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## Minutes of the Council Meeting 5 February 2020

Meeting commenced at 6:33pm

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### Present:

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor
Ned Attie	Councillor
George Campbell	Councillor
Greg Cummings	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Michael Zaiter	Councillor
Tom Zreika	Councillor
Hamish McNulty	General Manager
Melissa Attia	Director People & Performance
Daniel Cavallo	Director Environment & Planning
Peter Fitzgerald	Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance

### Also Present:

Charlie Ayoub	Executive Manager Corporate Services
Colin McFadzean	General Counsel
Carol Karaki	Governance Coordinator
Laith Jammal	Governance Officer

### Opening Prayer

The opening prayer was read by Reverend Rodney Kerr from Merrylands Anglican Church.

### 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.

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### **Min.882 Apologies/Leave of Absence**

#### **Resolved (Sarkis/Rahme)**

That Councillor Saha 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.883 C02/20-348 Minutes of the Ordinary Meeting of Council - 18 December 2019**

#### **Resolved (Attie/Cummings)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 18 December 2019.

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**Min.884 MM02/20-18 Mayoral Minute – Medal of the Order of Australia – Councillor Tom Zreika**

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

That Council congratulate Councillor Tom Zreika on achieving the Medal of the Order of Australia.

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**Min.885 MM02/20-19 Mayoral Minute – Thank you to staff – 2019 Mayoral Christmas Dinner**

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

That Council thank all the staff that contributed to organising the 2019 Mayoral Christmas Dinner.

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**Min.886      MM02/20-20 Mayoral Minute – Bushfire Support****Resolved (Christou)**

That Council:

1. Allocate a further \$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. Observe a minutes silence in respect of all the suffering and lives lost as a result of the devastating bushfires.

The Mayor called for a minute of silence in respect of all the suffering and lives lost as a result of the devastating bushfires.

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**Min.887      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 tragedy which occurred in Oatlands over the weekend claiming four children's lives from the Abdallah and Sakr families.

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**Min.888      Matter of Urgency – Oatlands Tragedy****Resolved (Sarkis/Garrard)**

That Council observe a minutes silence in memory of the four children who lost their lives from the Abdallah and Sakr families.

The Mayor called for a minute of silence in memory of the four children who lost their lives from the Abdallah and Sakr families.

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**Min.889      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 removal of the Moreton Bay Fig Tree in the Canal Road Reserve.

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**Min.890      Matter of Urgency – Moreton Bay Fig Tree in the Canal Road Reserve****Resolved (Sarkis/Garrard)**

That:

1. All the work associated with the approval received from Council for the removal of the Moreton Bay Fig Tree in the Canal Road Reserve be suspended.
2. Council investigate the heritage significance of this Morton Bay Fig Tree as it is suggested that the explorers of the Blue Mountains, Blaxland, Wentworth and Lawson used this very tree as a marker in their travels to the Blue Mountains.
3. Council investigate the potential damage caused by the tree to the nearby residence and recommend possible measures to save the tree if possible.
4. Council identify strategic locations to plant the cuttings taken from the tree on Friday January 31, 2020 at the same reserve consulting with the residents of the street.
5. Should the tree removal proceed, a remembrance stone be placed accordingly.

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**Min.891      Matter of Urgency – Councillor Rahme****Resolved (Rahme/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 the tragedy which occurred in Oatlands over the weekend claiming four children's lives from the Abdallah and Sakr families.

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**Min.892      Matter of Urgency – Donation to Team Jesus Charity in Memory of the Abdallah Family****Resolved (Rahme/Zreika)**

That Council donate \$2,000.00 to the Team Jesus Charity in which the Abdallah family are regular volunteers.

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**Min.893      Matter of Urgency – Councillor Hamed****Resolved (Hamed/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 the passing of Councillor Rahme's father.

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**Min.894      Matter of Urgency – Passing of Councillor Rahme's Father****Resolved (Hamed/Zreika)**

That Council express sincere condolences to Councillor Rahme and his family for the passing of his father.

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**Min.895      Resumption of Standing Orders**

**Resolved (Garrard/Elmore)**

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.896      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 C02/20-349, C02/20-351, C02/20-352 and C02/20-359 be moved in bulk.

Councillor Rahme left the Meeting at 7:44pm during the consideration of this item.

Councillor Hamed left the Meeting at 7:47pm during the consideration of this item.

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**Min.897      C02/20-349 Contribution of Cumberland City Council Towards Bushfire Recovery**

**Resolved (Sarkis/Attie)**

That Council:

1. Acknowledge and thank the efforts of firefighters, volunteers, emergency service personnel and Council officers during the recent bushfires.
2. Note the contribution of Cumberland City Council towards bushfire recovery at a local and regional level.

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**Min.898      C02/20-351 Adoption of Public Interest Disclosure Policy - Post Exhibition**

**Resolved (Sarkis/Attie)**

That Council adopt the *Public Interest Disclosure Policy* as outlined in Attachment 1 of this report.

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**Min.899      C02/20-352 Investment Report - December 2019**

**Resolved (Sarkis/Attie)**

That Council receive the December 2019 Investment Report.

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**Min.900      C02/20-359 Proposed Sale of Fraser Street Reserve**

**Resolved (Sarkis/Attie)**

That Council:

1. Accept the offers from the 7 adjoining residents to sell the land known as Fraser Street Reserve (LOT 18 DP 224829 and LOT 42 DP 238330) for a total sale price of \$507,000, sold on a per m2 pro rata basis, with the purchasers to pay their own and Council's legal costs in addition.
2. Delegate authority to the General Manager to finalise the sale for each lot in accordance with the valuation and offer received.
3. Agree that if all 7 adjoining residents do not participate in the sale process, then this matter be considered finalised and not be pursued further, therefore rescinding the previous resolution of Council.

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**Min.901      C02/20-350 Adoption of Outdoor Dining Policy - Post Exhibition**

**Motion (Attie/Sarkis)**

That Council:

1. Adopt the *Outdoor Dining Policy* as outlined in Attachment 1 to this report subject to minor administrative changes.
2. Rescind the Outdoor Dining Policies of the former Auburn, Holroyd and Parramatta City Councils as they apply to Cumberland.

**Amendment (Lake/Elmore)**

That Council defer this matter to the next Council meeting for further consideration.

The Amendment moved by Councillor Lake seconded by Councillor Elmore 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:      Campbell, Elmore, Hamed, Huang and Lake.

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

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:

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

Councillor(s) Against the Motion: Lake.

Councillor Rahme returned to the Meeting at 7:48pm during the consideration of this item.

Councillor Hamed returned to the Meeting at 7:50pm during the consideration of this item.

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**C02/20-351 Adoption of Public Interest Disclosure Policy - Post Exhibition**

This item was dealt with earlier in the meeting.

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**C02/20-352 Investment Report - December 2019**

This item was dealt with earlier in the meeting.

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**Min.902 C02/20-353 Rising Star Sports Award**

**Resolved (Zreika/Rahme)**

That Council:

1. Adopt the one application recommended for funding under Attachment 1 and allocate \$1,500 from the 2019/20 Cumberland Rising Star Sports Award.
2. Advise the applicant of funding allocations of the 2019/20 Cumberland Rising Star Sports Award and provide feedback.

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**Min.903 C02/20-354 New Cumberland Development Control Plan – Draft Chapter for Part C Development in the Business Zones**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Part C Development in the Business Zones, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.
2. Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
3. Consult with the community on the draft chapter, following endorsement of all

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chapters of the draft Cumberland Development Control Plan by 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, Campbell, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.904 C02/20-355 New Cumberland Development Control Plan – Draft Chapter on Part D Development in the Employment Zones**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Part D Development in the Employment Zones, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.
2. Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
3. Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by 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, Campbell, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.905 C02/20-356 New Cumberland Development Control Plan – Draft Chapter on Part F Precinct and Site Specific Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Part F Precinct and Site Specific Development Controls, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.
2. Delegate to the General Manager the authorisation to make minor revisions to



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the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.

3. Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.
4. Amend the Wentworthville Town Centre controls to exclude 42-44 Dunmore Street and 108 Station Street, Wentworthville.

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, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.906 C02/20-357 Nominations for Access and Safety Committee and Adoption of revised Terms of Reference**

**Resolved (Campbell/Zaiter)**

That Council:

1. Adopt the Draft Terms of Reference for the Cumberland Access and Safety Committee (included in Attachment 1) subject to the following amendment being made:
  - i. Reinstatement of the clause relating to meeting quorum, with 7 Community Members being the number of members specified for meeting quorum.
2. Adopt the community representatives listed in the report for membership on the Access and Safety Committee.
3. Advise all applicants in writing of the outcome of their nomination for membership.
4. Receive the information arising from the consultation on the formation of the Access and Safety Committee.

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**Min.907 C02/20-358 Cumberland Heritage Committee Meeting Held 26 November 2019 and Lower Prospect Canal Heritage Nomination Request**

**Resolved (Lake/Sarkis)**

That Council:

1. Note that a formal meeting of the Cumberland Heritage Committee was not held and so no minutes are provided;

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2. Note that the heritage consultant advice indicates that the Lower Prospect Canal is unlikely to meet the criteria threshold for National Heritage listing; and
  3. Refer the advice for the nomination request for the National Heritage Listing of the Lower Prospect Canal to the Heritage Committee for consideration and recommendation to Council.

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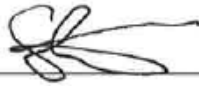
**C02/20-359 Proposed Sale of Fraser Street Reserve**

This item was dealt with earlier in the meeting.

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The Mayor, Councillor Christou closed the meeting at 8:12pm.

Chairperson



General Manager

