis  
Seconder:    Cr Murray

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* for the reasons specified:

CM/4.1/22.11E    CONFIDENTIAL REPORT - Affordable Housing Purchase

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 Council is conducting (or proposes to conduct) business.

2. Pursuant to sections 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*.

At 9.24 pm, Council moved into closed session.

**CM/4.1/22.11E            CONFIDENTIAL REPORT - Affordable Housing Purchase (A07/0597)**

**MOTION**

Mover:        Cr Masselos

Seconder:    Cr Keenan

That Council:

1. Treats the 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 Council is conducting (or proposes to conduct) business.
2. Purchases the property identified in section 4 of the report (the Property) as part of its affordable and social housing program, subject to:
  - (a) The due diligence reports being to the satisfaction of the General Manager.
  - (b) The maximum bid to purchase the Property being the amount set out in section 6 of the report.
3. Authorises the General Manager to appoint an agent to bid on the Property on Council's behalf at the auction up to and including the maximum bid.
4. Should it be successful at the auction, authorises the General Manager and the Mayor to execute, and affix Council's seal to, the contract for sale and any other documentation to finalise the matter.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 2(b).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Treats the 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 Council is conducting (or proposes to conduct) business.
2. Purchases the property identified in section 4 of the report (the Property) as part of its affordable and social housing program, subject to:
  - (a) The due diligence reports being to the satisfaction of the General Manager.

- (b) The maximum bid to purchase the Property being the amount agreed to at the Council meeting or a lower figure as determined by the General Manager.
3. Authorises the General Manager to appoint an agent to bid on the Property on Council's behalf at the auction up to and including the maximum bid.
4. Should it be successful at the auction, authorises the General Manager and the Mayor to execute, and affix Council's seal to, the contract for sale and any other documentation to finalise the matter.

## 5. Resuming in Open Session

**CM/5/22.11E Resuming in Open Session**

### **MOTION / DECISION**

Mover: Cr Murray  
Seconder: Cr Betts

That Council resumes in open session.

*At 10.10 pm, Council resumed in open session.*

### ***Resolutions from closed session made public***

*In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.*

## 6. Meeting Closure

**THE MEETING CLOSED AT 10.10 PM.**

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**SIGNED AND CONFIRMED**  
**MAYOR**  
**15 NOVEMBER 2022**