
Minutes of the Council Meeting 20 November 2019

Meeting commenced at 6:30pm

Present:

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor
Ned Attie	Councillor (arrived 6:38pm)
George Campbell	Councillor
Greg Cummings	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor (arrived 6:32pm)
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	General Counsel
Karl Okorn	Executive Manager Development and Building
Charlie Ayoub	Executive Manager Corporate Services
Carol Karaki	Governance Coordinator
Laith Jammal	Governance Officer

Opening Prayer

The opening prayer was read by Father Dimitri Kokkinos from the Greek Orthodox Archdiocese of Australia.

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.

Min.782 Apologies/Leave of Absence

Resolved (Sarkis/Saha)

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

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

There were no declarations of interest.

Confirmation of Minutes

Min.783 C11/19-278 Minutes of the Ordinary Meeting of Council - 6 November 2019

Resolved (Sarkis/Cummings)

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

Min.784 MM11/19-15 Mayoral Minute – Cumberland Council Bushfire Appeal

Resolved (Christou)

That Council:

1. Allocate \$15,000 from the Emergency Relief Fund to the Salvation Army Disaster Appeal to support communities affected by the devastating bushfires in New South Wales.
2. Provide any additional funds raised through its fundraising barbecues in November and December 2019 to the Salvation Army Disaster Appeal.

Min.785 Matter of Urgency – Councillor Sarkis

Resolved (Sarkis/Zreika)

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 bushfires.

Min.786 Matter of Urgency – Natural Open Space in the Cumberland LGA

Resolved (Sarkis/Zreika)

That:

1. Following the recent catastrophic fire conditions in Sydney, Council prepare a report outlining natural open space including but not limited to parks, gardens and bushland within the Cumberland LGA which could be affected by the same.
2. Council make representation to the relevant Ministers and State Members in relation to this matter.

Min.787 Matter of Urgency – Councillor Sarkis

Resolved (Sarkis/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 dumping of trolleys.

Min.788 Matter of Urgency – Dumping of Trolleys

Resolved (Sarkis/Garrard)

That Council:

1. Investigate options with respect to the removal and enforcement of abandoned/dumped shopping trolleys.
2. Consider options including the requirement for coin-operated or wheel-locking shopping trolleys as part of all development applications for new or upgraded shopping centres.
3. Receive a report detailing options to ensure shopping centres are held accountable for the control of abandoned shopping trolleys across the LGA.

Councillor Rahme left the Meeting at 6:43pm and returned to the Meeting at 6:46pm during the consideration of this item.

Min.789 Matter of Urgency – Councillor Sarkis

Resolved (Sarkis/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 the intersection of Ettalong Rd and Old Prospect Rd, Greystanes.

Min.790 Matter of Urgency – Intersection of Ettalong Rd and Old Prospect Rd, Greystanes

Resolved (Sarkis/Garrard)

That Council:

1. Write to the Roads and Maritime Services and the Minister for Transport and Roads requesting a speed/red light camera be installed at the intersection of Ettalong Rd and Old Prospect Rd Greystanes heading East/West.
2. Refer this matter to the next Traffic Committee Meeting for consideration.
3. Request the Local Member of Parliament make representations regarding this matter.

Min.791 Resumption of Standing Orders

Resolved (Garrard/Attie)

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

Speaker	Item #	Suburb
Mr Roydon Ng	C11/19-285 Cumberland 2030: Our Local Strategic Planning Statement	Lidcombe
Mr Roydon Ng	C11/19-290 Notice of Motion - Youth Advisory Committee	Lidcombe
Mr Tony Oldfield	C11/19-285 Cumberland 2030: Our Local Strategic Planning Statement	Auburn
Mr Tony Oldfield	C11/19-291 Notice of Motion - Councillor Representatives in Various Council Committees	Auburn
Mr Rish Akolkar	C11/19-290 Notice of Motion - Youth Advisory Committee	Pendle Hill
Mr Alex Soyer	C11/19-290 Notice of Motion - Youth Advisory Committee	Greystanes

Speakers on General Items

Speaker	Subject	Suburb
Mr Noel Wright	Correspondence Received from Council	Guildford

Min.792 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 Items C11/19-285, C11/19-289, C11/19-290, C11/19-291, C11/19-292 and C11/19-293 to be brought forward for consideration at this time of the Meeting.

Min.793 C11/19-285 Cumberland 2030: Our Local Strategic Planning Statement

Resolved (Garrard/Attie)

That Council:

1. Note the outcomes of the public exhibition of the *Draft Cumberland 2030: Our Local Strategic Planning Statement*, and refinements made to address feedback from the community, stakeholders and State agencies;
2. Endorse the updated *Cumberland 2030: Our Local Strategic Planning Statement*, as provided in Attachment 1, for submission to the Greater Sydney Commission;
3. Delegate to the General Manager the authorisation to make minor revisions to *Cumberland 2030: Our Local Strategic Planning Statement*, as necessary, following Council's deliberations and advice from the Greater Sydney Commission, to ensure the desired objectives and intended outcomes can be achieved;
4. Delegate to the General Manager the authorisation to finalise *Cumberland 2030: Our Local Strategic Planning Statement*, following the issue of a letter of support from the Greater Sydney Commission subject to no further major changes; and
5. Note that *Cumberland 2030: Our Local Strategic Planning Statement* will be forwarded to the Department of Planning, Industry and Environment for publication on the NSW planning portal following finalisation.
6. Include in the Local Strategic Planning Statement: Restore the Inner West Line's "City to Liverpool/Bankstown via Regents Park" route on the Sydney Trains Network.

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, Garrard, Elmore, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Min.794 C11/19-290 Notice of Motion - Youth Advisory Committee

Resolved (Attie/Rahme)

That Council abolish the Youth Advisory Committee and take the necessary process of notification of members and public if required.

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, Rahme, Sarkis, Zaiter and Zreika.

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

Min.795 C11/19-291 Notice of Motion - Councillor Representatives in Various Council Committees

Motion (Attie/Rahme)

That Council:

1. Amend the Councillor members represented in the various Council Committees to reflect the following table; and

Committees	Councillors
Audit, Risk and Improvement Committee	Councillor Rahme Councillor Zaiter
Traffic Committee	Councillor Garrard Councillor Sarkis
Floodplain Committee	Councillor Christou Councillor Sarkis
Aboriginal and Torres Strait Islander Consultative (ATSIC) Committee	Councillor Christou Councillor Attie
Events Committee	Councillor Rahme Councillor Attie
Access & Safety Committee	Councillor Christou Councillor Zreika
Heritage Committee	Councillor Garrard Councillor Attie
Wentworthville Community Garden Committee	Councillor Zaiter

2. Notify all relevant committee members of the changes.

Foreshadowed Motion (Saha/Elmore)

That:

1. All Councillor positions on the committees nominated in Cllr Attie's motion be declared vacant.
2. Any nomination be submitted to the General Manager within seven days.

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3. A paper be brought to the next Council meeting advising of the nominations received and Council then determine the Councillors to fill the vacant positions.

The Motion moved by Councillor Attie seconded by Councillor Rahme on being Put was declared CARRIED 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, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

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

Councillor Sarkis left the Meeting at 7:56pm and returned to the Meeting at 8:00pm during the consideration of this item.

Min.796 C11/19-289 Notice of Motion - Representatives on the board for Western Sydney Regional Organisation of Councils (WSROC)

Motion (Attie/Sarkis)

That Council appoint Mayor Steve Christou along with Councillor Paul Garrard as Cumberland Council's representatives on the board for Western Sydney Regional Organisation of Councils (WSROC) and undertake the necessary notifications.

Foreshadowed Motion (Campbell)

That:

1. Council's positions on the Board of WSROC be declared vacant and that nominations be called to fill them.
2. Any nomination be submitted to the General Manager within seven days.
3. A paper be brought to the next Council Meeting advising of the nominations received and Council then determine the Councillors to fill the vacant positions.

The Motion moved by Councillor Attie seconded by Councillor Sarkis on being Put was declared CARRIED 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, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

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

Councillors Huang and Rahme left the Meeting at 8:04pm and returned to the Meeting at 8:05pm during the consideration of this item.

**Min.797 C11/19-292 Notice of Motion - Changes to the Cumberland Council
Independent Hearing and Assessment Panel (CIHAP) Policy**

Resolved (Attie/Sarkis)

That Council Rescind the *Cumberland Local Planning Panel Policy* and *Cumberland Local Planning Panel Procedure*, and continue to rely on the current provisions of the relevant Ministerial Directions for the operation of Local Planning Panels, as applicable to Cumberland.

Min.798 C11/19-293 Notice of Motion - New Glasgow Park

Resolved (Rahme/Sarkis)

That Council receive a report with respect to the following:

1. Naming the newly constructed children's playground in New Glasgow Park on Factory Street Granville to Quanne Diec playground; and
2. Construction of a small monument (or similar) dedicated to Quanne Diec within the New Glasgow Park in consultation with the family of Quanne Diec.

Min.799 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.800 Items by Exception

Resolved (Garrard/Saha)

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

That item numbers C11/19-279, C11/19-282, C11/19-283, C11/19-284, C11/19-288, C11/19-294 and C11/19-295 be moved in bulk.

Min.801 C11/19-279 Legal Report

Resolved (Garrard/Saha)

That Council receive this report.

Min.802 C11/19-282 Report on Outstanding Council Resolutions

Resolved (Garrard/Saha)

That Council receive this report.

Min.803 C11/19-283 Investment Report - October 2019

Resolved (Garrard/Saha)

That Council receive the October 2019 Investment Report.

Min.804 C11/19-284 Update on Community Safety and Crime Prevention Initiatives

Resolved (Garrard/Saha)

That Council receive and note the information in this report.

Min.805 C11/19-288 Response to Notice of Motion - Westmead Residential Parking Supply

Resolved (Garrard/Saha)

That Council note the information contained in the report.

Min.806 C11/19-294 Request from Fire & Rescue NSW for a Fire Safety Audit on Identified Building

Resolved (Garrard/Saha)

That Council note the report from Fire & Rescue NSW and the actions being undertaken to resolve the concerns raised.

Min.807 C11/19-295 Tender Evaluation Report - Replacement Booking System - T-2019-001

Resolved (Garrard/Saha)

That Council:

1. Decline to accept any of the tenders received in accordance with Clause 178(1)(b) of the *Local Government (General) Regulation 2005*, due to no tenders meeting the requirements of the tender proposal.
2. Initiate a new competitive process in accordance with Council's Procurement Operational Procedure.

Min.808 C11/19-280 Cumberland Council Annual Report 2018-19

Resolved (Zaiter/Attie)

That Council:

1. Receive the Annual Report 2018-19.
2. Receive a report following the Councillor workshop in February 2020 addressing the concerns raised by Council in relation to Council's financial position.

Min.809 C11/19-281 Quarter 1 Performance Report on the Operational Plan 2019-20 and Quarterly Budget Review Statement

Note: The Director People and Performance and the Director Finance and Governance presented to Council in relation to this item.

Resolved (Zaiter/Attie)

That Council:

1. Receive the Quarter One Performance Report on the Operational Plan 2019-20.
2. Approve the revised estimates of income and expenditure for 2019-20 contained in the Quarterly Budget Review Statement.

Councillor Cummings left the Meeting at 8:41pm during the consideration of this item and did not return.

Councillor Rahme left the Meeting at 8:55pm and returned to the Meeting at 8:57pm during the consideration of this item.

C11/19-282 Report on Outstanding Council Resolutions

This item was dealt with earlier in the meeting.

C11/19-283 Investment Report - October 2019

This item was dealt with earlier in the meeting.

C11/19-284 Update on Community Safety and Crime Prevention Initiatives

This item was dealt with earlier in the meeting.

C11/19-285 Cumberland 2030: Our Local Strategic Planning Statement

This item was dealt with earlier in the meeting.

**Min.810 C11/19-286 Proposed Business Planning Controls for inclusion in
the new Cumberland Development Control Plan**

Resolved (Attie/Sarkis)

That Council:

1. Endorse the planning approach to controls for business 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, Campbell, Christou, Garrard, Elmore,
Huang, Lake, Rahme, Saha, Sarkis, Zaiter and
Zreika.

Councillor(s) Against the Motion: Nil

**Min.811 C11/19-287 Proposed Employment Planning Controls for inclusion
in the new Cumberland Development Control Plan**

Resolved (Attie/Zreika)

That Council:

1. Endorse the planning approach to controls for employment 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, Campbell, Christou, Garrard, Elmore,
Huang, Lake, Rahme, Saha, Sarkis, Zaiter and
Zreika.

Councillor(s) Against the Motion: Nil

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

Chairperson _____ General Manager _____