



WAVERLEY
COUNCIL

**MINUTES OF THE EXTRAORDINARY WAVERLEY COUNCIL (MAYORAL ELECTION) MEETING
HELD AT BONDI PAVILION, QUEEN ELIZABETH DRIVE, BONDI BEACH ON THURSDAY, 10 OCTOBER 2024**

Present:

Councillor Will Nemesh (newly elected Mayor)	Hunter Ward
Councillor Keri Spooner (newly elected 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

Before the meeting, Aunty Maxine Ryan gave the Welcome to Country.

The General Manager opened the meeting at 7.05 pm. Those present were as listed above.

Following the election of the Mayor and Deputy Mayor, the General Manager relinquished the chair and Cr Nemesh, the newly elected Mayor, assumed the chair.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

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.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our local government area.

OATH OR AFFIRMATION OF OFFICE FOR COUNCILLORS

In accordance with section 233A of the *Local Government Act 1993*, a Councillor must take an oath of office or make an affirmation of office in the form prescribed below at or before the first meeting of Council after the Councillor is elected.

Oath

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

The following Councillors took the oath of office or made the affirmation of office before the meeting:

Cr Fabiano took the oath.

Cr Frazer took the oath.

Cr Lewis made the affirmation.

Cr Masselos made the affirmation.

Cr Merten took the oath.

Cr Nemesh took the oath.

Cr Spicer took the oath.

Cr Spooner took the oath.

Cr Stephenson made the affirmation.

Cr Townsend took the oath.

Cr Westwood took the oath.

Cr Wy Kanak made the affirmation.

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. Reports**ME/7.1/24.10 Election of Mayor and Deputy Mayor by Councillors (SF24/5003)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Lewis

That Council:

1. Notes that the term of office of the Mayor elected at this meeting is until the next mayoral election on 15 September 2026.
2. Agrees to elect a Deputy Mayor for the term of the Mayor until the next mayoral election on 15 September 2026.
3. Notes the procedure for the election of Mayor and Deputy Mayor by Councillors, as set out in the report.
4. Elects the Mayor and Deputy Mayor by the open voting method.

Election of Mayor

The election of the Mayor was conducted by the Returning Officer as follows:

The Returning Officer informed the meeting that three written nominations in the prescribed form had been received and sought any further nominations before closing nominations.

At the close of nominations, the following nominations had been received:

Cr Fabiano, Cr Lewis and Cr Nemesh.

The election of Mayor proceeded by means of open voting and the following votes were recorded:

Cr Lewis

6 votes – Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

Cr Nemesh

6 votes – Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

Cr Fabiano

0 votes.

There being an equal number of votes for Cr Lewis and Cr Nemesh, the Mayor was chosen by lot.

Cr Nemesh being the first chosen was declared elected as Mayor of Waverley Council until the next mayoral election on 15 September 2026.

Election of Deputy Mayor

The election of the Deputy Mayor was conducted by the Returning Officer as follows:

The Returning Officer informed the meeting that three written nominations in the prescribed form had been received and sought any further nominations before closing nominations.

At the close of nominations, the following nominations had been received:

Cr Spooner, Cr Stephenson and Cr Wy Kanak.

The election of Deputy Mayor proceeded by means of open voting and the following votes were recorded:

Cr Stephenson

6 votes – Crs Frazer, Spicer, Stephenson, Nemesh, Townsend and Westwood.

Cr Spooner

4 votes – Crs Lewis, Masselos, Merten and Spooner.

Cr Wy Kanak

2 votes – Crs Fabiano and Wy Kanak.

Cr Wy Kanak having the lowest number of votes was excluded.

A further vote was taken on the two remaining candidates and the following votes were recorded:

Cr Stephenson

6 votes – Crs Stephenson, Frazer, Nemesh, Spicer, Townsend, Westwood.

Cr Spooner

6 votes – Crs Wy Kanak, Lewis, Spooner, Merten, Fabiano, Masselos.

There being an equal number of votes for both candidates, the Deputy Mayor was chosen by lot.

Cr Spooner being the first chosen was declared elected as Deputy Mayor of Waverley Council until the next mayoral election on 15 September 2026.

ME/7.2/24.10 Casual Vacancies (SF24/2400)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Westwood

That Council:

1. Pursuant to section 291A(1)(b) of the *Local Government Act 1993* (the Act), declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for 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.
2. Directs the General Manager to notify the NSW Electoral Commission of Council's decision within seven days of the decision.

ME/7.3/24.10 Local Government NSW Annual Conference 2024 (A13/0314)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconder: Cr Frazer

That Council, in respect of the Local Government NSW Annual Conference to be held on Sunday, 17 November to Tuesday, 19 November 2024:

1. Nominates the Mayor, Deputy Mayor and Crs Fabiano, Merten and Wy Kanak to attend the Conference as voting delegates for motions.
2. Approves the attendance of the General Manager at the Conference.

4. Urgent Business

There was no urgent business.

5. Meeting Closure

THE MEETING CLOSED AT 7.39 PM.

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SIGNED AND CONFIRMED
MAYOR
29 OCTOBER 2024