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## Minutes of the Council Meeting 19 February 2020

### Meeting commenced at 6:30pm

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#### Present:

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor
Ned Attie	Councillor (arrived 6:35pm)
Greg Cummings	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Suman Saha	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
Olivia Shields	Senior Governance Officer

#### Opening Prayer

The opening prayer was read by Reverend Raj Gupta from Toongabbie 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.908 Apologies/Leave of Absence**

##### **Resolved (Huang/Cummings)**

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

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

The Director Environment and Planning, Daniel Cavallo, declared a non-pecuniary, less than significant interest in items C02/20-378 and C02/20-380 as he was employed by the State Government and was involved in the planning work for these matters.

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#### **Confirmation of Minutes**

##### **Min.909 C02/20-360 Minutes of the Ordinary Meeting of Council - 05 February 2020**

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

That Council confirm the minutes of the Ordinary Meeting of Council held on 5 February 2020.

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##### **Min.910 MM02/20-21 Mayoral Minute - Thank you to Staff for Lunar New Year**

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

That Council congratulate and thank all staff and volunteers that contributed to the planning and preparation of the Lunar New Year event.

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##### **Min.911 MM02/20-22 Mayoral Minute – Departure of Holden Brand**

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

That Council note General Motors' decision to retire the Holden brand and the impact it will have on workers employed by Holden.

Councillor Rahme left the Meeting at 6:48pm during the consideration of this item.

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**Public Forum:****Speakers on Items on the Council Meeting Agenda**

Speaker	Item #	Suburb
Mr Roydon Ng	C02/20-378 Notice of Motion - Planning for Rail Services West of Bankstown 2024	Lidcombe

Councillor Rahme returned to the Meeting at 6:48pm during Public Forum.

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**Min.912 Suspension of Standing Orders****Resolved (Attie/Sarkis)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C02/20-378 to be brought forward for consideration at this time of the Meeting.

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**Min.913 C02/20-378 Notice of Motion - Planning for Rail Services West of Bankstown 2024****Resolved (Huang/Elmore)**

That Council make a submission to Transport for NSW:

1. Endorsing Option 2 from the NSW Government Options Paper - "Planning for rails services west of Bankstown 2024- February 2020", the restoration of the city to Liverpool via Regents Park line as its preferred option;
2. Recommend that the express services are included in Option 2;
3. Request that Option 2 to be implemented as soon as possible; and
4. Ensure the submission is forwarded to the relevant Minister, Shadow Minister and WSROC.

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**Min.914 Resumption of Standing Orders****Resolved (Attie/Sarkis)**

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.915 Items by Exception****Resolved (Sarkis/Saha)**

That Council adopt Items C02/20-361, C02/20-363, C02/20-364, C02/20-365, C02/20-366, C02/20-367, C02/20-368, C02/20-369 and C02/20-376 on the Council Agenda in bulk as per the recommendations in the reports.

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**Min.916 C02/20-361 Legal Report**

**Resolved (Sarkis/Saha)**

That Council receive this report.

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**Min.917 C02/20-363 Bi-Annual Report on Councillor Expenses and Facilities**

**Resolved (Sarkis/Saha)**

That Council:

1. Receive the information contained in this report; and
2. Place a copy of the Councillor Expenses and Facilities Expenditure included under Attachment 1 of this report on Council's website in accordance with clause 15.2 of the *Councillor Expenses and Facilities Policy*.

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**Min.918 C02/20-364 Australian Local Government Association (ALGA) - National General Assembly of Local Government**

**Resolved (Sarkis/Saha)**

That Council:

1. Give consideration to nominating the Mayor and/or Councillor(s) to attend the 2019 National General Assembly of Local Government to be held in Canberra from 14 – 17 June 2020; and
2. Give consideration to submitting motion(s) to the 2020 National General Assembly of Local Government.

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**Min.919 C02/20-365 Investment Report January 2020**

**Resolved (Sarkis/Saha)**

That Council receive the January 2020 Investment Report.

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**Min.920 C02/20-366 Monthly Budget Performance**

**Resolved (Sarkis/Saha)**

That Council receive the information contained in this report.

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**Min.921 C02/20-367 Report on Outstanding Council Resolutions**

**Resolved (Sarkis/Saha)**

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That Council receive the report.

**Min.922      C02/20-368 Quarterly Update on the Implementation of the Stronger Communities Fund**

**Resolved (Sarkis/Saha)**

That Council:

1. Note the progress on the implementation of the Stronger Communities Fund Major Projects Program.
2. Submit a copy of this report to the Office of Local Government in meeting the reporting requirements of the NSW Government's Stronger Communities Fund Guidelines.

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**Min.923      C02/20-369 Rising Star Sports Award**

**Resolved (Sarkis/Saha)**

That Council:

1. Endorse the application recommended for funding and allocate \$900.00 from the 2019/2020 Cumberland Rising Star Sports Award.
2. Advise the applicant of the funding allocation of the 2019/20 Cumberland Rising Star Sports Award.

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**Min.924      C02/20-376 Adoption of Cumberland Open Space and Recreation Strategy 2019-2029**

**Resolved (Sarkis/Saha)**

That Council adopt the Cumberland City Council Open Space and Recreation Strategy 2019-2029.

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**Min.925      C02/20-362 Quarter 2 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 a summary of the Quarter 2 Performance to Council.

**Resolved (Attie/Sarkis)**

That Council receive and note the Quarter Two Performance Report on the Operational Plan 2019-2020.

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**C02/20-363 Bi-Annual Report on Councillor Expenses and Facilities**

This item was dealt with earlier in the meeting.

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**C02/20-364 Australian Local Government Association (ALGA) -  
National General Assembly of Local Government**

This item was dealt with earlier in the meeting.

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**C02/20-365 Investment Report January 2020**

This item was dealt with earlier in the meeting.

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**C02/20-366 Monthly Budget Performance**

This item was dealt with earlier in the meeting.

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**C02/20-367 Report on Outstanding Council Resolutions**

This item was dealt with earlier in the meeting.

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**C02/20-368 Quarterly Update on the Implementation of the  
Stronger Communities Fund**

This item was dealt with earlier in the meeting.

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**C02/20-369 Rising Star Sports Award**

This item was dealt with earlier in the meeting.

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**Min.926 C02/20-370 Draft Cumberland Local Housing Strategy**

**Resolved (Lake/Huang)**

That Council place the Draft Cumberland Local Housing Strategy on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition subject to the following amendment:

- i. That on Page 36 of the Draft Document (page 220 of business paper), a black dot be placed in timeframe column 2020-2021 for Action 1.2.

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**Min.927 C02/20-371 New Cumberland Development Control Plan – Draft  
Chapter on Part E Other Land Use Based Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Part E Other Land Use Based Development Controls, as provided in Attachment 1, for inclusion in the draft Cumberland

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

Councillor(s) Against the Motion: Nil

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**Min.928 C02/20-372 New Cumberland Development Control Plan - Definitions and Additions for Draft Chapter on Part F Precinct and Site Specific Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Definitions, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.
2. Endorse the additions to the draft chapter Part F Precinct and Site Specific Development Controls, as provided in Attachment 2, for inclusion in the draft Cumberland Development Control Plan.
3. Delegate to the General Manager the authorisation to make minor revisions to the draft chapters, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
4. Consult with the community on the draft chapters, 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, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.929      C02/20-373 New Cumberland Development Control Plan – Draft Chapter on Part G Miscellaneous Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Part G Miscellaneous 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 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, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion:              Nil

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**Min.930      C02/20-374 615 Great Western Highway, Greystanes - Proposed Public Benefit Offer for Large Advertising Display Sign**

**Resolved (Sarkis/Zaiter)**

That:

1. Council not pursue the applicant's public benefit offer on the basis that Council does not expect to take up \$20,000 worth of advertising on an annual basis and that the remaining part of the offer does not provide for sufficient public benefit in connection with the display of the advertisement.
2. Council inform the applicant that should it be willing to offer to pay an annual fee of \$50,000, adjusted by the consumer price index, for duration of the period for which development consent is granted, with that offer then given effect by the imposition of a condition of development consent, the Council would be satisfied that arrangements that are consistent with the *Transport Corridor Outdoor Advertising and Signage Guidelines* had been entered into for the provision of public benefits in connection with the display of the advertisement as required by clause 13(3) of the *State Environmental Planning Policy No. 64 – Advertising and Signage*.

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, Elmore, Garrard,



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Hamed, Huang, Lake, Saha, Sarkis,  
Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Councillor Saha left the Meeting at 7:40pm and returned to the Meeting at 7:42pm during the consideration of this item.

Councillor Rahme left the Meeting at 7:43pm during the consideration of this item.

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**Min.931 C02/20-375 Expressions of Interest Process - Lease over Hyland Rd Reserve**

**Resolved (Sarkis/Cummings)**

That Council:

1. In accordance with Section 47 of the *Local Government Act 1993*, seek Expressions of Interest for the lease of Hyland Rd Reserve for a period of 20 years (Part Lot 2 in DP 525167), in accordance with the adopted Plan of Management and Landscape Masterplan for the site.
2. Receive a report following the Expressions of Interest process outlining the results.

Councillor Rahme returned to the Meeting at 7:47pm during the consideration of this item.

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**C02/20-376 Adoption of Cumberland Open Space and Recreation Strategy 2019-2029**

This item was dealt with earlier in the meeting.

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**Min.932 C02/20-377 Notice of Motion - DCP Controls for Part F - Pemulwuy Residential**

**Motion (Saha/Huang)**

That Council:

1. Officers review and bring back a report, including recommendations, for the following amendment in DCP controls for Part F - Pemulwuy Residential:
  - a) Landscaping
    - 3.3.7 External Open Space – amend the relevant development control/s within this section to require appropriate spacing between mature trees within a site; and to apply the standard controls for the distance of a mature tree from a building, which are proposed within the new draft Cumberland DCP, to Pemulwuy, to ensure consistency and to minimise damage to buildings.

b) Public Road Design

3.6.4 Public Road Design and 3.6.7 Streets, Park Edges, Pedestrian Spines – Landscape Design – amend the relevant development control/s within this section to enable trees planted within the roadway to be supported by two poles rather than a four pole support structure, to enable more efficient on street parking, whilst still providing adequate support to street trees planted within the roadway.

2. Undertake a review of the existing tree supports in place to determine if they are still required, and action as appropriate.

**Amendment (Attie/Garrard)**

That Council defer this matter for further consideration following public consultation of the DCP.

The Amendment moved by Councillor Attie seconded by Councillor Garrard on being Put to the meeting 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 Amendment: Attie, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Amendment: Cummings, Elmore, Hamed, Huang, Lake Saha.

The Amendment moved by Councillor Attie seconded by Councillor Garrard then became the motion.

The motion moved by Councillor Attie seconded by Councillor Garrard on being Put was declared CARRIED to become the resolution of Council (as shown in the amendment).

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: Cummings, Elmore, Hamed, Huang, Lake Saha.

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**C02/20-378 Notice of Motion - Planning for Rail Services West of Bankstown 2024**

This item was dealt with earlier in the meeting.

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**C02/20-379 Notice of Motion - Cumberland Lunar New Year Festival**

This item was withdrawn by Councillor Huang.

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**Min.933 C02/20-380 Notice of Motion - 2021 Proposed Ferry Changes - F3 Parramatta River**

**Resolved (Lake/Elmore)**

That the Mayor writes to Transdev Australia and the Minister for Transport, Mr Andrew Constance supporting the submission lodged by City of Parramatta Council on the proposed 2021 F3 Parramatta River Ferry changes. In particular, that Council support the following key points in the submission:


1. That the change for the F3 eastern termination point for all Parramatta services from Circular Quay to Barangaroo is not supported; and
2. That the weekend express services between Parramatta and Circular Quay should be retained.

Councillor Zreika left the Meeting at 8:15pm during the consideration of this item and did not return.

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The Mayor, Councillor Christou closed the meeting at 8:25pm.

Chairperson \_\_\_\_\_



General Manager \_\_\_\_\_

