

---

## Minutes of the Council Meeting 6 November 2019

### Meeting commenced at 6:30pm

---

#### Present:

|                            |                                 |
|----------------------------|---------------------------------|
| Steve Christou (Mayor)     | Councillor                      |
| Eddy Sarkis (Deputy Mayor) | Councillor (arrived 6:36pm)     |
| Ned Attie                  | Councillor (arrived 6:38pm)     |
| George Campbell            | Councillor                      |
| Greg Cummings              | Councillor                      |
| Glenn Elmore               | Councillor                      |
| Paul Garrard               | Councillor                      |
| Ola Hamed                  | Councillor                      |
| Kun Huang                  | Councillor                      |
| Lisa Lake                  | Councillor                      |
| Joseph Rahme               | Councillor (arrived 6:38pm)     |
| Suman Saha                 | Councillor                      |
| 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:

|                 |                                      |
|-----------------|--------------------------------------|
| Colin McFadzean | Legal Counsel                        |
| Charlie Ayoub   | Executive Manager Corporate Services |
| Carol Karaki    | Governance Coordinator               |
| Olivia Shields  | Senior Governance Officer            |

#### Opening Prayer

The opening prayer was read by Father Paul Marshall representing Combined Christian Churches of Cumberland.

#### Acknowledgement of Country

The Mayor, Councillor Christou 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 Christou 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 Christou 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 Hamed declared a non-pecuniary, less than significant interest in Item C11/19-274 as her relatives live within the vicinity of the area within the report.

Councillor Cummings declared a non-pecuniary, less than significant interest in Item C11/19-277 as he is on the Executive Committee for an organisation in close proximity to one of the locations identified within the report.

---

### **Confirmation of Minutes**

**Min.749            C11/19-261 Minutes of the Ordinary Meeting of Council - 16 October 2019**

#### **Resolved (Sarkis/Cummings)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 16 October 2019.

---

**Min.750            MM11/19-12 Mayoral Minute - Keep Australia Beautiful NSW Awards 2019**

#### **Resolved (Christou)**

That Council congratulate and thank all staff and volunteers that contributed to the Keep Australia Beautiful NSW 2019 Sustainable Cities Awards received and that Council amend the gateway signs on entering the LGA to promote this achievement.

Councillor Lake left the Meeting at 6:38pm and returned to the Meeting at 6:40pm during the consideration of this item.

---

**Min.751            MM11/19-13 Mayoral Minute - NSW Tennis Awards**

**Resolved (Christou)**

That Council congratulate and thank all staff that contributed to the receipt of this award.

---

**Min.752            MM11/19-14 Mayoral Minute - Diwali Street Festival 2019**

**Resolved (Christou)**

That Council acknowledge and thank Council staff, event sponsors, community organisations, Events Committee Members and volunteers who worked together to deliver a highly successful Diwali Street Festival in 2019.

---

**Presentations**

The Mayor, Councillor Christou invited Ms Somaiya Ahmed from the Audit Office and Mr James Winter from Grant Thornton to present in relation to Council's Annual Financial Statements.

The Mayor, Councillor Christou then invited Mr Stephen Horne, Chairperson of the Audit, Risk and Improvement Committee (ARIC) to present in relation to the ARIC Annual Report 2018/19.

Councillor Elmore left the Meeting at 7:19pm and returned to the Meeting at 7:20pm during the consideration of this item.

---

**Min.753            Suspension of Standing Orders**

**Resolved (Attie/Cummings)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C11/19-272 to be brought forward for consideration at this time of the Meeting.

---

**Min.754            C11/19-272 Audit, Risk & Improvement Committee - Chairpersons  
Annual Report 2018/19 and Extension of Independent Members**

**Resolved (Cummings/Rahme)**

That Council:

1. Receive the Audit, Risk and Improvement Committee Annual Report.
2. Adopt the Terms of Reference as attached for a further 2 year period.

- 
3. Endorse the re-appointment of the three Independent Members for a further 2 year term in accordance with the charter being: Stephen Horne, John Barbeler and Jim Taggart.

---

**Min.755          Matter of Urgency – Councillor Sarkis**

**Resolved (Sarkis/Zaiter)**

That in accordance with Clause 9.3(b) of the Cumberland Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to illegal dumping.

---

**Min.756          Matter of Urgency - Illegal Dumping at Pemulwuy Lake**

**Resolved (Sarkis/Zaiter)**

That Council install a relocatable CCTV Camera at Pemulwuy Lake to address the issue of illegal dumping at the site.

Councillor Zaiter left the Meeting at 7:25pm and returned to the Meeting at 7:26pm during the consideration of this item.

---

**Min.757          Matter of Urgency – Councillor Sarkis**

**Resolved (Sarkis/Cummings)**

That in accordance with Clause 9.3(b) of the Cumberland Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to dumping of trolleys.

---

**Min.758          Matter of Urgency – Dumping of Trolleys from Pemulwuy Shopping Centre**

**Resolved (Sarkis/Cummings)**

That Council Officers provide a report investigating the options of restricting access to the walkway from Pemulwuy Shopping Centre through to Driftway Drive to avoid the dumping of trolleys.

---

**Min.759            Matter of Urgency – Councillor Attie**

**Note:** Councillor Sarkis left the Chamber at 7:33pm prior to the consideration of this item and returned to the Chamber at 7:37pm following the consideration of this item as he resides within close proximity of the Esplanade Reserve, Guildford.

**Resolved (Attie/Garrard)**

That in accordance with Clause 9.3(b) of the Cumberland Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to illegal dumping.

---

**Min.760            Matter of Urgency – Illegal Dumping at Esplanade Reserve, Guildford**

**Resolved (Attie/Garrard)**

That Council install a relocatable CCTV Camera at the Esplanade Reserve on Clyde Street, Guildford to address the issue of illegal dumping at the site.

---

**Min.761            Resumption of Standing Orders**

**Resolved (Garrard/Cummings)**

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

---

**Public Forum:**

**Speakers on Items on the Council Meeting Agenda**

| <b>Speaker</b>          | <b>Item #</b>   | <b>Suburb</b>        |
|-------------------------|---|----------------------|
| Dr John Brodie          | C11/19-265 Review of Governance Policies  | Guildford            |
| Dr John Brodie          | C11/19-266 Response to Notice of Motion - Granville Boundary Adjustment   | Guildford            |
| Dr John Brodie          | C11/19-270 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 | Guildford            |
| Dr John Brodie          | RES11/19-4 Notice of Rescission - Council Committees  | Guildford            |
| Mrs Josephine Moncrieff | RES11/19-4 Notice of Rescission - Council Committees  | South Wentworthville |
| Mr Noel McDonough       | RES11/19-4 Notice of Rescission - Council Committees  | Greystanes           |
| Ms Michaela Simoni      | RES11/19-4 Notice of Rescission - Council Committees  | Auburn               |



---

Councillor(s) Against the Rescission: Attie, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

---

**Min.764 C11/19-265 Review of Governance Policies**

**Resolved (Lake/Attie)**

That Council:

1. Re-adopt the *Councillor and Staff Interaction Policy, General Manager Expenses and Facilities Policy, Statement of Business Ethics and Privacy Management Plan following the updates to pages 12 and 13 of the Privacy Management Plan to reference current NSW Legislation and update to the template in Appendix 1;*
2. Exhibit for 28 days the revised *Public Interest Disclosures Policy*, with a report to be returned to Council at the conclusion of the public exhibition period.

Councillors Hamed and Campbell left the Meeting at 8:38pm during the consideration of this item and did not return.

---

**Min.765 C11/19-266 Response to Notice of Motion - Granville Boundary Adjustment**

**Resolved (Cummings/Sarkis)**

That Council:

1. Receive and note the outcome of the community engagement program undertaken in relation to the proposed boundary adjustments for Granville and Mays Hill.
2. Not proceed with a submission under Section 218E of the Local Government Act to alter the boundary between Council and the City of Parramatta.
3. Notify the City of Parramatta Council and residents that made a submission during the community engagement process of the outcome.
4. Write a letter to the City of Parramatta Council and the residents affected in relation to the City of Parramatta Council's obligations under the SRV.

Councillor Rahme left the Meeting at 8:41pm and returned to the Meeting at 8:42pm during the consideration of this item.

Councillor Attie left the Meeting at 8:49pm during the consideration of this item.

---

**Min.766 C11/19-270 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 (Sarkis/Rahme)**

That Council:

- 
1. Classify Stockland Mall (known as 191-201 Pitt Street, Merrylands Lot 11 DP 1178684) as Operational Land and enter into a Free Parking Agreement with the property owners, being The Trust Company Limited and Stockland Trust Management Limited; and
  2. Give Public Notice of the resolution to classify the land as Operational Land, for the purposes of entering into a Free Parking Agreement with the land owner.

---

**Min.767            Resumption of Standing Orders**

**Resolved (Sarkis/Garrard)**

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

---

**Min.768            Suspension of Standing Orders**

**Note:** Councillor Rahme requested that Item C11/19-274 be brought forward for consideration at this time of the Meeting.

**Resolved (Rahme/Sarkis)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C11/19-274 to be brought forward for consideration at this time of the Meeting.

---

**Min.769            C11/19-274 Notice of Motion - Upgrade of the Mona Street, Clyde Street and Redfern Street Intersections**

**Resolved (Rahme/Sarkis)**

That Council:

1. Provide a report into options for the upgrade of the Mona Street, Clyde Street and Redfern Street Intersections in an attempt to alleviate the congestion and provide better traffic flow; and
2. Take into consideration:
  - a. Possible changes to signage and parking restrictions in Mona Street (both north and south sides if required) during morning and afternoon peak periods;
  - b. Widening of Clyde Street between Mona and Redfern Streets;
  - c. Dedicated left turn lane from Clyde Street into Redfern Street;
  - d. Dedicated left and right turn lanes from Clyde Street into Mona Street;
  - e. Possible dual lane right turn from Mona Street into Clyde Street; and
  - f. Possible changes to parking restrictions and signage in Redfern and Hudson Streets.

Councillor Attie returned to the Meeting at 8:56pm during the consideration of this item.



---

**Min.770 Resumption of Standing Orders**

**Resolved (Attie/Cummings)**

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

---

**Min.771 Items by Exception**

**Resolved (Sarkis/Cummings)**

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

That item numbers C11/19-262, C11/19-267, C11/19-271, C11/19-273, C11/19-276 and C11/19-277 be moved in bulk.

Councillor Rahme left the Meeting at 9:03pm during the consideration of this item and did not return.

---

**Min.772 C11/19-262 Road Closure of Milton Street between Railway Parade and Clarence Street, Lidcombe**

**Resolved (Sarkis/Cummings)**

That Council:

1. Approve the permanent closure of Milton Street between Railway Parade and Clarence Street, Lidcombe to expand the open space (park) area for the community for recreational purposes;
2. Advertise in the local newspaper, for a period of 28 days, the proposal to permanently close the section of Milton Street;
3. Authorise the General Manager to process and resolve any submissions received with respect to the proposal;
4. Prepare the necessary documentation to complete the road closure under the provisions of the *Roads Act 1993*; and
5. Notify the affected residents in Clarence Street of Council's action accordingly.

---

**Min.773 C11/19-267 Proposed Changes to Long Day Care Centre Fees and Charges**

**Resolved (Sarkis/Cummings)**

That Council place the *Draft Long Day Care Centre Fees and Charges* 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.

---

**Min.774 C11/19-271 Proposed Temporary Road Closure - Merrylands RSL Remembrance Day**

**Resolved (Sarkis/Cummings)**

That Council:

1. Approve the temporary closure of Arcadia Street, Merrylands between Merrylands Road and Arthur Street from 9:00AM to 12:30PM on Sunday, 10 November 2019, subject to concurrence from Roads and Maritime Services for the Traffic Management and Traffic Control Plans; and
2. Notify potentially affected residents of the temporary road closure.

---

**Min.775 C11/19-273 Minutes of the 10 September 2019 Cumberland Heritage Committee Meeting And Cumberland Local Heritage Awards 2019**

**Resolved (Sarkis/Cummings)**

That Council:

1. Adopt the minutes of the Cumberland Heritage Committee held on 10 September 2019; and
2. Note the Cumberland Local Heritage Award 2019 winners and highly commended prize recipients.

---

**Min.776 C11/19-276 Tender Evaluation Report - Wentworthville Swim Centre Modernisation**

**Resolved (Sarkis/Cummings)**

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract for Wentworthville Memorial Swim Centre Modernisation to OMNISTRUCT BUILDING (NSW) PTY LTD (formerly trading as ICON Building Group Pty Ltd), ABN 89 104 892 346, in accordance with Clause 178(1)(a) of the Local Government (General) Regulations 2005, for the amount of \$8,887,581.40 (excluding GST) as the most advantageous and best value offer received.
2. Delegate to the General Manager the authority to execute the contract and any associated documents.

---

**Min.777            C11/19-277 Tender Evaluation Report - Large Billboard Advertising**

**Resolved (Sarkis/Cummings)**

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract to QMS Media Limited Ltd (ABN 71 603 037 341) in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2005*, for advertising services at Site 1 located at 10 Robert Street, Holroyd and Site 4 located at Holroyd Sportsground, Holroyd both for a term of eight (8) years plus an option of two (2) years for the contract amount identified in the confidential Tender Evaluation Report.
2. Delegate to the General Manager the authority to execute the contract and any associated documents to allow the development of billboard advertising.

---

**Min.778            C11/19-263 Update on NSW Local Government Grants Commission's Review of Financial Assistance Grants**

**Resolved (Cummings/Sarkis)**

That Council receive the information and note the attached letter, and write to the NSW Local Government Grants Commission requesting the correction of page 2 to their letter (Item A) to amend Holroyd to reflect Parramatta residents.

---

**Min.779            C11/19-264 Draft Outdoor Dining Policy**

**Resolved (Lake/Zaiter)**

That Council place the *Draft Outdoor Dining Policy* and the *Draft Outdoor Dining Guidelines* 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 amendments to the guidelines:

- a) Add Miller Street to the "Merrylands Centre" Location; and
- b) Remove the following words from paragraph one of Clause 16:  
"and vary depending on the commercial zoning of the subject location".

---

**C11/19-265 Review of Governance Policies**

This item was dealt with earlier in the meeting.

---

**C11/19-266 Response to Notice of Motion - Granville Boundary Adjustment**

This item was dealt with earlier in the meeting.

---

**C11/19-267 Proposed Changes to Long Day Care Centre Fees and Charges**

This item was dealt with earlier in the meeting.

---

**Min.780 C11/19-268 Proposed Introduction and General Controls for Inclusion in the new Cumberland Development Control Plan**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the planning approach to the introduction of the Development Control Plan and general controls in the Cumberland area, as provided in Attachment 1; and
2. Note that the above items will be included in the draft Cumberland Development Control 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, Christou, Garrard, Elmore, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Councillor Cummings left the Meeting at 9:22pm during the consideration of this item.

---

**Min.781 C11/19-269 Proposed Residential Planning Controls for Inclusion in the new Cumberland Development Control Plan**

**Resolved (Attie/Garrard)**

That Council:

1. Endorse the planning approach to controls for residential development in the Cumberland area, as provided in Attachment 1; and
2. Note that the above items will be included in the draft Cumberland Development Control 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, Christou, Cummings, Garrard, Elmore, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

---

Councillor Cummings returned to the Meeting at 9:25pm during the consideration of this item.

---

The Mayor, Councillor Christou closed the meeting at 9:26pm.

Chairperson  General Manager 