



MINUTES

The Minutes of the Extraordinary meeting of Council
held at the Council Chambers, North Sydney
at 6:00 PM Tuesday 8 October 2024.



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1. Opening Meeting

At the commencement of business (6.02pm) those present were: Councillors Antonini, Baker, Beregi, Carr, Keen, Holding, Hoy, Santer, Spenceley, and Welch.

The meeting was opened by Councillor Baker.

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 Baker.

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

Nil

4. Confirmation of Minutes

Nil

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 Governance

PURPOSE:

The purpose of this report is to facilitate the election of the Mayor for the period 8 October 2024 to 30 September 2026, in accordance with section 230 of the *Local Government Act NSW 1993* (the Act).

EXECUTIVE SUMMARY

- The term for the position of the Mayor elected by Councillors is two years (October 2024-September 2026).
- The returning officer is to be the Chief Executive Officer, or a person appointed by the Chief Executive Officer.
- 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 Chief Executive Officer (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 8 October 2024 to 30 September 2026.
- 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.

The Motion was moved by Councillor Beregi and seconded by Councillor Baker.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley, and Councillor Welch

Against: Nil

Absent: Nil

195. RESOLVED:

1. THAT an election be held to elect a Mayor for the period 8 October 2024 to 30 September 2026.

2. THAT Council determined the method of voting to be open voting / ordinary ballot.

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.

Councillor Baker vacated the Chair at 6.04pm for the Mayoral and Deputy Mayoral elections.

CONDUCT OF ELECTION

The Chief Executive Officer (CEO) conducted the election as Returning Officer.

Nominations were received for the following Councillors:

- Councillor Zoe Baker
- Councillor Jessica Keen

The CEO confirmed that all nominations had been provided in the correct form with two nominators and nominations accepted by the nominees, and that the voting would be done in alphabetical order.

The following votes were then cast:

Councillor Zoe Baker: Councillors Antonini, Baker, Beregi, Holding, Hoy, Santer, Spenceley, and Welch

Councillor Jessica Keen: Councillors Carr and Keen

The Chief Executive Officer then declared Councillor Baker elected as Mayor, having the majority of votes.

The CEO congratulated Councillor Baker on her election as Mayor.

The Mayor resumed the Chair at 6.06pm

10.2. Election of Deputy Mayor

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to facilitate 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 Chief Executive Officer is the Returning Officer.

EXECUTIVE SUMMARY

- 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 Chief Executive Officer (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.

The Motion was moved by Councillor Beregi and seconded by Councillor Holding.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley, and Councillor Welch

Against: Nil

Absent: Nil

196. RESOLVED:

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 8 October 2024 to 30 September 2025.

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.

CONDUCT OF ELECTION

The Chief Executive Officer (CEO) conducted the election as Returning Officer.

Prior to proceeding, the General CEO asked if there were any further nominations. There were no further nominations.

A nomination was received for Councillor Santer

The CEO confirmed that the nomination had been provided in the correct form with two nominators, and the nomination accepted by the nominee.

Being the only candidate, the CEO declared Councillor Santer duly elected as Deputy Mayor.

The Chief Executive Officer congratulated Councillor Santer on his election as Deputy Mayor.

10.3. Using Countbacks to fill Casual Vacancies

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

To propose that Council exercise the option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the offices of Councillors in the first 18 months after the election.

EXECUTIVE SUMMARY

- Following the December 2021 Local Government Elections, for the first time Councils had the option of using a countback of votes cast at the ordinary election to fill casual vacancies occurring in the offices of Councillors in the first 18 months after the election.
- This will allow Councils to use a countback to fill vacancies at a lower cost than the cost of holding a by-election.
- If Council does not resolve to take advantage of this provision at the first meeting after the election, it will be required to fill any casual vacancy through a by-election.
- The Office of Local Government (OLG) has provided wording for a recommendation should Council wish to exercise this option.

RECOMMENDATION:

1. THAT Council, pursuant to section 291A(1)(b) of the *Local Government Act 1993*, declare that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024, are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the Chief Executive Officer to notify the Electoral Commissioner for NSW of Council's decision within 7 days of this decision.

A Motion was moved by Councillor Santer and seconded by Councillor Keen:

1. THAT should a casual vacancy/vacancies occur in the office of a Councillor within 18 months of the election held on 14 September 2024, Council not adopt the countback provisions to fill the casual vacancy/vacancies.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Keen, Councillor Santer, and Councillor Welch
Against: Councillor Hoy and Councillor Spenceley
Absent: Nil

197. RESOLVED:

1. THAT, should a casual vacancy/vacancies occur in the office of a Councillor within 18 months of the election held on 14 September 2024, Council not adopt the countback provisions to fill the casual vacancy/vacancies.

10.4. Council Meeting Schedule 2024/25

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to determine a schedule of Council Meeting dates for 2024/24.

EXECUTIVE SUMMARY

- The Local Government Act prescribes that Councils are required to meet at least 10 times each year, each time in a different month.
- In June 2022, Council adopted a fortnightly schedule for Council meetings.
- This report proposes a schedule of Council meetings to September 2025 and a change of start time to 7.00pm.

RECOMMENDATION:

- 1. THAT** Council adopts the attached Council Meeting schedule for 2024/25 and note the change of start time from 6.30pm to 7.00pm.
- 2. THAT** Council notes the attached planned Agenda publication dates for Council Meetings in 2024/25.

The Motion was moved by Councillor Beregi and seconded by Councillor Welch.

An Amendment was moved by Councillor Keen and seconded by Councillor Carr:

- 1. THAT** Council adopts the attached Council Meeting schedule for 2024/25, with the meeting start time to be 6.30pm.
- 2. THAT** Council notes the attached planned Agenda publication dates for Council Meetings in 2024/25.

The Amendment was put and **Lost**.

Voting was as follows:

For/Against 2 / 8

- For:** Councillor Carr and Councillor Keen
Against: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley, and Councillor Welch
Absent: Nil

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

- For:** Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley, and Councillor Welch
Against: Councillor Carr and Councillor Keen
Absent: Nil

198. RESOLVED:

- 1. THAT** Council adopts the attached Council Meeting schedule for 2024/25 and notes the change of start time from 6.30pm to 7.00pm.
- 2. THAT** Council notes the attached planned Agenda publication dates for Council Meetings in 2024/25.

10.5. 2024 Local Government NSW Annual Conference - Delegates and Motions

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to outline the process for submitting Motions for consideration at the Local Government NSW (LGNSW) Annual Conference.

EXECUTIVE SUMMARY

- The Local Government NSW (LGNSW) Annual Conference is taking place from 17 to 19 November 2024, at Tamworth Regional Entertainment and Conference Centre, and will feature a range of keynote speakers, workshops, training sessions, and more.
- As the main policy-making event for the NSW local government sector, the Annual Conference is an opportunity to help set the advocacy agenda for the year ahead. Motions passed at the Conference become Resolutions, which LGNSW actions on behalf of its members, as part of its advocacy program.
- This is the follow-up to a report submitted to Council in June 2024

RECOMMENDATION:

1.THAT Council nominates five voting delegates for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre.

2.THAT other councillors interested in attending the conference as non-voting delegates advise the Chief Executive Officer as soon as practicable, noting that no further registrations will be made following Monday 14 October 2024.

3. THAT Councillors submit suggested issues for Council's consideration as Motions to the LGNSW Annual Conference.

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

1.THAT Council nominates five voting delegates for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, being Councillors Baker, Santer, Beregi, Hoy, and Welch.

2.THAT other councillors interested in attending the conference as non-voting delegates advise the Chief Executive Officer as soon as practicable, noting that no further registrations will be made following Monday 14 October 2024.

3. THAT Councillors submit suggested issues for Council's consideration as Motions to the LGNSW Annual Conference.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 9 / 1

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley, and Councillor Welch

Against: Councillor Keen

Absent: Nil

199. RESOLVED:

1.THAT Council nominates five voting delegates for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, being Councillors Baker, Santer, Beregi, Hoy, and Welch.

2.THAT other councillors interested in attending the conference as non-voting delegates advise the Chief Executive Officer as soon as practicable, noting that no further registrations will be made following Monday 14 October 2024.

3. THAT Councillors submit suggested issues for Council's consideration as Motions to the LGNSW Annual Conference.

10.6. Appointment of Council representatives on Council committees and external bodies

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

To appoint Councillors as representatives on groups or committees external to the Council, as well as two committees required through legislated guidelines.

EXECUTIVE SUMMARY

North Sydney Council holds positions on or participates in groups or committees external to the Council, as well as two committees required through legislated guidelines.

The following committees and other bodies require Council to nominate representatives:

- Northern Suburbs Regional Organisation of Councils (NSROC) - The Mayor, one representative, and one alternate;
- Shorelink Committee (Library Network) - one representative and one alternate; and
- Sydney Coastal Councils Group - two representatives
- Audit Risk and Improvement Committee - one representative
- Access and Inclusion Committee - one representative (Chair)

RECOMMENDATION:

1. THAT Council appoint to the Northern Sydney Regional Organisation of Councils (NSROC) as representatives the Mayor, and Councillor _____ and Councillor _____ (alternate) and _____ (alternate) as its representative for the term until September 2026.

2. **THAT** Council appoint to the Shorelink Committee (Library Network) Councillor _____ and Councillor _____ (alternate) for this term of Council.
3. **THAT** Council appoint to the Sydney Coastal Councils Group Councillor _____ as delegate and Councillor _____ as Executive representative for this term of Council.
4. **THAT** Council appoint to the Audit Risk and Improvement Committee Councillor _____ for this term of Council.
5. **THAT** Council appoint to the Access and Inclusion Committee Councillor _____ for this term of Council.
6. **THAT** Council write to the external bodies to inform them of Council’s representatives.

A Motion was moved by Councillor Santer and seconded by Councillor Holding:

1. **THAT** Council appoint to the Northern Sydney Regional Organisation of Councils (NSROC) as representatives the Mayor, Deputy Mayor, and Councillor Welch (alternate) as its representative for the term until September 2026.
2. **THAT** Council appoint to the Shorelink Committee (Library Network) Councillor Welch and Councillor Carr (alternate) for this term of Council.
3. **THAT** Council appoint to the Sydney Coastal Councils Group Councillor Hoy as delegate and Councillor Welch as Executive representative for this term of Council.
4. **THAT** Council appoint to the Audit Risk and Improvement Committee Councillor Beregi for this term of Council.
5. **THAT** Council appoint to the Access and Inclusion Committee Councillor Beregi for this term of Council.
6. **THAT** Council write to the external bodies to inform them of Council’s representatives.

An Amendment was moved by Councillor Carr:

1. **THAT** Council appoint to the Access and Inclusion Committee Councillor Keen for this term of Council.

A Procedural Motion was moved by Councillor Spenceley and seconded by Councillor Hoy:

1. **THAT** parts 1-4 and part 6 of the Motion be voted on separately to part 5.

The procedural Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley, and Councillor Welch

Against: Nil

Absent: Nil

The Amendment lapsed as there was no Seconder.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley, and Councillor Welch
Against: Councillor Carr and Councillor Keen
Absent: Nil

200. RESOLVED:

- 1. THAT** Council appoint to the Northern Sydney Regional Organisation of Councils (NSROC) as representatives the Mayor, Deputy Mayor, and Councillor Welch (alternate) as its representative for the term until September 2026.
- 2. THAT** Council appoint to the Shorelink Committee (Library Network) Councillor Welch and Councillor Carr (alternate) for this term of Council.
- 3. THAT** Council appoint to the Sydney Coastal Councils Group Councillor Hoy as delegate and Councillor Welch as Executive representative for this term of Council.
- 4. THAT** Council appoint to the Audit Risk and Improvement Committee Councillor Beregi for this term of Council.
- 5. THAT** Council appoint to the Access and Inclusion Committee Councillor Beregi for this term of Council.
- 6. THAT** Council write to the external bodies to inform them of Council's representatives.

11. Notices of Motion

Nil

12. Matters of Urgency

Councillor Spenceley sought leave under 9.3(b) of the Code of Meeting Practice to raise a matter of urgency regarding Council's new parking meters and infrastructure.

The Mayor did not accept the matter as urgent and advised Councillor Spenceley to discuss the issue with the CEO and Director Open Space and Infrastructure.

13. Closure

The Meeting concluded at 6:21 pm.