



# MINUTES

The Minutes of the Council held at the  
Council Chambers, North Sydney  
at 6:30 PM on Monday 25 September 2023.



<b>1. Opening Meeting .....</b>	<b>3</b>
<b>2. Acknowledgement of Country.....</b>	<b>3</b>
<b>3. Apologies and applications for leaves of absence or attendance by audio-visual link by councillors.....</b>	<b>3</b>
<b>4. Confirmation of Minutes .....</b>	<b>4</b>
<b>5. Disclosures of Interest.....</b>	<b>4</b>
<b>6. Public Forum .....</b>	<b>4</b>
<b>7. Items Considered by Exception .....</b>	<b>4</b>
<b>8. Mayoral Minutes.....</b>	<b>5</b>
<b>9. Reports of Committees .....</b>	<b>5</b>
<b>10. Reports to Council.....</b>	<b>5</b>
<i>10.1. Election of Mayor.....</i>	<i>5</i>
<i>10.2. Election of Deputy Mayor .....</i>	<i>6</i>
<b>11. Notices of Motion .....</b>	<b>8</b>
<b>12. Matters of Urgency .....</b>	<b>8</b>
<b>13. Closure.....</b>	<b>8</b>

## 1. Opening Meeting

### Statement of ethical obligations

Councillors are reminded of the oath or affirmation taken upon commencement of office that they will undertake the duties of the office of councillor in the best interests of the people of North Sydney and the North Sydney Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the [Local Government Act 1993](#) or any other Act to the best of their ability and judgment.

Councillors are also reminded of their obligations under the Code of Conduct to disclose and appropriately manage conflicts of interest.

At the commencement of business (6:32 pm) those present were: The Mayor, and Councillors Beregi, Bourke, Gibson, Lamb, Lepouris, Mutton, Santer, Spenceley, and Welch.

The meeting was opened by the Mayor.

## 2. Acknowledgement of Country

### RECOGNITION OF THE CAMMERAYGAL PEOPLE

We respectfully acknowledge the Traditional Custodians of the land and waters of North Sydney local government area, the Cammeraygal people.

The Acknowledgement of Country was read by Councillor Bourke.

## 3. Apologies and applications for leaves of absence or attendance by audio-visual link by councillors

It was moved by Councillor Gibson and seconded by Councillor Spenceley:

**1. THAT** Council grant permission for Councillor Beregi, Councillor Mutton to attend remotely for the following reason: work.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Mutton, Councillor Santer, Councillor Spenceley and Councillor Welch

**Against:** Nil

**Absent:** Nil

**274. RESOLVED:**

**1. THAT** Council grant permission for Councillor Beregi and Councillor Mutton to attend remotely for the following reason: work.

**4. Confirmation of Minutes**

**THAT THE MINUTES** of the previous 3789th Council Meeting held on Monday 11 September 2023 be taken as read and confirmed.

The Motion was moved by Councillor Lamb and seconded by Councillor Santer.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Mutton, Councillor Santer, Councillor Spenceley and Councillor Welch

**Against:** Nil

**Absent:** Nil

**275. RESOLVED:**

**1. THAT** the Minutes of the 3789th Council Meeting held on Monday 11 September 2023 be taken as read and confirmed.

**5. Disclosures of Interest**

There were no Disclosures of Interest.

**6. Public Forum**

There was no Public Forum.

**7. Items Considered by Exception**

No items were considered by exception.

## **8. Mayoral Minutes**

Nil

## **9. Reports of Committees**

Nil

## **10. Reports to Council**

### **10.1. Election of Mayor**

**AUTHOR:** Ian Curry, Manager Council & Committee Services

**PURPOSE:**

The purpose of this report is to facilitate the election of the Mayor for the period 25 September 2023 to 14 September 2024, in accordance with section 230 of the Local Government Act NSW 1993 (the Act).

- Due to the reduced three-year term of Council, the term for the position of the Mayor elected by Councillors was set at two years (January 2022- September 2023) and one year (September 2023- September 2024) respectively.
- The returning officer is to be the General Manager, or a person appointed by the General Manager.
- Nominations must be in writing, in accordance with clause 2 of Schedule 7 of the Local Government (General) Regulation 2005 (The Schedule), a copy of which is attached.
- Nominations must be provided to the General Manager (via Governance, or directly) prior to the commencement of the election. Councillors are encouraged to submit nominations in advance to ensure their validity is confirmed prior to the election. Schedule 7 governs the election of a Mayor or Deputy Mayor by councillors.

**RECOMMENDATION:**

- 1. THAT** an election be held to elect a Mayor for the period 25 September 2023, to 14 September 2024.
- 2. THAT** Council determine the method of voting.
- 3. THAT** the Coordinator General, Planning Delivery and Local Government and the Secretary and Chief Executive Officer of Local Government New South Wales be advised of the election result.

## 10.2. Election of Deputy Mayor

**AUTHOR:** Ian Curry, Manager Council & Committee Services

**PURPOSE:**

To conduct an election for the position of Deputy Mayor, in accordance with Council's Deputy Mayor Policy. In accordance with the Local Government (General) Regulation 2005, the General Manager is the Returning Officer.

- Council's Deputy Mayor Policy and Section 231 of the Local Government Act 1993 states that Council may elect a Deputy Mayor. The Policy provides that the Deputy Mayor will be appointed for a period from 1 October to 30 September. However, the legislation provides that the Deputy Mayor may be elected for the Mayoral term, or a shorter term.
- Nominations must be in writing, in accordance with clause 2 of Schedule 7 of the Local Government (General) Regulation 2005 (The Schedule), a copy of which is attached to the previous report.
- Nominations must be provided to the General Manager (via Governance, or directly) prior to the commencement of the election. Councillors are encouraged to submit nominations in advance to ensure their validity is confirmed prior to the election. Schedule 7 governs the election of a Mayor, or Deputy Mayor, by councillors.
- Depending on the result of the Deputy Mayoral election it may be necessary for Council to consider Councillor membership of the Audit, Risk, and Improvement Committee.

**RECOMMENDATION:**

- 1. THAT** Council resolve to appoint a Councillor to be the Deputy Mayor in accordance with section 231(1) of the Local Government Act 1993.
- 2. THAT** an election be held to elect a Deputy Mayor for the period 26 September 2023, to 14 September 2024.
- 3. THAT** Council determine the method of voting as open voting in accordance with Council's Deputy Mayor Policy.
- 4. THAT** the Coordinator General, Planning Delivery and Local Government and the Secretary and Chief Executive Officer of Local Government New South Wales be advised of the election result.
- 5. THAT,** if required, Council is to resolve the two Councillor members of the Audit, Risk and Improvement Committee, noting one is to be the Deputy Mayor.

A Motion was moved by Councillor Welch and seconded by Councillor Lamb:

- 1. THAT** an election be held to elect a Mayor for the period 25 September 2023, to 14 September 2024.
- 2. THAT** Council resolve to appoint a Councillor to be the Deputy Mayor in accordance with section 231(1) of the Local Government Act 1993.

3. **THAT** an election be held to elect a Deputy Mayor for the period 26 September 2023, to 14 September 2024.
4. **THAT** the elections for Mayor and Deputy Mayor be held together.
5. **THAT** the elections occur by open voting.
6. **THAT** the Coordinator General, Planning Delivery and Local Government and the Secretary and Chief Executive Officer of Local Government New South Wales be advised of the election result.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Lamb, Councillor Mutton, Councillor Santer, Councillor Spenceley and Councillor Welch

**Against:** Councillor Gibson and Councillor Lepouris

**Absent:** Nil

#### **276. RESOLVED:**

1. **THAT** an election be held to elect a Mayor for the period 25 September 2023, to 14 September 2024.
1. **THAT** an election be held to elect a Mayor for the period 25 September 2023, to 14 September 2024.
2. **THAT** Council resolve to appoint a Councillor to be the Deputy Mayor in accordance with section 231(1) of the Local Government Act 1993.
3. **THAT** an election be held to elect a Deputy Mayor for the period 26 September 2023, to 14 September 2024.
4. **THAT** the elections for Mayor and Deputy Mayor be held together.
5. **THAT** the elections occur by open voting.
6. **THAT** the Coordinator General, Planning Delivery and Local Government and the Secretary and Chief Executive Officer of Local Government New South Wales be advised of the election result.

The Mayor vacated the Chair at 6.40pm for the Mayoral election vote.

#### **CONDUCT OF ELECTION**

The General Manager conducted the election as Returning Officer.

The General Manager advised that only one nomination for Mayor had been received, being for Councillor Baker, nominated by Councillors Bourke, Lamb, Santer and Welch.

The General Manager declared Councillor Baker to be elected unopposed as Mayor, for the period 25 September 2023 to 14 September 2024.

The Mayor then resumed the Chair at 6.41pm.

The General Manager advised that only one nomination for Deputy Mayor had been received, being for Councillor Bourke, nominated by Councillors Baker and Santer.

The General Manager declared Councillor Bourke to be to be elected unopposed as Deputy Mayor, for the period 25 September 2023 to 14 September 2024.

Councillor Gibson retired from the meeting at 6.42pm.

## **11. Notices of Motion**

Nil

## **12. Matters of Urgency**

Nil

## **13. Closure**

The Meeting concluded at 6:44 pm.