
AUBURN CITY COUNCIL

MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS
CIVIC PLACE, 1 SUSAN STREET, AUBURN
ON WEDNESDAY, JANUARY 27, 2016
COMMENCING AT 5.00PM

PRESENT

Her Worship the Mayor (Clr Lam), Councillors Attie, Batik-Dundar, Campbell, Mehajer, Oldfield (from 5.11pm), Oueik, Simms, Yang (from 5.10pm) and Zraika.

IN ATTENDANCE

General Manager, Deputy General Manager Indirect, Deputy General Manager Direct, Executive Manager Operations, Executive Manager Corporate, Executive Manager Community Development, Chief Financial Officer and Governance Coordinator.

APOLOGIES

There were no apologies tendered.

001/16 Calling of Meeting

C-28-02/03 MB : MW

This meeting had been called pursuant to Clause 8 of Council's Code of Meeting Practice in response to the joint request from Councillors Lam, Oldfield, Simms, Yang and Zraika presented at the Councillor Briefing on January 20, 2016, formally requesting an Extraordinary Meeting of Council to be held to consider the matter dealt with at that Councillor Briefing.

An additional Item was added to the Agenda in light of recent proceedings affecting Council.

RESOLVED unanimously on the motion of Clr Simms, seconded Clr Attie that the report be received and the information therein noted.

002/16 Disclosure of Interests

C-27-08/03 MB : MW

There were no disclosures of interest.

**003/16 Notice of Business - Clr Campbell - Submission to Boundaries
Commission regarding Proposed Auburn City Council Merger**

L-29-13 MB : MW

RESOLVED unanimously on the motion of Clr Attie, seconded Clr Mehajer that no further action be taken in respect to this item.

004/16 Submission to Boundaries Commission regarding Proposed Mergers

L-29-13 BE : MW

Moved Clr Campbell:

1. That Council oppose the NSW Government Merger Proposal concerning Auburn, Holroyd and Parramatta and the current Auburn Local Government Area remain intact with the existing Council area North of the M4 remaining as part any Merger Proposal.
2. That Council adopt the following as the electoral framework of the new Merger Proposals to maximise local representation of the community:
 - A total of 15 Councillors made up of 5 wards of 3 Councillors with a Councillor elected Mayor for a 2 year term.
3. That the General Manager be authorised to present Council's position at each public inquiry affecting Auburn City Council on February 2 and February 4, 2016.
4. That the General Manager be authorised to finalise and lodge the Council submission to the Council Boundaries Review Commission by February 28, 2016.
5. That in the event that the NSW Government not proceed with the implementation of structural reform in the Local Government sector that Council reverts to its status quo position of 'stand alone.'

The motion lapsed for want of a seconder.

Moved Cllr Simms, seconded Cllr Batik-Dundar:

1. That Council adopt a position of support for the Merger Proposals of the NSW Government subject to the following amendments being applied to the Merger Proposal concerning Auburn, Holroyd and Parramatta:
 - a) The current Auburn Local Government Area remain intact with the existing Council area North of the M4 remaining as part of the Merger Proposal.
 - b) An additional three minor boundary adjustments be made along the northern and eastern proposed boundary lines.
2. That Council adopt the following option as the electoral framework of the new Merger Proposals to maximise local representation of the community:
 - A total of 15 Councillors made up of 5 wards of 3 Councillors with a Councillor elected Mayor for a 2 year term.
3. That the General Manager be authorised to present Council's position at each public inquiry affecting Auburn City Council on February 2 and February 4, 2016.
4. That the General Manager be authorised to finalise and lodge the Council submission to the Council Boundaries Review Commission by February 28, 2016.
5. That in the event that the NSW Government not proceed with the implementation of structural reform in the Local Government sector that Council reverts to its status quo position of 'stand alone.'

Amendment

An amendment was moved Cllr Attie, seconded Cllr Oueik:

1. That Council adopt a position of support for the Merger Proposals of the NSW Government subject to the following amendments being applied to the Merger Proposal concerning Auburn, Holroyd and Parramatta:
 - a) The current Auburn Local Government Area remain intact with the existing Council area North of the M4 remaining as part of the Merger Proposal.
 - b) An additional three minor boundary adjustments be made along the northern and eastern proposed boundary lines as indicated in the report to Council on the matter, as well as the following additional boundary changes:-
 - That area of Regents Park beyond the Sydney Water Supply Line to the railway line at Birrong be incorporated in to the proposed merger.
 - The triangular shaped area bounded by Junction Road, Deniehy Street and Tennyson Street, Granville be incorporated in to the proposed merger.
 - The boundary be moved from Burnett Street, Mays Hill to Pitt Street, Merrylands/Mays Hill (only so as to include Western side of Pitt Street).
 - The entire area of the Rookwood Necropolis be incorporated in to the proposed merger.
2. That Council adopt the following option as the electoral framework of the new Merger Proposals to maximise local representation of the community:
 - A total of 15 Councillors made up of 5 wards of 3 Councillors with a Councillor elected Mayor for a 2 year term.

3. That the General Manager be authorised to present Council's position at each public inquiry affecting Auburn City Council on February 2 and February 4, 2016.
4. That the General Manager be authorised to finalise and lodge the Council submission to the Council Boundaries Review Commission by February 28, 2016.
5. That in the event that the NSW Government not proceed with the implementation of structural reform in the Local Government sector that Council reverts to its status quo position of 'stand alone.'

The amendment was put to the vote and declared carried and became the motion.

For: Councillors Lam, Attie, Mehajer, Oueik, Yang and Zraika.

Against: Councillors Batik-Dundar, Campbell, Oldfield and Simms.

A foreshadowed amendment was then moved as below:-

Foreshadowed Amendment

Moved Clr Campbell:

1. That Council adopt a position of support for the Merger Proposals of the NSW Government subject to the following amendments being applied to the Merger Proposal concerning Auburn, Holroyd and Parramatta:
 - a) The current Auburn Local Government Area remain intact with the existing Council area North of the M4 remaining as part of the Merger Proposal.
 - b) An additional three minor boundary adjustments be made along the northern and eastern proposed boundary lines.
2. That Council adopt the following option as the electoral framework of the new Merger Proposals to maximise local representation of the community:
 - A total of 15 Councillors made up of 5 wards of 3 Councillors with a Councillor elected Mayor for a 4 year term.
3. That the General Manager be authorised to present Council's position at each public inquiry affecting Auburn City Council on February 2 and February 4, 2016.
4. That the General Manager be authorised to finalise and lodge the Council submission to the Council Boundaries Review Commission by February 28, 2016.
5. That in the event that the NSW Government not proceed with the implementation of structural reform in the Local Government sector that Council reverts to its status quo position of 'stand alone.'

The foreshadowed amendment lapsed for want of a seconder.

The motion was put to the vote and declared carried.

RESOLVED unanimously on the motion of Clr Attie, seconded Clr Oueik:

- 1. That Council adopt a position of support for the Merger Proposals of the NSW Government subject to the following amendments being applied to the Merger Proposal concerning Auburn, Holroyd and Parramatta:***

- a) ***The current Auburn Local Government Area remain intact with the existing Council area North of the M4 remaining as part of the Merger Proposal.***
- b) ***An additional three minor boundary adjustments be made along the northern and eastern proposed boundary lines as indicated in the report to Council on the matter, as well as the following additional boundary changes:-***
 - ***That area of Regents Park beyond the Sydney Water Supply Line to the railway line at Birrong be incorporated in to the proposed merger.***
 - ***The triangular shaped area bounded by Junction Road, Deniehy Street and Tennyson Street, Granville be incorporated in to the proposed merger.***
 - ***The boundary be moved from Burnett Street, Mays Hill to Pitt Street, Merrylands/Mays Hill (only so as to include Western side of Pitt Street).***
 - ***The entire area of the Rookwood Necropolis be incorporated in to the proposed merger..***
2. ***That Council adopt the following option as the electoral framework of the new Merger Proposals to maximise local representation of the community:***
 - ***A total of 15 Councillors made up of 5 wards of 3 Councillors with a Councillor elected Mayor for a 2 year term.***
3. ***That the General Manager be authorised to present Council's position at each public inquiry affecting Auburn City Council on February 2 and February 4, 2016.***
4. ***That the General Manager be authorised to finalise and lodge the Council submission to the Council Boundaries Review Commission by February 28, 2016.***
5. ***That in the event that the NSW Government not proceed with the implementation of structural reform in the Local Government sector that Council reverts to its status quo position of 'stand alone.'***

005/16 Public Inquiry into Auburn City Council - Notification by Minister
A-44-28 BC : MW

Moved Clr Attie, seconded Clr Mehajer:

1. That based on the draft advice submitted by Colin Biggers & Paisley Lawyers, Council make a submission to the Minister for Local Government seeking that Council not be suspended during the period of the Public Inquiry into Auburn City Council under Section 438U of the Local Government Act, 1993 and authorise the General Manager to finalise the matter.
2. That Council's Legal Advisers clarify in the submission to the Minister that the property referred to in the Terms of Reference of the Public Inquiry should be 13 John Street, Lidcombe, not 13 John Street, Auburn.

Amendment

Moved Clr Campbell, seconded Clr Oldfield that Council accept the Ministers reasons for suspending the Council, but believe that the suspensions should be limited to those Councillors whose behaviour has contributed to the need for a Public Inquiry, however, if the Minister is unable to suspend part of the Council, Council accepts that the whole Council should be suspended.

The amendment was put to the vote and declared lost.

For: Councillors Lam, Attie, Batik-Dundar, Mehajer, Oueik, Simms, Yang and Zraika.

Against: Councillors Campbell and Oldfield.

The motion was put to the vote and declared carried.

RESOLVED on the motion of Cllr Attie, seconded Cllr Mehajer:

- 1. That based on the draft advice submitted by Colin Biggers & Paisley Lawyers, Council make a submission to the Minister for Local Government seeking that Council not be suspended during the period of the Public Inquiry into Auburn City Council under Section 438U of the Local Government Act, 1993 and authorise the General Manager to finalise the matter.***
- 2. That Council's Legal Advisers clarify in the submission to the Minister that the property referred to in the Terms of Reference of the Public Inquiry should be 13 John Street, Lidcombe, not 13 John Street, Auburn.***

For: Councillors Lam, Attie, Mehajer, Oueik, Yang and Zraika.

Against: Councillors Batik-Dundar, Campbell, Oldfield and Simms.

There being no further matters, the meeting was closed at 5.42pm.

CONFIRMED:

MAYOR

DATE: