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## Minutes of the Council Meeting 20 February 2019

Meeting commenced at 6:31pm

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### Present:

Greg Cummings (Mayor)	Councillor
Glenn Elmore (Deputy Mayor)	Councillor
Ned Attie	Councillor
George Campbell	Councillor
Steve Christou	Councillor
Paul Garrard	Councillor
Ross Grove	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:39pm)
Michael Zaiter	Councillor
Tom Zreika	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
Daniel Cavallo	Director Environment & Planning

### Also Present:

Charlie Ayoub	Group Manager Corporate & Customer
Monica Cologna	Manager Strategic Planning
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.

### **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.419 Apologies/Leave of Absence**

#### **Resolved (Garrard/Huang)**

Note: Councillor Garrard noted that Councillor Sarkis is an apology at this stage of the meeting. Councillor Sarkis later entered the Meeting at 6:39pm.

That the apology tendered on behalf of Councillor Sarkis be accepted.

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### **Confirmation of Minutes**

#### **Min.420 C02/19-10 Minutes of the Ordinary Meeting of Council - 6 February 2019**

#### **Resolved (Attie/Campbell)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 6 February 2019.

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

Councillor Huang declared a non-pecuniary, less than significant interest in relation to Item C02/19-14 as he had met with a representative from Payce regarding the Planning Proposal.

Councillor Zaiter declared a non-pecuniary, significant interest in relation to Item C02/19-15 as a client of his firm has an interest in the landholding. As such, Councillor Zaiter exited the Chamber during the consideration of this item.

Councillor Grove left the Meeting at 6:35pm during the consideration of this item.

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#### **Min. 421 MM02/19-1 Mayoral Minute – Housing**

I strongly believe that there is need for a reduction in the strain being placed on Western Sydney by ongoing population growth and failed government housing policies. I am seeking an urgent change in policy so that future housing and population growth is concentrated in those areas of Sydney that are already serviced by well-established infrastructure, rather than in those areas, such as Western Sydney, where vital

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infrastructure such as adequate public transport is lacking and will not be available in the near future.

In the past decade western Sydney's population has grown by 25%. By comparison, eastern and central Sydney, where infrastructure is concentrated, has grown by less than 15%.

I believe that future housing policy should be based on the following principles:

1. Major housing projects must be paired with major infrastructure projects and timelines.
2. The Greater Sydney Commission's housing targets must be revised to ensure Sydney's growth is more evenly spread and matched with existing infrastructure.
3. Apartments and townhouses, must be directed to those places where there is employment and good infrastructure.
4. The NSW Government must invest in making housing more affordable through zoning and inclusive development schemes.
5. The NSW Government must implement a 'liveability compact' with the people of Sydney, ensuring future growth plans embed measurable liveability targets.
6. Developers must pay their fair share of infrastructure costs; including community facilities, which provide the home for services which ensure new communities' well-being.
7. Rail and other public transport infrastructure must be built and operated so that the density of rail lines, stations and bus services and service frequency is the same in Western Sydney as it is in the rest of Sydney.

### **Resolved (Cummings)**

That Council write to the Premier, Leader of the Opposition, State Members, Minister for Planning and Shadow Minister for Planning recommending a change to housing policy to include the principles outlined in this Mayoral Minute.

Councillor Grove returned to the Meeting at 6:37pm during the consideration of this item.

Councillor Rahme left the Meeting at 6:43pm during the consideration of this item.

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### **Min.422      Suspension of Standing Orders**

### **Resolved (Sarkis/Attie)**

That in accordance with Clause 1.6 (2) of the Code of Meeting Practice, Council suspend standing orders to allow Items C02/19-14 and C02/19-15 to be addressed in the meeting following Public Forum.

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**Public Forum:****Speakers on Items on the Council Meeting Agenda**

<b>Speaker</b>	<b>Item #</b>	<b>Suburb</b>
Mr Tony Oldfield	C02/19-14 Planning Proposal Request – 300 Manchester Road, Auburn	Auburn
Mr Peter Dixon	C02/19-14 Planning Proposal Request – 300 Manchester Road, Auburn	Granville
Mr Dominic Sullivan	C02/19-14 Planning Proposal Request – 300 Manchester Road, Auburn	Sydney
Ms Kerry Stanton	C02/19-14 Planning Proposal Request – 300 Manchester Road, Auburn	Auburn
Ms Deborah Neyle	C02/19-14 Planning Proposal Request – 300 Manchester Road, Auburn	Auburn
Mr Andrew Wilson	C02/19-15 Request for Revised Gateway Determination – Planning Proposal for 264 Woodville Road, Merrylands	Baulkham Hills

**Note:** Mr Tony Merhi, Mark Grayson and Steve Zappia were also registered to address Council, in association with Mr Wilsons address. Mr Wilson introduced them to the chamber, and noted that they were registered to address Council for the purposes of responding to questions only in relation to the Planning Proposal.

Councillor Rahme returned to the Meeting at 6:46pm during the consideration of this item.

Councillor Rahme left the Meeting at 7:24pm during the consideration of this item.

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**Min.423 C02/19-14 Planning Proposal Request - 300 Manchester Road, Auburn****Motion (Campbell/Hamed)**

That Council does not proceed to refer this planning proposal to gateway determination.

**Amendment (Grove/Elmore)**

That Council defer the consideration of the proposal, in order to determine whether the matter should proceed to gateway determination, subject to obtaining feedback and submissions from government agencies.

The Amendment moved by Councillor Grove seconded by Councillor Elmore on being Put was declared CARRIED.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Attie, Christou, Cummings, Elmore, Grove, Rahme, Sarkis, Zaiter and Zreika.

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Councillor(s) Against the Amendment: Campbell, Garrard, Hamed, Huang, Lake and Saha.

The Amendment moved by Councillor Grove seconded by Councillor Elmore then became the motion.

The motion moved by Councillor Grove seconded by Councillor Elmore on being Put was declared CARRIED to become the resolution of Council (as shown in the amendment).

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Christou, Cummings, Elmore, Grove, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Campbell, Garrard, Hamed, Huang, Lake and Saha.

Councillor Christou left the Meeting at 7:26pm and returned to the Meeting at 7:28pm during the consideration of this item.

Councillor Rahme returned to the Meeting at 7:29pm during the consideration of this item.

Councillor Sarkis left the Meeting at 7:47pm and returned to the Meeting at 7:49pm during the consideration of this item.

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## **ADJOURNMENT**

**8:34pm** The Mayor, Councillor Cummings adjourned the Meeting for a short recess.

**8:45pm** The Mayor, Councillor Cummings resumed the Meeting.

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### **Min.424 C02/19-15 Request for Revised Gateway Determination - Planning Proposal for 264 Woodville Road, Merrylands**

**Note:** Councillor Zaiter exited the Chamber during the consideration of this item as he had declared a non-pecuniary significant interest in this item.

#### **Motion (Sarkis/Garrard)**

That Council:

1. Proceed with the following controls for the site, as outlined in the Gateway Determination (of 24 June 2016): B4 Mixed Use zone with a maximum building height of 31m and maximum FSR of 2:1 across the site;
2. Endorse an amended Planning Proposal as per recommendation 1 above, to forward to the Department of Planning and Environment, subject to the negotiation of a planning agreement to the satisfaction of Council prior to finalisation;
3. Amend the Development Control Plan (DCP) controls '4.1.12 Woodville Road Neighbourhood Centre Precinct' of the Parramatta DCP to reflect the amended proposal; and
4. Delegate to the General Manager authority to make minor non-policy corrections or formatting changes to the draft DCP controls prior to it coming into effect; and
5. Propose to rezone the subject land from B4 Mixed Use zone to B2 Local Centre zone and RE1 Public Recreation zone as part of the comprehensive Cumberland LEP, reflecting Council's strategic approach to the local centres hierarchy and objectives of the *Central City District Plan*.

#### **Amendment (Saha/Christou)**

That Council defer the consideration of this matter pending further information in relation to the alternate resolution proposed.

The Amendment moved by Councillor Saha seconded by Councillor Christou on being Put was declared LOST.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Campbell, Christou, Elmore, Hamed, Huang, Lake and Saha.

Councillor(s) Against the Amendment: Attie, Cummings, Garrard, Grove, Rahme, Sarkis and Zreika.

The Motion moved by Councillor Sarkis seconded by Councillor Garrard on being Put was declared CARRIED on the casting vote of the Mayor to become the resolution of Council.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Cummings, Garrard, Grove, Rahme, Sarkis and Zreika.

Councillor(s) Against the Motion: Campbell, Christou, Elmore, Hamed, Huang, Lake and Saha.

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Councillor Rahme returned to the Meeting at 8:51pm during the consideration of this item.

Councillor Grove left the Meeting at 9:25pm and returned to the Meeting at 9:29pm during the consideration of this item.

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**Min.425          Items by Exception**

**Resolved (Sarkis/Attie)**

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

That item numbers C02/19-12 and C02/19-16 be moved in bulk.

Councillor Zaiter returned to the Meeting for the consideration of this item.

Councillor Rahme left the Meeting at 9:37pm during the consideration of this item.

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**Min.426          C02/19-12 Investment Report - January 2019**

**Resolved (Sarkis/Attie)**

That Council receive the January 2019 Investment Report.

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**Min.427          C02/19-16 Tender Evaluation Report - Auburn Civic Centre  
Mechanical (Air Conditioning) Upgrade**

**Resolved (Sarkis/Attie)**

That Council:

1. Reject all tenders and invite fresh tenders for Tender T-2018-022 for the mechanical (air conditioning) upgrade at the Auburn Civic Centre in accordance with Clause 178(3)(b) of the *Local Government (General) Regulation 2005*.
2. Notify all tenderers of Council's resolution in (1) above.

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**Min.428          C02/19-11 Quarter 2 Performance Report on the 2018/19  
Operational Plan and Budget Review Statement**

**Note:** The Director Finance and Governance noted that an amendment had been made to the Attachment (Project Summary Report – Cumberland Swim Centre Modernisation) of the Council report. The amended version of the document is attached as Annexure A of the minutes.



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**Resolved (Attie/Sarkis)**

That Council:

1. Receive the Quarter Two Performance Report on the Operational Plan 2018/19; and
2. Approve the revised estimates of income and expenditure for 2018/19 contained in the Quarterly Budget Review Statement.

Councillors Attie and Zaiter left the Meeting at 9:38pm and returned to the Meeting at 9:39pm during the consideration of this item.

Councillor Christou left the Meeting at 9:38pm and returned to the Meeting at 9:40pm during the consideration of this item.

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**C02/19-12 Investment Report - January 2019**

This item was dealt with earlier in the meeting.

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**Min.429 C02/19-13 Response to Notice of Motion - Childcare**

**Resolved (Campbell/Christou)**

That Council:

1. Receive and note the information contained in this report.
2. Expresses concern at proposed State government restrictions on Councils' discretion to refuse approval for Child Care Centres on a range of grounds including size, design, location, distribution and community needs which impact on the quality of premises and the amenity of residents.
3. Is particularly concerned that it will no longer be able to apply health and safety requirements such as the suitability of locations in the event of emergency evacuation or daily traffic flows.
4. Welcomes and endorses the staff submission to the Department of Planning and Environment advocating a range of improvements.

Councillor Huang left the Meeting at 9:44pm during the consideration of this item.

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**C02/19-14 Planning Proposal Request - 300 Manchester Road, Auburn**

This item was dealt with earlier in the meeting.

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**C02/19-15 Request for Revised Gateway Determination - Planning Proposal for 264 Woodville Road, Merrylands**

This item was dealt with earlier in the meeting.



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**C02/19-16 Tender Evaluation Report - Auburn Civic Centre  
Mechanical (Air Conditioning) Upgrade**

This item was dealt with earlier in the meeting.

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**Min.430 C02/19-17 Notice of Motion - Granville Heritage Precinct**

**Motion (Garrard/Hamed)**

That Council:

1. Seek a report on the establishment of a 'Granville Heritage Precinct' within the environs of the existing Granville Neighbourhoods, so as to acknowledge the preservation and interpretation of the heritage of the heritage representing the 19<sup>th</sup> and 20<sup>th</sup> century.
2. Further, that when considering any future use of the Granville Library, consideration be given to the establishment of a 'Heritage Centre' as an Annexure to the existing library system, acknowledging the extensive catalogue of data presently in the possession of the Granville Historical Society and others enabling a future benefit to the cultural tourism and family history study as desired by Cumberland residents.

**Amendment (Rahme/Zreika)**

That Council add the following point to the original motion (becoming point 3):

Consider the options for a multi-level carpark at the site or any other suitable sites within the Granville area, the costs associated and potential funding sources.

The Amendment moved by Councillor Rahme seconded by Councillor Zreika on being Put was declared LOST.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Attie, Grove, Rahme, Sarkis and Zreika.

Councillor(s) Against the Amendment: Campbell, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake and Saha.

The Motion moved by Councillor Garrard seconded by Councillor Hamed on being Put was declared CARRIED unanimously.

Councillor Huang returned to the Meeting at 9:46pm during the consideration of this item.

Councillor Rahme returned to the Meeting at 9:52pm during the consideration of this item.

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The Mayor, Councillor Cummings closed the meeting at 10:20pm.

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

## ANNEXURE A

### Project Summary Report – Cumberland Swim Centre Modernisation

#### Construction Commencement Date Forecast:

- Wentworthville: September 2019
- Guildford: February 2020

#### Estimated “Practical Completion” Date Forecast:

- Wentworthville: December 2020
- Guildford: May 2021

Total Project Budget (Includes Design, Authority Fee and Construction): \$17,900,000- Guildford - \$8,950,000  
Wentworthville - \$8,950,000

Main Contractor: TBC

Project Status: 24 January 2019

#### Project Background and Scope

The Cumberland Council Swim Centre Modernisation has been under consideration for some time. The pools considered under this program are Guildford, Wentworthville, Granville & Merrylands. The modernisation and upgrades of the pools is strongly influenced by the Community Consultation. The upgrades of the pools are to address statutory requirements such as water quality and disability access. The modernisation of the pools will be addressed by the inclusion of facilities to better serve the current and future needs of the community.

The current approach is to focus on Guildford and Wentworthville Swim Centres as priorities. The design components of Merrylands and Granville are currently on hold, however, in the case of Granville, future design components are being developed in conjunction with, the adjoining development of the Granville Multipurpose Centre.

#### Project Status

Design consultants have been engaged and 80% Design Documentation is being produced for Guildford and Wentworthville. Additional consultation has been undertaken with the broader community. A pre Development Application meeting with Council’s development section was conducted for Wentworthville and Guildford. Documentation for Wentworthville is being prepared in accordance with the requirements of the planning requirements (Infrastructure SEPP) for submission in late February, 2019. Documentation for Guildford is ongoing, awaiting confirmation from Council as to the approval process. Following the approval of Construction Certificates, tenders for the works will be requested.

#### Budget Summary

The total project budget for this project is \$17.9M. (All figures below exclude GST).

To date total spend on this project totals \$516,565. The commitments of \$424,394 include works by consultants.

A breakdown of the project expenditure is in the following table (note all figures exclude GST):

Project Description	Actual 31 December 2018	Commitments	Approved budget	Proposed Q2 budget	Variance
Guildford Swim Centre Upgrade	403,953	284,431	8,950,000	1,000,000	8,261,616
Wentworthville Swim Centre Modernisation	112,612	139,963	8,950,000	1,500,000	8,697,425
Total	516,565	424,394	17,900,000	2,500,000	16,959,041