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## Minutes of the Council Meeting 19 December 2018

Meeting commenced at 6:30pm

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### Present:

Greg Cummings (Mayor)	Councillor
Glenn Elmore (Deputy Mayor)	Councillor
Ned Attie	Councillor (arrived 6:39pm)
George Campbell	Councillor
Steve Christou	Councillor
Ross Grove	Councillor (arrived 6:31pm)
Ola Hamed	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor (arrived 6:39pm)
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:33pm)
Michael Zaiter	Councillor
Hamish McNulty	General Manager
Melissa Attia	Director People & Performance
Brooke Endycott	Director Community Development
Peter Fitzgerald	Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance
Karl Okorn	Acting Director Environment & Planning

### Also Present:

Charlie Ayoub	Group Manager Corporate & Customer
Carol Karaki	Governance Coordinator
Olivia Shields	Governance Administration Officer

### Opening Prayer

The opening prayer was read by Pdt Jatinkumar Bhatt from Sri Mandir Hindu Temple.

### Acknowledgement of Country

The Mayor, Councillor Cummings, opened the Meeting with the following Acknowledgement of Country:

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

### National Anthem

At this point in the meeting the Mayor, Councillor Cummings, asked all of those in attendance to stand for the playing of the Australian National Anthem.

### **Minute of Silence**

The Mayor, Councillor Cummings requested that the Chamber remain standing as he informed the Chamber of the passing of Jim Morris on 18 December 2018. The Mayor noted that Mr Morris was a Councillor on the former Holroyd Council from 1987 to 1995 and was first elected in the 1987 elections as a Ward 1 candidate for the Australian Labour Party. He served as a Councillor until September 1995.

The Mayor further noted that Mr Morris served on several committees during his term in office including Finance and Works Committees, Development Committees, Parks and Playgrounds Committees, Special Committees, Miller Street Development Committee, McFarlane Street Committee, Special Function Committees, along with an ongoing commitment to the Mays Hill Cemetery Committee and the Holroyd Heritage Register Committee.

The Mayor called for a minute of silence in memory of Mr Morris.

### **Notice of Live Streaming of Council Meeting**

The General Manager, Hamish McNulty advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

### **Min.381 Apologies/Leave of Absence**

#### **Resolved (Sarkis/Zaiter)**

That Councillor Huang, Councillor Garrard and Councillor Zreika be granted Leave of Absence for this Council Meeting.

### **Declarations of Pecuniary & Non Pecuniary Conflicts of Interest**

There were no declarations of interest.

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### **Confirmation of Minutes**

#### **Min.382 C12/18-255 Minutes of the Ordinary Meeting of Council - 5 December 2018**

#### **Resolved (Christou/Sarkis)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 5 December 2018.

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### **Public Forum:**

#### **Speakers on General Items**

<b>Speaker</b>	<b>Subject</b>	<b>Suburb</b>
Mr Dominic Romeo	Petition Regarding Traffic and Parking Issues in Lidcombe Town Centre	Lidcombe

Mr Tony Oldfield      Presentation of Petition Regarding Traffic      Auburn  
and Parking Issues in Lidcombe Town  
Centre

Note: Mr Oldfield provided a copy of the petition to the Mayor's Office prior to this meeting.

### Speakers on Items on the Council Meeting Agenda

Speaker	Item #	Suburb
Mr Chiang Lim	C12/18-271 – Notice of Motion - Childcare	Parramatta

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#### Min.383      Suspension of Standing Orders

##### Resolved (Sarkis/Hamed)

That in accordance with Clause 1.6 (2) of the Code of Meeting Practice, Council suspend standing orders to allow Items C12/18-271 and C12/18-270 to be addressed at this time of the meeting.

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#### Min.384      C12/18-271 Notice of Motion - Childcare

##### Resolved (Attie/Rahme)

That:

1. The report on Childcare Services in Cumberland to be delivered in February 2019 also include an explanation of the regulations, policies and guidelines currently used by Council's planning officers to assess development applications for childcare services including matters relating to evacuation, proximity to major traffic hubs, limits on childcare places, emergency exits and any other relevant matters.
2. Council request a workshop with the peak bodies of the Early Childhood Education and Care sector (including the Australian Childcare Alliance NSW, the Community Early Learning Australia and Family Day Care NSW) to better understand the deficiencies in planning controls and Councils inability to better regulate the provisions contained within the NSW State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
3. Council write to the Federal Minister for Education requesting the release of weekly de-identifiable occupancy data since 2 July 2018 of all childcare services within the Cumberland LGA so that Council can properly assess actual demand and supply and provide a report to council with the data collected.
4. Once all reports are received and workshop undertaken, Council write to the NSW Premier, the NSW Minister for Planning, and the NSW Minister for Early Childhood Education, outlining its considered concerns about issues where Council has limited regulating powers and conditions with respect of childcare planning approvals.

**Carried Unanimously**

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**Min.385            C12/18-270 Notice of Motion - Emergency Relief Fund (ERF)**

**Resolved (Lake/Elmore)**

That:

1. Council establish an Emergency Relief Fund (ERF).
2. The ERF be designed to provide financial support to individuals, charities and not for profit organisations who require financial assistance for emergency relief that exceeds the cap under the Mayoral Community Fund.
3. The decision to provide financial assistance from the ERF be a decision of Council.
4. A sum of \$50,000 be provided in the ERF each financial year (non-cumulative).
5. Council Officers provide to Council, for Council's consideration and approval, draft Guidelines for the scope and operation of the ERF.

Councillor Rahme left the Meeting at 7:15pm and returned to the Meeting at 7:17pm during the consideration of this item.

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**Min.386            Resumption of Standing Orders**

**Resolved (Sarkis/Campbell)**

That in accordance with Clause 1.6 (2) of the Code of Meeting Practice, Council resume the normal order of business.

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**Min.387            Matter of Urgency – Hay Shire Council Partnership**

**Resolved (Grove/Attie)**

That in accordance with Clause 2.7(3)(b) of the Cumberland Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to Hay Shire Council Partnership.

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**Min.388            Matter of Urgency – Hay Shire Council Partnership**

**Resolved (Grove/Attie)**

That Council affirms its existing partnership with Hay Shire Council and extends its support to the Shire as appropriate into the future.

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**Min.389          Items by Exception**

**Resolved (Attie/Elmore)**

At this time of the meeting, all items on the agenda not called for discussion were moved collectively, as shown:

That item numbers C12/18-256, C12/18-257, C12/18-258, C12/18-259, C12/18-260, C12/18-261, C12/18-262, C12/18-263, C12/18-264, C12/18-265, C12/18-268 and C12/18-269 be moved in bulk.

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**Min.390          C12/18-256 Adoption of Customer Experience Strategy - Post Exhibition**

**Resolved (Attie/Elmore)**

That Council adopt the *Customer Experience Strategy 2018 - 2021* as outlined in Attachment 1 of this report.

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**Min.391          C12/18-257 Reporting on Legal Matters**

**Resolved (Attie/Elmore)**

That Council receive this report.

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**Min.392          C12/18-258 Investment Report - November 2018**

**Resolved (Attie/Elmore)**

That Council receive the November 2018 Investment Report.

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**Min.393          C12/18-259 Draft Cumberland Innovate Reconciliation Action Plan 2019 - 2021**

**Resolved (Attie/Elmore)**

That Council place the *Draft Cumberland Innovate Reconciliation Action Plan 2019 - 2021* on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period.

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**Min.394 C12/18-260 Cumberland Council Community Grants Program Round Two 2018/19**

**Resolved (Attie/Elmore)**

That Council:

1. Adopt the 16 applications recommended for funding under Attachment 1 and allocate \$142,530 from the 2018/19 Cumberland Community Grants Program budget.
2. Advise all applicants of funding allocations under Round Two of the 2018/19 Community Grants Program and provide feedback and support to applicants that were unsuccessful.
3. Adopt the revised program structure for Round Three of the Cumberland Community Grants Program 2018/19 included under Attachment 3.

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**Min.395 C12/18-261 Quarterly Update on the Implementation of the Stronger Communities Fund**

**Resolved (Attie/Elmore)**

That Council:

1. Note the progress on the implementation of the Stronger Communities Fund; and
2. Submit a copy of this report to the Office of Local Government to meet reporting requirements under the NSW Government's Stronger Communities Fund Guidelines.

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**Min.396 C12/18-262 Proposed Auburn South Community & Recreation Centre (Former Auburn RSL Bowling Club Site)**

**Resolved (Attie/Elmore)**

That Council:

1. Adopt the concept plans for the proposed new Auburn South Community and Recreation Centre at 179 Chisholm Road, Auburn.
2. Undertake a community engagement program to inform the development of the proposed new Auburn South Community and Recreation Centre and receive a report detailing the outcomes of the community engagement process.
3. Identify the Auburn South Community and Recreation Centre in the Cumberland Contributions Plan (Part 7) Schedule of Works with a total project budget of \$7 million and the financial allocation apportioned accordingly.

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4. Allocate a \$5 million forward loan from available Auburn Contributions funds to the project in the 2019/20 and 2020/21 Capital Works Program budgets to assist in the delivery of a staged development and readjust the loan in a future report to Council on the financial and works acquittal of the current in force Contribution Plans.
  5. Continue to seek external grant opportunities to contribute towards the costs associated with the project.

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**Min.397            C12/18-263 Street Naming Report - New Public Roads proposed  
within the Neil Street Precinct**

**Resolved (Attie/Elmore)**

That Council:

1. Endorse the road name “McLeod Road” for New Road 1 and “Dressler Way” for New Road 2 within the Neil Street Precinct;
2. Forward the new proposed names to the Geographical Names Board for their concurrence, and then undertake public exhibition of these names in accordance with relevant legislation; and
3. Should there be no objections or concerns raised to the proposed name changes during public exhibition, adopt these names and a notice be placed in the Government Gazette accordingly.

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**Min.398            C12/18-264 Wentworthville Town Centre Bypass**

**Resolved (Attie/Elmore)**

That Council:

1. Proceed with the acquisition of the 6 lots required (48-50 Station Street and 53 Station Street, Wentworthville) to facilitate the full bypass option as outlined in this report;
2. Amend the Wentworthville Centre Planning Proposal to include the properties required to implement the full bypass option on the Land Reservation Acquisition Map and Zoning Map;
3. Amend the draft Wentworthville Centre DCP to reflect the full bypass option, prior to public exhibition; and
4. Progress the full bypass option in the draft Wentworthville Public Domain Plan.

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**Min.399            C12/18-265 Wentworthville Centre Draft DCP Controls**

**Resolved (Attie/Elmore)**

That Council:

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1. Place the draft Development Controls (draft DCP Controls) for the Wentworthville Centre on public exhibition for a minimum 6 weeks, concurrently with the public exhibition of the Wentworthville Centre Planning Proposal.
  2. That the exhibition period not commence prior to 14 January 2019 and that, in accordance with Council resolution of 3 August 2016, a public meeting be held on a Saturday afternoon in Wentworthville in February to allow the community to discuss with Council the planning proposal and draft Development Control Plan
  3. Receive a further report, following the community consultation, which will outline and respond to any submissions received as well as the way forward for the Development Controls for the Wentworthville Centre.

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**Min.400            C12/18-268 Cumberland Heritage Committee - Minutes of Meeting held 20 November 2018**

**Resolved (Attie/Elmore)**

That Council receive the minutes of the Cumberland Heritage Committee held on 20 November 2018.

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**Min.401            C12/18-269 Quarterly Report on Council Consultative and Advisory Committees**

**Resolved (Attie/Elmore)**

That Council:

1. Receive the minutes of the Consultative and Advisory Committee meetings held since September 2018 as listed in the report and included under Attachments 1 to 11.
2. Adopt the revised Terms of Reference for the Culturally and Linguistically Diverse Committee included under Attachment 12.
3. Receive and note the Merrylands Town Centre Community Safety Audit Report included under Attachment 13 in conjunction with the minutes of the Community Safety Committee Meeting held on 4 December 2018.

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**Min.402            C12/18-266 Expansion of Granville Resident Parking Scheme**

**Resolved (Sarkis/Elmore)**

That Council:

1. Proceed with the planning and consultation of a Resident Parking Scheme (RPS) in the following streets around Clyde Station (Clyde RPS):



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- a. William Street, between Clyde Street and Factory Street
  - b. First Street
  - c. Second Street
  - d. Third Street
2. Notify and consult the affected residents of Council's resolution regarding the Clyde RPS.
  3. Report back to Council the results of the consultation.

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**Min.403          Closed Session**

**Resolved (Attie/Hamed)**

At this stage of the meeting being 7:50pm, the Mayor advised that in accordance with Section 10a of the Local Government Act 1993 the meeting would move into Closed Session, with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action was taken as the items listed were within the following provisions under Section 10a of the Local Government Act:-

- (2) The matters and information are the following:*
- (d) commercial information of a confidential nature that would, if disclosed:*
- (i) prejudice the commercial position of the person who supplied it, or*
  - (ii) confer a commercial advantage on a competitor of the council.*

In accordance with Council's Code of Meeting Practice, the Mayor Councillor Cummings asked the members of the public gallery if they wish to make representation prior to the meeting entering into closed session.

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**Min.404          Open Session**

**Resolved (Grove/Attie)**

Council returned to Open Session at 8:16pm to resolve the below Confidential Item:

C12/18-267 Tender Evaluation Report - Merrylands Road CBD Footpath Upgrade

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**Min.405      C12/18-267 Tender Evaluation Report - Merrylands Road CBD  
Footpath Upgrade**

**Resolved (Grove/Zaiter)**

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract to Statewide Civil Pty Ltd in accordance with Clause 178(1)(a) of the Local Government (General) Regulation 2005, for \$2,148,736 for the Merrylands Road CBD Footpath Upgrade.
2. Delegate to the General Manager the authority to execute the contract and any associated documents.
3. Be provided with a briefing note detailing provisions in the contract that limit Council's risk exposure.

Councillor Rahme left the Meeting at 8:08pm during the consideration of this item.

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The Mayor, Councillor Cummings closed the meeting at 8:17pm.

Chairperson\_\_\_\_\_ General Manager\_\_\_\_\_