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## Minutes of the Extraordinary Council Meeting 16 October 2024

Meeting commenced at 6:00pm

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### Present

#### Councillors

Steve Christou	Councillor
Diane Colman	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor
Helen Hughes	Councillor
Nadima Kafrouni-Saba	Councillor
Ahmed Ouf	Councillor
Joseph Rahme	Councillor
Suman Saha	Councillor
Eddy Sarkis	Councillor
Sujan Selventhiran	Councillor
Steve Yang	Councillor
Enver Yasar	Councillor
Michael Zaiter	Councillor

#### Officers

Peter Fitzgerald	General Manager
Melissa Attia	Director Corporate Performance (Deputy General Manager)
Daniel Cavallo	Director Environment & Planning
Brendan Govers	Director City Services
Nicole Byrn	Director Community & Culture
Charlie Ayoub	Director Governance & Risk
Colin McFadzean	General Counsel
Bianca Mourched	Acting Manager Governance
Lyndall Thompson	Acting Coordinator Governance
Pamela MacIntyre	Governance Officer
Paulette Maroon	Governance Officer

The General Manager declared the meeting open at 6:01pm.

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#### Announcements

The General Manager, Peter Fitzgerald congratulated Councillor Nadima Kafrouni-Saba on the recent birth of her son, Joshua. He also advised the Chamber of the passing of the late wife of Councillor Steve Yang, Francesca Soon Ja Yang, and the former Holroyd Alderman Ken Grieve, and offered Council's condolences to their families on behalf of Council. A minute of silence was observed in memory of Mrs Yang and Mr Grieve.

## Acknowledgement of Country

The General Manager read the following Acknowledgement of Country:

*"I would like to acknowledge the traditional owners of this land and pay my respects to their elders past, present and emerging."*

## National Anthem

At this point in the meeting the General Manager asked all of those in attendance to stand for the playing of the Australian National Anthem.

## Notice of Live Streaming of Council meeting

The General Manager advised that the Council meeting was being streamed live on Council's website and those in attendance must ensure their speech is respectful and use appropriate language. The General Manager also noted that due to the ceremonial nature of the evening, that filming would be permitted from the gallery for Councillor Oaths/Affirmations of Office.

## Apologies

Nil.

## Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

There were no declarations of interest.

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### Min. 813      EC10/24-1 Commencement of Council Term - Councillor Oath of Office

Note: The General Manager invited Councillors to come forward individually and undertake their Oath or Affirmation of Office. These were undertaken at this point of the meeting as follows:

- Councillor Christou (Oath of Office)
- Councillor Colman (Oath of Office)
- Councillor Hamed (Oath of Office)
- Councillor Hughes (Oath of Office)
- Councillor Kafrouni-Saba (Oath of Office)
- Councillor Ouf (Oath of Office)
- Councillor Rahme (Oath of Office)
- Councillor Saha (Oath of Office)
- Councillor Sarkis (Oath of Office)
- Councillor Yasar (Oath of Office)
- Councillor Elmore (Affirmation of Office)
- Councillor Garrard (Affirmation of Office)
- Councillor Selventhiran (Affirmation of Office)
- Councillor Yang (Oath of Office)
- Councillor Zaiter (Oath of Office)

**Motion (Sarkis/Kafrouni-Saba)**

That Council notes that all Councillors have now undertaken an Oath or Affirmation of Office, in accordance with Section 233A of the *Local Government Act 1993*.

The Motion on being Put was declared CARRIED.

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

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**Min. 814 EC10/24-2 Election of Mayor and Deputy Mayor**

**Motion (Elmore/Saha)**

That:

1. Council endorse the report.
2. Council determine that in the event of more than one nomination being received for either election, that the Election of the Mayor and/or the Election of the Deputy Mayor, be undertaken by the open voting method.
3. Council determine that the Mayor will be elected for the ensuing term for a period until a subsequent election is held on 30 September 2026.
4. Council determine that a Deputy Mayor will be elected for a 1 year term, for a period until a subsequent election is held on 16 October 2025.
5. In accordance with Schedule of 7 of the *Local Government (General) Regulation 2021*, the General Manager as the Returning Officer proceed to conduct both the election of the Mayor and Deputy Mayor.

**Amendment (Garrard/Hughes)**

Insert an additional point 6:

6. Council continue to meet in accordance with the adopted *Code of Meeting Practice*.

The Amendment on being Put was declared **LOST**.

Councillor(s) For the Motion: Christou, Garrard, Hughes, Ouf and Sarkis.

Councillor(s) Against the Motion: Colman, Elmore, Hamed, Kafrouni-Saba, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

The Motion on being Put was declared **CARRIED**.

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Councillor(s) For the Motion: Colman, Elmore, Hamed, Kafrouni-Saba, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Christou, Garrard, Hughes, Ouf and Sarkis.

### **Election of Mayor**

The General Manager was the Returning Officer for the election of the Mayor.

The General Manager advised that he has received two (2) compliant nominations for the Office of Mayor.

The General Manager advised that the first nomination received for the Office of Mayor was received for Councillor Hamed, nominated by Councillor Zaiter and Councillor Rahme.

The General Manager advised that the second nomination received for the Office of Mayor was received for Councillor Garrard, nominated by Councillor Christou and Councillor Hughes.

The General Manager asked all Councillors who support Councillor Hamed being the first nomination received, for the Office of Mayor to raise their hands.

Councillors Colman, Elmore, Hamed, Kafrouni-Saba, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter voted for Councillor Hamed. A total of 10 votes were recorded.

The General Manager asked all Councillors who support Councillor Garrard being the second nomination received for the Office of Mayor, to raise their hands.

Councillors Christou, Garrard and Hughes voted for Councillor Garrard. A total of 3 votes were recorded.

Councillor Ouf and Councillor Sarkis abstained from voting.

The General Manager declared Councillor Hamed elected as Mayor.

### **Election of Deputy Mayor**

The General Manager was the Returning Officer for the election of the Deputy Mayor.

The General Manager advised that he had received 2 compliant nominations for the position of Deputy Mayor.

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The General Manager advised that the first nomination received for the position of Deputy Mayor was received for Councillor Zaiter, nominated by Councillor Hamed and Councillor Saha.

The General Manager advised that the second nomination received for the Office of Deputy Mayor was received for Councillor Hughes, nominated by Councillor Christou and Councillor Garrard.

The General Manager asked all Councillors who support Councillor Zaiter being the first nomination received, for the position of Deputy Mayor to raise their hands.

Councillors Colman, Elmore, Hamed, Kafrouni-Saba, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter voted for Councillor Zaiter. A total of 10 votes were recorded.

The General Manager asked all Councillors who support Councillor Hughes being the second nomination received for the position of Deputy Mayor, to raise their hands.

Councillors Christou, Garrard and Hughes voted for Councillor Hughes. A total of 3 votes were recorded.

Councillor Ouf and Councillor Sarkis abstained from voting.

The General Manager declared Councillor Zaiter elected as Deputy Mayor.

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## **ADJOURNMENT**

**6:47pm** The General Manager adjourned the meeting briefly for Mayoral protocols.

**6:53pm** The General Manager, Peter Fitzgerald resumed the meeting.

The elections being concluded, the Mayor resumed the Chair, and continued as Chairperson for the meeting.

Councillor Rahme left the Meeting at 7:08pm and returned at 7:10pm during Councillor speeches.

Councillor Ouf left the Meeting at 7:10pm and returned at 7:20pm during Councillor speeches.

Councillor Colman left the Meeting at 7:39pm and returned at 7:41pm during Councillor speeches.

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**Min. 815      Items by Exception**

**Motion (Sarkis/Zaiter)**

That Council adopt items EC10/24-3, EC10/24-5 and EC10/24-6 on the Council Agenda as per the recommendations in the reports.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion:              Nil.

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**EC10/24-3 Decision on Council Opt in for Countback Elections**

***Resolved by Exception***

That pursuant to Section 291A(1)(b) of the *Local Government Act 1993* (the Act), Cumberland Council declares 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 General Manager to notify the NSW Electoral Commission of the Council's decision within 7 days of the decision.

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**EC10/24-5 Annual Disclosure of Pecuniary Interest Returns for Councillors & Designated Persons**

***Resolved by Exception***

That Council note the confidential tabling of the Annual Disclosure of Interest Returns, in accordance with requirements under cl. 4.25 of the *Code of Conduct*.

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**EC10/24-6 New Councillor Conduct and Meeting Practices Framework - Office of Local Government Discussion Paper**

***Resolved by Exception***

That Council receive the report.

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**Min. 816      EC10/24-4 Councillor Representation on Main Committees and Key External Bodies**

**Motion (Zaiter/Colman)**

That Council nominate Councillor representation for its existing main Committees and key external bodies as follows:

1. Audit, Risk and Improvement Committee (Non-voting): Councillor Zaiter
2. Local Traffic Committee:
  - a) Councillor/Chairperson: Councillor Rahme
  - b) Councillor Alternate: Councillor Sarkis
3. Property Committee (In addition to Mayor):
  - a) Councillor Saha
  - b) Councillor Zaiter
  - c) Councillor Kafrouni-Saba
  - d) Councillor Yasar
4. Parramatta Park Community Trustee Board – Councillor Colman
5. Western Sydney Region Organisation of Councils (WSROC) Board Directors:
  - a) Mayor
  - b) Councillor Elmore
  - c) Councillor alternate: Councillor Saha
  - d) Councillor alternate: Councillor Colman
6. Sydney Central City Planning Panel:
  - a) Councillor (Expert Member) Elmore
  - b) Councillor (Second Member) Zaiter

With Council to undertake an Expression of Interest process to appoint community members as alternate members to the panel, and report the results of the EOI back to Council at a future meeting for final determination.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Colman, Elmore, Hamed, Kafrouni-Saba, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion:              Christou, Garrard, Hughes, Ouf and Sarkis.

Councillor Ouf left the Meeting at 8:03pm and returned at 8:06pm during the consideration of this item.

Councillor Yasar left the Meeting at 8:05pm and returned at 8:09pm during the consideration of this item.

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**Min. 817      EC10/24-7 Local Government NSW Annual Conference 2024**

**Motion (Zaiter/Saha)**

That Council determine its voting delegates for the Local Government NSW Annual Conference 2024 as follows:

1. Councillor Hamed
2. Councillor Colman
3. Councillor Saha
4. Councillor Elmore
5. Councillor Yasar
6. Councillor Zaiter
7. Councillor Yang
8. Councillor Sarkis
9. Councillor Ouf
10. Councillor Christou

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion:              Nil.

The Mayor, Councillor Hamed closed the meeting at 8:13pm.

Chairperson\_\_\_\_\_