
Minutes of the Council Meeting 15 May 2019

Meeting commenced at 6:30pm

Present:

Greg Cummings (Mayor)	Councillor
Glenn Elmore (Deputy Mayor)	Councillor
Ned Attie	Councillor (arrived 6:40pm)
George Campbell	Councillor
Steve Christou	Councillor (arrived 6:32pm)
Paul Garrard	Councillor
Ross Grove	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor (arrived 6:40pm)
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:32pm)
Michael Zaiter	Councillor
Tom Zreika	Councillor
Hamish McNulty	General Manager
Melissa Attia	Director People & Performance
Daniel Cavallo	Director Environment & Planning
Brooke Endycott	Director Community Development
Peter Fitzgerald	Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance

Also Present:

Charlie Ayoub	Executive Manager Corporate Services
Carol Karaki	Governance Coordinator
Laith Jammal	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.

Apologies/Leave of Absence

Nil

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

Councillor Cummings declared a non-pecuniary, significant interest in Item C05/19-91 as he is a member of the executive committee of one of the sporting clubs which utilise Holroyd Sportsground.

Confirmation of Minutes

Min.517 C05/19-82 Minutes of the Ordinary Meeting of Council - 1 May 2019

Resolved (Garrard/Christou)

That Council confirm the minutes of the Ordinary Meeting of Council held on 1 May 2019.

Min. 001 Mayoral Minute - Emergency Services Levy Increase

Resolved (Cummings/Cavallo)

That Council:

- a) Write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:
 - i. Call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;
 - ii. Explain how this sudden increase will impact council services / the local community;
 - iii. Highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;
 - iv. Explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector; and
 - v. Ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future.

- b) Send a copy of the above letter to Local Government NSW.

Carried Unanimously

Public Forum:

Speakers on Items on the Council Meeting Agenda

Speaker	Item #	Suburb
Mr Matthew Daniel	C05/19-89 - Planning Proposal for 2 Bachell Avenue, Lidcombe	Caringbah

Min.519 Items by Exception

Resolved (Sarkis/Christou)

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

That item numbers C05/19-83, C05/19-84, C05/19-85, C05/19-86, C05/19-91, C05/19-92, C05/19-93, C05/19-94, C05/19-95, C05/19-96 and C05/19-97 be moved in bulk.

Min.520 C05/19-83 Quarter 3 Performance Report on the 2018-19 Operational Plan and Budget Review Statement**Resolved (Sarkis/Christou)**

That Council:

1. Receive the Quarter Three 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.

Min.521 C05/19-84 Report on Outstanding Council Resolutions**Resolved (Sarkis/Christou)**

That Council receive the report.

Min.522 C05/19-85 Investment Report - April 2019**Resolved (Sarkis/Christou)**

That Council receive the April 2019 Investment Report.

Min.523 C05/19-86 Response to Notice of Motion - Emergency Relief Fund**Resolved (Sarkis/Christou)**

That Council:

1. Place the *Draft Emergency Relief Fund Guidelines* as outlined in Attachment 1 on public exhibition for a period of 28 days.
2. Place the revised *Community Grants and Donations Policy* as outlined in Attachment 2 on public exhibition for a period of 28 days.
3. Provide a report back to Council following the conclusion of the exhibition period.

Min.524 C05/19-91 Draft Holroyd Sportsground Plan of Management**Resolved (Sarkis/Christou)**

That Council:

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1. Place on public exhibition the *draft Holroyd Sportsground Plan of Management* for a period of 42 days, in accordance with Section 38 of the *NSW Local Government Act (1993)*.
 2. Provide a report to Council following the conclusion of the exhibition period detailing the results of submissions made along with a final version of the Plan of Management.

Min.525 C05/19-92 Draft Holroyd Gardens Park Plan of Management

Resolved (Sarkis/Christou)

That Council:

1. Place on public exhibition the *draft Holroyd Gardens Park Plan of Management* for a period of 42 days, in accordance with Section 38 of the *NSW Local Government Act (1993)*.
2. Provide a report to Council following the conclusion of the exhibition period detailing the results of submissions made along with a final version of the Plan of Management.

Min.526 C05/19-93 Removal of Power Pole at the Intersection of Blaxcell Street and Farnell Street, Granville

Resolved (Sarkis/Christou)

That Council install a speed hump or cushion on the southern approach of the intersection of Blaxcell Street with Farnell Street at Granville to slow approaching traffic, subject to the concurrence of the Cumberland Traffic Committee.

Min.527 C05/19-94 Proposed Acquisition Update - Auburn Road, Auburn

Resolved (Sarkis/Christou)

That Council:

1. Receive and note this report.
2. Continue consultation with the property owner regarding a future purchase of the properties for Council and in the event the property owner wishes to sell at a value aligned with Council's valuation, a report be provided to Council.
3. Rescind the authorisation of expenditure from Section 7.11 (Auburn Section 94 Plan, Auburn Public Domain Fund 2007) and General Revenue Funds (2018/19 Capital Works Program) to acquire the properties at 56 and 58 Auburn Road, Auburn known as Lot 1 and Lot 2 DP 579479.

Min.528 C05/19-95 Property Acquisition - 72 Edgar Street, Auburn

Resolved (Sarkis/Christou)

That Council:

1. Seek to acquire the property located at 72 Edgar Street, Auburn known as Lot 39 DP 8800.
2. Allocate sufficient funds from the Section 7.11 Public Domain Fund of the Auburn Development Contribution Plan 2007 to acquire the property located at 72 Edgar Street, Auburn.
3. Authorise the General Manager to negotiate the acquisition of the property located at 72 Edgar Street, Auburn in accordance with the independent valuation advice received by Council.
4. In the event that the General Manager is unable to secure the property prior to auction, authorise the General Manager or his delegate to bid at the auction for the property located at 72 Edgar Street, Auburn and execute all documents associated with the purchase.
5. Give public notice of its intention to classify the land known as Lot 39 DP 8800 as Community Land in accordance with the provisions of Section 34 of the Local Government Act 1993 and complete if no adverse submissions are received.
6. Allocate funds from the capital budget for the demolition and revegetation of the property following its acquisition.

Min.529 C05/19-96 Cumberland Council - Future Companion Animal Management Requirements

Resolved (Sarkis/Christou)

That Council:

1. Note that Options 1, 2 and 3 are not financially sustainable options for Council based on current budget and expenditure levels.
2. Delegate to the General Manager to liaise further with Blacktown City Council to reach suitable terms to establish an agreement to meet Council's future companion animal management requirements.
3. Continue to explore alternative options as outlined in the report.

Min.530 C05/19-97 Tender Evaluation Report - Central Gardens All Abilities Playground

Resolved (Sarkis/Christou)

That Council:

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1. Accept the Tender Evaluation Panel's recommendation to award the contract to Paramount Landscaping Pty Ltd (ABN 40 003 530 201) in accordance with Clause 178(1)(a) of the Local Government (General) Regulations 2005, for \$1,086,902.57 excluding GST.
 2. Delegate to the General Manager the authority to execute the contract and any associated documents.

Min.531 Suspension of Standing Orders

Resolved (Sarkis/Garrard)

That in accordance with Clause 1.6(2) of the Code of Meeting Practice, Council suspend standing orders to allow Item C05/19-89 to be considered at this time of the Meeting.

Min.532 C05/19-89 Planning Proposal for 2 Bachell Avenue, Lidcombe

Resolved (Garrard/Zaiter)

That Council:

1. Prepare a planning proposal for 2 Bachell Avenue, Lidcombe, with the following land use and built form controls:
 - a. B5 Business Development Zone;
 - b. Floor Space Ratio of 2.5:1;
 - c. Height of Building controls of 14 metres at the front of the site and 27 metre for a portion at the rear of the site; and
 - d. Removal of Foreshore Building Line that applies to the site.
2. Endorse that the planning proposal be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

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, Campbell, Cummings, Elmore, Garrard, Grove, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Councillor Christou left the Meeting at 6:50pm and returned to the Meeting at 6:52pm during the consideration of this item.

Min.533 C05/19-87 Draft Sister City and Friendship City Policy

Resolved (Campbell/Saha)

That Council place the *Draft Sister City and Friendship City Policy* 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 subject to the following amendment:

2.b) Promote economic, social or cultural development outcomes for the local community, including but not limited to increased tourism, community participation, educational or learning opportunities, business or trade links, local job creation and cultural exchange.

Min.534 C05/19-88 Planning Proposal for 100 Woodville Road, Granville

Resolved (Attie/Christou)

That Council:

1. Prepare a planning proposal for 100 Woodville Road, Granville, with the following land use and built form controls:
 - a. R3 Medium Density Residential;
 - b. Floor Space Ratio of 1:1; and
 - c. Height of Building control of 12 metres.
2. Endorse that the planning proposal for 100 Woodville Road, Granville, be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

Carried Unanimously

C05/19-89 Planning Proposal for 2 Bachell Avenue, Lidcombe

This item was dealt with earlier in the meeting.

Min.535 Closed Session

Resolved (Garrard/Elmore)

At this stage of the meeting being 6:55pm, 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:
(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

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.

Min.536 Open Session

Resolved (Attie/Garrard)

Council returned to Open Session at 7:20pm to resolve the below Confidential Item:

C05/19-90 Planning Agreement for 615 Great Western Highway, Greystanes

**Min.537 C05/19-90 Planning Agreement for 615 Great Western Highway,
Greystanes**

Resolved (Lake/Hamed)

That the matter be deferred pending further information being provided to 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: Campbell, Christou, Cummings, Elmore,
Garrard, Grove, Hamed, Huang, Lake,
Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Attie

The Mayor, Councillor Cummings closed the meeting at 7:20pm.

Chairperson  General Manager 