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## Minutes of the Council Meeting 4 September 2019

Meeting commenced at 6:32pm

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### Present:

Greg Cummings (Mayor)	Councillor
Glenn Elmore (Deputy Mayor)	Councillor
Ned Attie	Councillor (arrived 6:41pm)
George Campbell	Councillor
Steve Christou	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:42pm)
Michael Zaiter	Councillor
Tom Zreika	Councillor
Brooke Endycott	Acting General Manager
Melissa Attia	Director People & Performance
Nicole Byrn	Acting Director Community Development
Daniel Cavallo	Director Environment & Planning
Peter Fitzgerald	Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance

### Also Present:

Charlie Ayoub	Executive Manager Corporate Services
Monica Cologna	Executive Manager City Strategy
Carol Karaki	Governance Coordinator
Olivia Shields	Senior Governance Officer

### Opening Prayer

The opening prayer was read by Rev. Bob Dennis from Merrylands Baptist Church.

### 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 past, present and emerging."*

### **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 Mayor, Councillor Cummings 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.

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### **Min.656 Apologies/Leave of Absence**

**Note:** Councillor Garrard noted that Councillor Sarkis will be late to the Meeting.

### **Resolved (Zaiter/Elmore)**

That Councillor Rahme be granted Leave of Absence for this Council Meeting.

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

There were no declarations of interest.

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### **Confirmation of Minutes**

**Min.657 C09/19-186 Minutes of the Ordinary Meeting of Council - 21 August 2019**

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

That Council confirm the minutes of the Ordinary Meeting of Council held on 21 August 2019.

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**Min.658 MM09/19-9 Mayoral Minute Environmental Health Australia (NSW) Inc. Excellence Awards**

### **Resolved (Cummings)**

That Council congratulate the Environmental Health Team for their outstanding work.

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### **Min.659 Suspension of Standing Orders**

### **Resolved (Zreika/Huang)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Items C09/19-189, C09/19-190, C09/19-191 and C09/19-195 to be brought forward for consideration 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	C09/19-189 - Lidcombe Town Centre - Planning Controls Strategy	Auburn
Mr Martin Salaverri	C09/19-189 - Lidcombe Town Centre - Planning Controls Strategy	Berala
Reverend Graham Nathan Guy	C09/19-189 - Lidcombe Town Centre - Planning Controls Strategy	Auburn
Ms Caroline Staples	C09/19-189 - Lidcombe Town Centre - Planning Controls Strategy	Lidcombe
Ms Kerrynt Stanton	C09/19-190 Community Feedback on Cumberland's Heritage List	Auburn
Mr Leon Savage	C09/19-191 - Proposed Planning Controls for selected land uses and Part 6 of the new Cumberland Local Environmental Plan	Lidcombe
Reverend Graham Nathan Guy	C09/19-191 - Proposed Planning Controls for selected land uses and Part 6 of the new Cumberland Local Environmental Plan	Auburn
Mr Stephen Earp	C09/19-195 - Planning Proposal for 2 Percy Street, Auburn	Thornleigh

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**Min.660      C09/19-189 Lidcombe Town Centre - Planning Controls Strategy**

**Motion (Attie/Sarkis)**

That Council:

1. Endorse the proposed changes to maximum height controls for Precincts 1, 2, 3, 4, 6, 8, 12 and 14 for the Lidcombe Town Centre, as outlined in Attachment 1, which are supported by the Cumberland Local Planning Panel.
2. Endorse the proposed changes to maximum building height and floor space ratio controls in Precincts 11, 13, 15 East and 17 for the Lidcombe Town Centre, as outlined in Attachment 2, which are supported by the Cumberland Local Planning Panel.
3. Endorse the proposed changes to maximum height, floor space ratio and land use zoning controls in Precincts 7, 10, 15 and 16 for the Lidcombe Town Centre, as outlined in Attachment 3, which are supported by the Cumberland Local Planning Panel.
4. Note that the above items will be included in the planning proposal for the new Cumberland Local Environmental Plan.

**Amendment (Elmore/Huang)**

That Council remove Precinct 7 from point 3 of the recommendation.

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### **Foreshadowed Amendment (Campbell/Garrard)**

That Council:

1. Retain the current maximum height controls in the Auburn LEP for the Lidcombe Town Centre but reduce the maximum floor space ratio controls 3.75:1 for Precincts 1, 2, 3, 4, 6, 8, 12 and 14, which are supported by the local residents.
2. Endorse the proposed changes to maximum building height and floor space ratio controls in Precincts 13, 15 East and 17 for the Lidcombe Town Centre, as outlined in Attachment 2; apply the maximum height control of 20m and FSR control 2:1 to all sites throughout Precinct 11.
3. Endorse the proposed changes to maximum height and floor space ratio controls in Precincts 10 for the Lidcombe Town Centre, as outlined in Attachment 3. In Precinct 15, extend R3 zoning to the western side of Frederick St with FSR of 0.75:1 and maximum height of 9m. In Precincts 7 and 16, retain Auburn LEP controls.
4. Note that the above items will be included in the planning proposal for the new Cumberland Local Environmental Plan.

The Amendment moved by Councillor Elmore seconded by Councillor Huang on being Put to the meeting 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: Elmore, Hamed, Huang, Lake and Saha.

Councillor(s) Against the Amendment: Attie, Campbell, Christou, Cummings, Garrard, Sarkis and Zaiter.

The Foreshadowed Amendment of Councillor Campbell then became the Amendment.

The Mayor, Councillor Cummings on the advice of the Acting General Manager ruled that in accordance with Clause 10.6 of the Code of Meeting Practice, the Amendment of Councillor Campbell was out of order.

The Motion moved by Councillor Attie seconded by Councillor Sarkis 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 Motion: Attie, Christou, Cummings, Hamed, Huang, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Campbell, Elmore and Garrard.

Councillor Zreika left the Meeting at 7:13pm during the consideration of this item.

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Councillor Christou left the Meeting at 7:35pm and returned to the Meeting at 7:38pm during the consideration of this item.

### ADJOURNMENT

**8:09pm** The Mayor, Councillor Cummings adjourned the Meeting for a short recess during the consideration of this item.

**8:22pm** The Mayor, Councillor Cummings resumed the Meeting and consideration of this item continued accordingly.

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**Min.661 C09/19-195 Planning Proposal for 2 Percy Street, Auburn**

**Note:** The Mayor, Councillor Cummings noted that this item would be considered at this time of the Meeting given that the item was of interest to many members of the public in attendance.

### Resolved (Zreika/Hamed)

That Council:

1. Forward the planning proposal for 2 Percy Street, Auburn, to the Department of Planning, Industry and Environment for finalisation and gazettal.
2. Endorse in-principle the public benefit offer by the applicant, as provided in Attachment 4, subject to the gazettal of the planning proposal and approval of the State Significant Development Application for the site by the Department of Planning, Industry and Environment.
3. Endorse that the preparation and execution of a Voluntary Planning Agreement for the public benefit offer be included as a condition of approval by the Department of Planning, Industry and Environment for the State Significant Development Application on the site.

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, Christou, Cummings, Elmore, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Garrard

Councillor Zreika returned to the Meeting at 8:23pm during the consideration of this item.

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**Min.662 C09/19-190 Community Feedback on Cumberland's Heritage List**

**Resolved (Lake/Elmore)**

That Council:

1. Note that seven submissions were received regarding the 10 items identified as no longer meeting the NSW heritage criteria for assessing heritage significance.
2. Note that 23 submissions were received regarding nominations of items and places for future heritage consideration.
3. Note that the community feedback received will be used to inform the scope of heritage items to be included in the new Cumberland Local Environmental Plan.

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**Min.663 C09/19-191 Proposed Planning Controls for selected land uses and Part 6 of the new Cumberland Local Environmental Plan**

**Resolved (Lake/Saha)**

That Council:

1. Endorse the planning approach for places of public worship to be included in the new Cumberland LEP, as provided in Attachment 1.
2. Endorse the planning approach for sex services premises to be included in the new Cumberland LEP, as provided in Attachment 2 except for business/mixed use zones (B2, B4, B5 and B6) which are excluded.
3. Endorse the local and site specific provisions to be included in Part 6 of the new Cumberland Local Environmental Plan, as provided in Attachment 3.
4. Note that the above items will be included in the planning proposal for the new Cumberland Local Environmental Plan.

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, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.664 Resumption of Standing Orders**

**Resolved (Sarkis/Zreika)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council resume the normal order of business.

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**Min.665          Items by Exception**

**Resolved (Attie/Saha)**

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

That item numbers C09/19-187, C09/19-199, C09/19-201, C09/19-202 and C09/19-203 be moved in bulk.

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**Min.666          C09/19-187 IPART Review of the Local Government Rating System  
– Consultation 2019**

**Resolved (Attie/Saha)**

That Council:

1. Note the information contained in this report.
2. Delegate authority to the General Manager to finalise the submission, and forward it to the Minister for Local Government as outlined in Attachment 1.

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**Min.667          C09/19-199 Staff Allocations and Resources - Street and Town  
Centre Cleaning**

**Resolved (Attie/Saha)**

That the report be received.

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**Min.668          C09/19-201 Draft Holroyd Gardens Park Plan of Management**

**Resolved (Attie/Saha)**

That Council adopt the Holroyd Gardens Park Plan of Management, as included in Attachment 1 and 2 of this report.

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**Min.669          C09/19-202 Hyland Road Reserve - Adoption of Draft Master Plan**

**Resolved (Attie/Saha)**

That Council:

1. Adopt the Hyland Road Reserve Masterplan as included in Attachment 1 of this report.

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2. The Gipps Road and Hyland Road Regional Parklands Plan of Management (2013) is updated to include the revised Masterplan (Attachment 3).

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**Min.670            C09/19-203 Cumberland Traffic Committee - Minutes of Meeting held on 7 August 2019**

**Resolved (Attie/Saha)**

That the minutes of the Cumberland Traffic Committee meeting held on 7 August 2019 be received and the recommendations contained therein be approved.

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**Min.671            C09/19-188 Adoption of Large Display Advertising Policy**

**Resolved (Attie/Zaiter)**

That Council:

1. Adopt the Large Display Advertising Policy as outlined in Attachment 1 of this report; and
2. Delegate authority to the General Manager to add the clarification that the fees are payable irrespective of whether the sign is one or two sided.

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**Min.672            C09/19-192 Proposed Planning Controls for the Land Use Table for Residential, Business and Industrial Zones of the new Cumberland Local Environmental Plan**

**Resolved (Lake/Attie)**

That Council

1. Endorse the Land Use Table for the residential, business and industrial zones to be included in the new Cumberland Local Environmental Plan, as provided in Attachments 1 to 10 except for sex service premises in business/mixed use zones (B2, B4, B5 and B6) which are excluded.
2. Endorse the carryover of the existing application of these zonings as currently mapped for properties covered under the new Cumberland Local Environmental Plan; and
3. Note that the above items will be included in the planning proposal for the new Cumberland Local Environmental Plan.

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



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Councillor(s) For the Motion: Attie, Campbell, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.673 C09/19-193 Proposed Planning Controls for Schedule 5 of the new Cumberland Local Environmental Plan**

**Resolved (Attie/Garrard)**

That Council:

1. Endorse the exclusion of the following heritage items from Schedule 5 of the Cumberland Local Environmental Plan, as they no longer meet the NSW heritage criteria for assessing heritage significance:
  - a. 36 and 38 Jamieson Street, Granville
  - b. 10 William Street, Granville
  - c. 9-11 Woodville Road, Granville
  - d. 4 Myall Street, Merrylands
  - e. Guildford Railway Station, Railway Terrace, Guildford
  - f. 1-7 Neil Street, Merrylands (Millmaster Feeds Site)
  - g. 34 Garfield Street, Wentworthville
  - h. 15 Abbott Street, Merrylands
  - i. 70 Jersey Road, South Wentworthville
2. Endorse that all other existing heritage items in the Cumberland area, as listed in Schedule 5 of the Auburn, Holroyd and Parramatta LEPs and provided in Attachment 2, be included in the new Cumberland Local Environmental Plan.
3. Note that the heritage items in Attachment 2 will be included in the planning proposal for the new Cumberland Local Environmental Plan.

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, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.674 C09/19-194 Planning Proposal for 2-22 William Street, Granville**

**Resolved (Attie/Christou)**

That Council:

1. Prepare a planning proposal for 2-22 William Street, Granville, with the following land use and built form controls:
  - a. Floor Space Ratio of 1.7:1
  - b. Height of Building control of 16 metres
  - c. Removal of local heritage item I205 known as 10 William Street (Lot 27 DP 2371) from Schedule 5 of the Parramatta Local Environmental Plan 2011.
2. Endorse that the planning proposal for 2-22 William Street, Granville, be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.
3. Prepare a Development Control Plan to provide further planning controls for the site, should a Gateway Determination be received.
4. Prepare a Voluntary Planning Agreement to derive public benefit, should a Gateway Determination be received.

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, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**C09/19-196 Compliance and Enforcement Policy and Guidelines**

This item was withdrawn by the Acting General Manager.

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**Min.675 C09/19-197 Periodic payment request for DA-2014/111/1 for 14 Civic Avenue, Pendle Hill**

**Resolved (Elmore/Lake)**

That Council decline the request for periodic payment of development contributions for the development application at 14 Civic Avenue, Pendle Hill.

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

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Councillor(s) For the Motion:	Campbell, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis and Zaiter.
Councillor(s) Against the Motion:	Attie and Zreika.

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**Min.676      C09/19-198 31 Garfield Street, Wentworthville - Request For Refund Of Development Contributions**

**Resolved (Saha/Attie)**

That Council support the rationalisation of Section 7.11 contributions for DA 2014/555/1, resulting in a refund of development contributions to the applicant.

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, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.
Councillor(s) Against the Motion:	Nil

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**Min.677      C09/19-200 Classification of Land, 191-201 Pitt Street Merrylands, Lot 11 DP 1178684, As Operational Land for the purpose of entering into a Free Parking Agreement**

**Resolved (Hamed/Lake)**

That Council:

1. Note the application to enter into a Free Parking Agreement with The Trust Company Limited and Stockland Trust Management Limited;
2. Give public notice for a period of 28 days, for submissions of the intended resolution to classify the land as operational land for the purposes of entering into a Free Parking Agreement with the land owner.
3. Receive a further report on the proposed Free Parking Agreement, following the 28 day period of the Public Notice.

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**Min.678      C09/19-204 Notice of Motion - Express Train line Routes – Granville, Auburn and Lidcombe Train Stations**

**Resolved (Christou/Hamed)**

That Council write to the NSW Premier and Transport Minister in conjunction with the Local State Members for Granville and Auburn, Ms Julia Finn and Ms Lynda Voltz,

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enquiring as to when the Express Train line routes will be reinstated at Granville, Auburn, and Lidcombe Train Stations.

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**Min.679            C09/19-205 Notice of Motion - Naming Proposal - Mona Park Sportsground 3**

**Resolved (Christou/Garrard)**

That Council:

1.    Mona Park Sportsground 3 be named after Mr Michael John Wood, the long term Auburn Shire District Cricket Club Secretary; and
2.    The proposal be placed on public exhibition for 28 days.

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**Min.680            C09/19-206 Notice of Motion - Service NSW Customer Service Centre – Merrylands**

**Resolved (Christou/Hamed)**

That Council write to the NSW Premier and other relevant Ministers enquiring as to when the Service NSW Customer Service Centre at Merrylands will be delivered as promised at the State Election and notify the State Member to make representations.

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**Min.681            C09/19-207 Notice of Motion - Westmead Residential Parking Supply**

**Resolved (Saha/Zaiter)**

That Council:

1.    Receive a report on the current supply and status of the existing residential parking scheme and timed limited on street parking within the Westmead precinct East and West of Hawkesbury Road.
2.    That Council undertake a parking survey in the streets between Hawkesbury Road, Bridge Road, Church Avenue and the Great Western Highway Westmead, identifying the saturation rate, usage and the number of available on street car parking spaces.
3.    That the report include, if feasible, opportunities to improve on street car parking for residents.

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**C09/19-208 Notice of Motion - Dog Parks Granville Area**

The Mayor, Councillor Cummings advised that this Motion would be deferred to the Council Meeting to be held on 18 September 2019.

The Mayor, Councillor Cummings closed the meeting at 9:00pm.

Chairperson  Acting General Manager 