



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY EXTRAORDINARY COUNCIL MEETING
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON
THURSDAY, 5 DECEMBER 2024**

Present:

Councillor Will Nemes (Mayor) (Chair)	Hunter Ward
Councillor Keri Spooner (Deputy Mayor)	Waverley Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Dov Frazer	Hunter Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Margaret Merten	Bondi Ward
Councillor Joshua Spicer	Waverley Ward
Councillor Michelle Stephenson	Bondi Ward
Councillor Lauren Townsend	Lawson Ward
Councillor Katherine Westwood	Lawson 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 7.03 pm, those present were as listed above.

Crs Masselos and Wy Kanak attended the meeting by audio-visual link.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Mayor 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 the following were received:

- 2.1 Cr Nemesh declared a less than significant non-pecuniary interest in item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that he owns property in the local government area.
- 2.2 Cr Westwood declared a less than significant non-pecuniary interest in item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that she owns property in the local government area.
- 2.3 Cr Fabiano declared a less than significant non-pecuniary interest in item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that he owns property in the local government area.
- 2.4 Cr Frazer declared a less than significant non-pecuniary interest in item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that he owns property in the local government area.
- 2.5 Cr Townsend declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that her family owns property in the local government area.
- 2.6 Cr Spicer declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that his principal place of residence is in the local government area.
- 2.7 Cr Spooner declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that she owns property in the local government area.

- 2.8 Cr Merten declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that she owns property in the local government area.
- 2.9 Cr Lewis declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that he owns property in the local government area.
- 2.10 Cr Wy Kanak declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that he leases property in the local government area.
- 2.11 Cr Stephenson declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that her principal place of residence is in the local government area.
- 2.12 Cr Masselos declared a less than significant non-pecuniary interest in Item CM/4.1/24.12E – CONFIDENTIAL REPORT – NSW Housing Reform – Submission and informed the meeting that her principal place of residence is in the local government area.

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Closed Session

CM/4/24.12E **Closed Session**

MOTION / DECISION

Mover: Cr Lewis
 Seconder: Cr Stephenson

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/4.1/24.12E CONFIDENTIAL REPORT - NSW Housing Reform - Submission

This matter is considered to be confidential in accordance with section 10A(2)(d)(i) 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 commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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*.

Cr Wy Kanak requested that his vote against the motion be recorded in the minutes.

At 7.16 pm, Council moved into closed session.

CM/4.1/24.12E CONFIDENTIAL REPORT - NSW Housing Reform - Submission (SF24/382)

Crs Fabiano, Frazer, Lewis, Merten, Nemesh, Spooner and Westwood declared a less than significant non-pecuniary interest in this item and informed the meeting that they own property in the local government area.

Crs Masselos, Spicer and Stephenson declared a less than significant non-pecuniary interest in this item and informed the meeting that their principal place of residence is in the local government area.

Cr Townsend declared a less than significant non-pecuniary interest in this item and informed the meeting that her family owns property in the local government area.

Cr Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that he leases property in the local government area.

MOTION / DECISION

Mover: Cr Nemesh
Seconder: Cr Stephenson

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)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Approves Option 3, as set out in the report, as Council's submission to the Minister for Planning Public Spaces on the NSW housing reforms, subject to adopting the Alternate Map as tabled at the meeting.
3. Presents and submits this Option to the Minister at the earliest opportunity.

Division

For the Motion: Crs Frazer, Lewis, Masselos, Merten, Spooner, Nemesh, Spicer, Stephenson, Townsend and Westwood.

Against the Motion: Crs Fabiano and Wy Kanak.

5. Resuming in Open Session

CM/5/24.12E Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh
Seconder: Cr Lewis

That Council resumes in open session.

At 8.31 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. Urgent Business

There was no urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 8.32 PM.

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SIGNED AND CONFIRMED
MAYOR
18 FEBRUARY 2025