

# CUMBERLAND CITY COUNCIL

## Council Meeting

*Wednesday, 3 June 2020 at 6:30pm*

Cumberland City Council Chambers

Merrylands Service Centre, 16 Memorial Avenue, Merrylands

## Councillor Contact Details

### Granville Ward

Clr Steve Christou (Mayor)	0419 651 187	Steve.Christou@cumberland.nsw.gov.au
Clr Ola Hamed	0405 070 007	Ola.Hamed@cumberland.nsw.gov.au
Clr Joseph Rahme	0418 995 471	Joseph.Rahme@cumberland.nsw.gov.au

### Greystanes Ward

Clr Greg Cummings	0417 612 717	Greg.Cummings@cumberland.nsw.gov.au
Clr Eddy Sarkis (Deputy Mayor)	0418 306 918	Eddy.Sarkis@cumberland.nsw.gov.au
Vacant	-	-

### Regents Park Ward

Clr Ned Attie	0419 583 254	Ned.Attie@cumberland.nsw.gov.au
Clr George Campbell	0409 233 315	George.Campbell@cumberland.nsw.gov.au
Clr Kun Huang	0418 911 774	Kun.Huang@cumberland.nsw.gov.au

### South Granville Ward

Clr Glenn Elmore	0418 459 527	Glenn.Elmore@cumberland.nsw.gov.au
Clr Paul Garrard	0414 504 504	Paul.Garrard@cumberland.nsw.gov.au
Clr Tom Zreika	0400 805 303	Tom.Zreika@cumberland.nsw.gov.au

### Wentworthville Ward

Clr Lisa Lake	0418 669 681	Lisa.Lake@cumberland.nsw.gov.au
Clr Suman Saha	0419 546 950	Suman.Saha@cumberland.nsw.gov.au
Clr Michael Zaiter	0418 432 797	Michael.Zaiter@cumberland.nsw.gov.au

For information on Council services and facilities please visit [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)

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## ORDER OF BUSINESS

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- 1 Opening Prayer / Acknowledgement of Country / National Anthem**
- 2 Notice of Live Streaming of Council meeting**
- 3 Apologies / Requests for Leave of Absence**
- 4 Declarations of Pecuniary & Non Pecuniary Conflicts of Interest**
- 5 Confirmation of Previous Minutes**
  - C06/20-461 Minutes of the Ordinary Meeting of Council - 20 May 2020.....5
  - C06/20-462 Minutes of the Extraordinary Meeting of Council - 27 May 2020 .....41
- 6 Mayoral Minutes**
  - Nil
- 7 Public Forum / Presentation of Petitions**
- 8 Items Resolved by Exception**
- 9 Reports to Council**
  - General Manager**
    - Nil
  - Director Community and Organisation Development**
    - C06/20-463 Emergency Relief Fund Applications.....47
  - Director Finance & Governance**
    - C06/20-464 Review of Mayoral Community Fund Guidelines.....55
  - Director Environment & Planning**
    - Nil
  - Director Works & Infrastructure**
    - C06/20-465 Draft Companion Animal Policy .....65
    - C06/20-466 Response to Notice of Motion - Responsible Pet Ownership Education Program.....95
- 10 Reports of Council Committees**
  - Nil
- 11 Motions Pursuant to Notice**
  - Nil
- 12 Notices of Rescission**
  - Nil

**13 Questions on Notice**

Nil

**14 Closed Session Reports**

Nil

**15 Other / General Matters**

**16 Close**



Item No: C06/20-461

## **MINUTES OF THE ORDINARY MEETING OF COUNCIL - 20 MAY 2020**

Responsible Division:

Finance & Governance

Officer:

Director Finance & Governance


### **RECOMMENDATION**

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**That Council confirm the minutes of the Ordinary Meeting of Council held on 20 May 2020.**

### **ATTACHMENTS**

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1. Draft Minutes - 20 May 2020 [↓](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT C06/20-461

Attachment 1  
Draft Minutes - 20 May 2020



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## Minutes of the Council Meeting 20 May 2020

### Meeting commenced at 6:30pm

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**Present:**

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor (arrived 6:50pm)
Ned Attie	Councillor
George Campbell	Councillor (via web conferencing)
Greg Cummings	Councillor
Glenn Elmore	Councillor (via web conferencing)
Paul Garrard	Councillor
Ola Hamed	Councillor (via web conferencing)
Kun Huang	Councillor (via web conferencing)
Lisa Lake	Councillor (via web conferencing)
Joseph Rahme	Councillor
Suman Saha	Councillor (via web conferencing)
Michael Zaiter	Councillor
Tom Zreika	Councillor (via web conferencing)
Hamish McNulty	General Manager
Melissa Attia	Acting Director Community and Organisation Development
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	Legal Counsel
Carol Karki	Governance Coordinator
Laith Jammal	Governance Officer

**Opening Prayer**

The opening prayer was read by the Mayor, Councillor Christou.

**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 open session of the Council Meeting was being recorded and streamed live on Council's website, with a copy being archived and placed on Council's website. The Mayor further advised that the recording of the proceedings of the Council meeting was not permitted without the prior approval of Council.

**Apologies/Leave of Absence**

Nil

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

The General Manager declared a pecuniary interest in item C05/20-458 as the item directly related to his employment. As such, the General Manager indicated that he would be exiting the Chamber upon the consideration of this item.

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**Confirmation of Minutes**

**Min.671            C05/20-426 Minutes of the Ordinary Meeting of Council - 15 April 2020**

**Resolved (Garrard/Attie)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 15 April 2020.

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**Min.672            MM05/20-29 Mayoral Minute - Scheduling of Council Meetings during Covid-19**

**Resolved (Christou)**

That Council as of June 2020, return to conducting Council meetings in accordance with the adopted *Code of Meeting Practice*, with remote meeting options continuing until Government restrictions around Covid-19 are lifted.

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**Public Forum**

The Mayor, Councillor Christou advised that Council had received 15 public forum written submissions which the Council Officers had circulated to all Councillors prior to the meeting. The Mayor read out a summary of the submissions given the length and the number of submissions received as follows:

**6 submissions were received for Item C05/20-439 Planning Proposal and Voluntary Planning Agreement for Building 3, 20-22 Dressler Court, Merrylands (Formerly Known As 1-11 Neil Street, Merrylands)**

Speakers	Summary
1. Ailsa Wang (Holroyd) 2. Yaween Sun (Merrylands) 3. Flerida Llarena (Merrylands) 4. Binuj Pradhan (Merrylands) 5. Saradi Nagaraj (Merrylands) 6. Yuan Da Chen (Merrylands)	All submissions received opposed the proposal for the following reasons: lack of parking, overshadowing, pedestrian access, privacy and traffic and pedestrian congestion.

**1 submission was received for Item C05/20-441 Planning Proposal - 2-36 Church Street, Lidcombe**

Speaker	Summary
1. Saul Moran (Meadowbank)	The submission received encouraged Council to carefully consider the social housing benefits and the advice from the CLPP.

**5 submissions were received for Item C05/20-446 Notice of Motion - 'Nobody Left Behind' Campaign**

Speakers	Summary
1. Miriam Pellicano (Granville) 2. Paul Moulds (Auburn) 3. Rebecca Langton (Surry Hills) 4. Chantelle Ogilvie-Ellis (Merrylands) 5. Carolina Gottardo (Westmead)	All submissions received supported of the Notice of Motion.

**3 submissions were received in relation to Childcare Fees and Resourcing**

Speakers	Summary
1. Sharlyn Teo (Pemulwuy) 2. Michael McGowan (Pemulwuy) 3. Margaret Romeo (Greystanes)	2 submissions received queried and raised concerns in relation to the increase of childcare fees. 1 submission received queried the staffing and resourcing around Long Day Care Centres.  <b>The questions have been sent to the relevant Council Officers to respond.</b>

**All submissions received have been attached to the Minutes.**

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**Min.673      Items by Exception****Resolved (Cummings/Attie)**

That Council adopt items C05/20-427, C05/20-431, C05/20-434, C05/20-435, C05/20-437, C05/20-438, C05/20-444, C05/20-445, C05/20-459 and C05/20-460 on the Council Agenda in bulk as per the recommendations in the reports.

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**Min.674      C05/20-427 Legal Report****Resolved (Cummings/Attie)**

That Council receive this report.

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**Min.675      C05/20-431 Report on Outstanding Council Resolutions****Resolved (Cummings/Attie)**

That Council receive this report.

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**Min.676      C05/20-434 Investment Report - April 2020****Resolved (Cummings/Attie)**

That Council receive the 30 April Investment Report.

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**Min.677      C05/20-435 Proposed Granting of Easement through Monterey Street Park, South Wentworthville****Resolved (Cummings/Attie)**

That:

1. In accordance with S. 377 (1)(h) of the *Local Government Act 1993*, Council approve the creation of an easement from the rear of 24 Monterey Street, South Wentworthville through part of Monterey St Park in accordance with DA2018/432, subject to an independent valuation and compensation being paid to Council.
2. The final easement location and design be subject to the expert advice of Council's Engineering team.
3. The easement approval be subject to concurrence from Sydney Water and public notice being undertaken.



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**Min.678 C05/20-437 Draft Sustainability Action Plan****Resolved (Cummings/Attie)**

That Council place the Draft Sustainability Action Plan on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition.

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**Min.679 C05/20-438 Proposed Cancellation of Cumberland Heritage Awards and Cumberland Heritage Rebate Program in 2020****Resolved (Cummings/Attie)**

That Council:

1. Cancel the Cumberland Heritage Rebate Program and the Cumberland Heritage Awards in 2020, due to the current pandemic crisis.
2. Resume the Cumberland Heritage Rebate Program and the Cumberland Heritage Awards in 2021, if appropriate in the circumstances at that time.

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**Min.680 C05/20-444 Quarterly Progress Report on Council Consultative and Advisory Committees****Resolved (Cummings/Attie)**

That Council receive the Draft Minutes of the Consultative and Advisory Committee meetings held as listed in the report and included under Attachments 1 to 3.

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**Min.681 C05/20-445 Cumberland Traffic Committee - Minutes of Electronic Meeting held on 1 April 2020 and Extraordinary Electronic Meeting held on 30 April 2020****Resolved (Cummings/Attie)**

That the minutes of the Cumberland Traffic Committee electronic meeting held on 1 April 2020 and the extraordinary electronic meeting held on 30 April 2020, be received and the recommendations contained therein be approved.

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**Min.682 C05/20-459 Evaluation Report - Granville Park Community Sports Pavilion - Construction****Resolved (Cummings/Attie)**

That Council:

1. Accept the Evaluation Panel's recommendation to award the contract to Belmadar Pty Ltd (ABN 53 156 053 351) in accordance with Clause 178(1)(a) of the Local Government (General) Regulations 2005.

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2. That a contract, inclusive of all value added considerations (alternative tender) to the value of \$7,800,444, be issued.
  3. Delegate to the General Manager the authority to execute the contract and any associated documents.

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**Min.683      C05/20-460 Tender Evaluation Report - Granville Park, Field Reconstruction**

**Resolved (Cummings/Attie)**

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract to Delaney Civil (ABN 85 086 897 476) in accordance with Clause 178(1)(a) of the Local Government (General) Regulations 2005.
2. That a contract to the value of \$1,499,943.00 (excluding GST) be issued.
3. Delegate to the General Manager the authority to execute the contract and any associated documents.

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**Min.684      C05/20-428 Cumberland City Council Community Grants Program Round Two 2019/2020**

**Motion (Attie/Garrard)**

That the matter be deferred until post Covid-19.

**Amendment (Elmore/Saha)**

That Council:

1. Adopt the 40 applications recommended for funding in Attachment 1 and allocate \$152,132 from the Cumberland Community Grants Program budget 2019/2020.
2. Advise all applicants under Round Two of the Community Grants Program 2019/20 of funding allocations and provide feedback and support to applicants that were unsuccessful.
3. Withdraw any applications recommended for funding in 2019/2020 if the organisation has not provided compulsory information to Council to enable payment before the end of the financial year.
4. Adopt the revised Program Structure for the Cumberland Community Grants Program 2020/21 included under Attachment 3.

The Amendment moved by Councillor Elmore seconded by Councillor Saha on being Put 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, Lake and Saha.

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

The Motion moved by Councillor Attie seconded by Councillor Garrard 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, Garrard, Rahme, Sarkis, Zaiter and Zreika.

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

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**Min.685 C05/20-429 Emergency Relief Fund Applications**

**Resolved (Attie/Garrard)**

That the matter be deferred until Covid-19 restrictions are eased for Council to consider the matter thoroughly.

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, Rahme, Sarkis, Zaiter and Zreika.

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

Councillor Rahme left the Meeting at 7:17pm and returned to the Meeting at 7:19pm during the consideration of this item.

Councillor Garrard left the Meeting at 7:18pm and returned to the Meeting at 7:22pm during the consideration of this item.

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**Min.686 C05/20-430 Quarter 3 Performance Report on the Operational Plan 2019-20 and Budget Review Statement**

**Note:** The Acting Director Community and Organisation Development and the Director Finance and Governance presented a summary of the Quarter 3 Performance to Council.

**Resolved (Saha/Sarkis)**

That Council receive and note the Quarter 3 Service Area updates on the Operational Plan 2019-2020 and that the Quarter 3 budget notes be updated in the Quarterly Budget Review Statement.

**Carried Unanimously**

Councillor Rahme left the Meeting at 7:51pm and returned to the Meeting at 7:53pm during the consideration of this item.

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**C05/20-431 Report on Outstanding Council Resolutions**

This item was dealt with earlier in the meeting.

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**Min.687 C05/20-432 Approval of Loans for COVID-19 Financial Crisis****Motion (Zaiter/Sarkis)**

That Council proceed with Option C as outlined in the Report; Combination option delay \$15m and achieve one-off \$5m salary savings – unrestricted cash will reach \$(3.0)m 30/6/21 and then \$19m by 2028/29.

**Amendment (Elmore/Saha)**

That Council:

1. Authorise an application for a loan of \$8 million under the Low Cost Loans Initiative program for the Wentworthville Pools Project, with the application to be signed off by the Mayor and General Manager on behalf of Council;
2. Subject to application approval, resolve to enter into a loan of \$8 million under the Low Cost Loans Initiative program;
3. Resolve to enter into a loan of \$12 million for Granville Multipurpose Centre; and
4. Authorise the Mayor and General Manager to execute the necessary loan documents on behalf of Council.

The Amendment moved by Councillor Elmore seconded by Councillor Saha on being Put was declared LOST on the casting vote of the Mayor.

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 Amendment: Campbell, Cummings, Elmore, Hamed, Huang, Lake and Saha.

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

The Motion moved by Councillor Zaiter seconded by Councillor Sarkis on being Put was declared CARRIED on the casting vote of the Mayor.

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, Hamed, Huang, Lake and Saha.

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**Min.688 C05/20-433 Monthly Management Accounts as at 31 March 2020**

**Resolved (Saha/Elmore)**

That Council receive the information contained in this report.

**Carried Unanimously**

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**C05/20-434 Investment Report - April 2020**

This item was dealt with earlier in the meeting.

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**C05/20-435 Proposed Granting of Easement through Monterey Street Park, South Wentworthville**

This item was dealt with earlier in the meeting.

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**Min.689 C05/20-436 Draft Urban Tree Strategy**

**Resolved (Hamed/Garrard)**

That Council place the Draft Urban Tree 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.

**Carried Unanimously**

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**C05/20-437 Draft Sustainability Action Plan**

This item was dealt with earlier in the meeting.



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**C05/20-438 Proposed Cancellation of Cumberland Heritage Awards and Cumberland Heritage Rebate Program in 2020**

This item was dealt with earlier in the meeting.

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**Min.690 C05/20-439 Planning Proposal and Voluntary Planning Agreement for Building 3, 20-22 Dressler Court, Merrylands (Formerly Known As 1-11 Neil Street, Merrylands)****Resolved (Rahme/Sarkis)**

That Council:

1. Adopt the recommended planning controls for Building 3, 20-22 Dressler Court, Merrylands (formerly known as 1-11 Neil Street, Merrylands), and as previously resolved by Council, being:
  - a) a maximum building height of 50m apply to the south-eastern portion of the site; and
  - b) a maximum floor space ratio of 3.66:1 apply to the eastern portion of the site.
2. Endorse and delegate authority to the Mayor and the General Manager to execute the Voluntary Planning Agreement, on behalf of Council, for Building 3, 20-22 Dressler Court, Merrylands, as provided in Attachment 2.
3. Finalise the planning proposal, as delegated by the Minister, following execution of the Voluntary Planning Agreement and registration on title.
4. Note that this LEP amendment will be published in the Government Gazette upon finalisation.

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, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.691 C05/20-440 Planning Proposal for 1 Crescent Street, Holroyd****Resolved (Garrard/Cummings)**

That Council:

1. Note the status of the planning proposal for 1 Crescent St, Holroyd (former Caterpillar site), with a Gateway Determination issued by the Sydney Central City Planning Panel in July 2019.

2. Write to the Minister for Planning and Public Spaces, outlining Council's strategic and site specific concerns on the planning proposal.
3. Defer the delegation of authority to the General Manager to liaise with the proponent and government agencies on the details regarding the planning proposal, to ensure that the community's interests are represented as best as possible should the planning proposal proceed to finalisation for a period of one month.

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

Councillor(s) Against the Motion: Nil

Councillors Attie and Sarkis left the Meeting at 8:25pm during the consideration of this item.

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**Min.692 C05/20-441 Planning Proposal - 2-36 Church Street, Lidcombe**

**Note:** The Mayor, Councillor Christou paused the meeting from 8:38pm to 8:40pm in order to allow Councillor Lake to reconnect to the meeting via the web conferencing application due to a fault in the connection.

**Resolved (Lake/Zaiter)**

That Council:

1. Endorse an amended planning proposal for the site that seeks to amend the *Auburn Local Environmental Plan 2010*, to:
  - a. Amend the Height of Building (HOB) control for the site from:
    - I. 14.9 metres to 22 metres
    - II. 16.9 metres to 32 metres
    - III. 22.9 metres to 40 metres
    - IV. 27 metres to 40 metres
  - b. Amend the Floor Space Ratio control for the site from 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 3.2:1.
2. Endorse that the planning proposal for 2-36 Church Street, Lidcombe, be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.
3. 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:

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

Councillor(s) Against the Motion: Christou and Garrard.

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**Min.693 C05/20-442 Proposed Quanne Diec Playground in New Glasgow Park**

**Resolved (Rahme/Hamed)**

That Council:

1. Name the children's playground in New Glasgow Park, Quanne's Playground; and
2. Install a small plinth with a plaque acknowledging the new name of the playground.

**Carried Unanimously**

Councillors Attie and Sarkis returned to the Meeting at 8:41pm during the consideration of this item.

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**Min.694 C05/20-443 Response to Matter of Urgency - Cumberland Local Traffic Committee Terms of Reference**

**Motion (Garrard/Sarkis)**

That Council:

1. Adopt the Draft Cumberland City Council Local Traffic Committee Terms of Reference as attached.
2. Confirm the appointments of voting member and alternate voting member on the Cumberland City Council Traffic Committee, in accordance with the Terms of Reference.

**Amendment (Campbell/Lake)**

That a point 3 be added as follows:

That, in the Terms of Reference of the Cumberland City Council Local Traffic Committee, the following items be moved from Part 1 to Part 2:

"(d) Parking Series....etc" except for "No Stopping" signs in relation to statutory distances at intersections and "Works Zone".

And "One Way", "Left Turn" and "Right Turn".

The Amendment moved by Councillor Campbell seconded by Councillor Lake on being Put 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, Lake and Saha.

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

The Motion moved by Councillor Garrard seconded by Councillor Sarkis on being Put was declared CARRIED UNANIMOUSLY.

Councillor Zaiter left the Meeting at 8:45pm and returned to the Meeting at 8:46pm during the consideration of this item.

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**C05/20-444 Quarterly Progress Report on Council Consultative and Advisory Committees**

This item was dealt with earlier in the meeting.

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**C05/20-445 Cumberland Traffic Committee - Minutes of Electronic Meeting held on 1 April 2020 and Extraordinary Electronic Meeting held on 30 April 2020**

This item was dealt with earlier in the meeting.

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**Min.695 C05/20-446 Notice of Motion - 'Nobody Left Behind' Campaign**

**Motion (Hamed/Campbell)**

That Council:

1. Council acknowledge the 'Nobody Left Behind' campaign.
2. Council sign on to the Refugee Council of Australia's open letter to the Australian Government which asks that all people in Australia are protected from the health and economic impacts of COVID-19 by:
  - a. ensuring all people have access to medical treatment and Medicare for people seeking asylum;
  - b. ensuring all people have a financial safety net so they are not forced into destitution; and
  - c. preventing people from losing legal status and access to support.
3. The open letter be sent to Prime Minister Scott Morrison, Treasurer Josh Frydenberg, Minister for Social Services Anne Ruston and Minister for Finance Mathias Cormann, as well as local State and Federal MPs.

The Motion moved by Councillor Hamed seconded by Councillor Campbell on being Put was declared LOST on the casting vote of the Mayor.

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: Campbell, Elmore, Hamed, Huang, Lake, Saha and Zreika.

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

Councillor Cummings left the Meeting at 8:59pm and returned to the Meeting at 9:10pm during the consideration of this item.

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**Min.696 C05/20-447 Notice of Motion - Program Supporting International Students**

**Motion (Saha/Huang)**

That:

1. Council write to the NSW Premier requesting that the NSW Government adopt a program to support international students who have lost their jobs because of Coronavirus (COVID-19).
2. Such a program be similar to the Victorian Government's "Working for Victoria" program which is creating job opportunities for the unemployed that are suitable for international students to accept.

The Motion moved by Councillor Saha seconded by Councillor Huang on being Put was declared LOST on the casting vote of the Mayor.

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

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

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**Min.697 C05/20-448 Notice of Motion - Advertising**

**Motion (Elmore/Lake)**

That Council immediately cease the publication of its Weekly News Update and Mayoral Message in Sydney-wide metropolitan newspapers.

The Motion moved by Councillor Elmore seconded by Councillor Lake on being Put 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 Motion: Campbell, Elmore, Hamed, Huang, Lake and Saha.

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

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**Min.698 C05/20-449 Notice of Motion - Community Service Centre**

**Motion (Elmore/Hamed)**

That:

1. The Merrylands Community Service Centre at Shop 1/205 Merrylands Rd Merrylands be closed immediately.
2. Upon relaxation of current relevant COVID19 restrictions, the customer service counter at the Merrylands Administration Building be opened and operate with appropriate protective screens and social distancing measures.

The Motion moved by Councillor Elmore seconded by Councillor Hamed on being Put 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 Motion: Campbell, Elmore, Hamed, Huang, Lake and Saha.

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

Councillor Sarkis left the Meeting at 9:50pm and returned to the Meeting at 9:52pm during the consideration of this item.

Councillor Zaiter left the Meeting at 9:54pm and returned to the Meeting at 9:56pm during the consideration of this item.

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**Min.699 Extension of Council Meeting**

**Resolved (Attie/Cummings)**

That Council extend the time of the meeting by an additional 30 minutes to conclude at 10.30pm or if an item being discussed is unfinished at 10.30pm, at the conclusion of that item in accordance with clause 18.2 of the Code of Meeting Practice.

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**Min.700 C05/20-450 Notice of Motion - Stimulus Funds**

**Motion (Lake/Saha)**

That the Mayor write to the Premier and Minister for Local Government imploring the NSW Government to look beyond its low-interest loans package to the provision of direct

funding to Councils for shovel-ready projects as an effective economic stimulus measure.

The Motion moved by Councillor Lake seconded by Councillor Saha on being Put was declared LOST on the casting vote of the Mayor.

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

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

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**Min.701 C05/20-451 Notice of Motion - Public Forum****Motion (Lake/Saha)**

That during the COVID19 closure of Council's public gallery, Public Forum be extended to also permit the public to address Council through audio and audio-visual recordings of no longer than 3 minutes, as well as through written/email submissions.

The Motion moved by Councillor Lake seconded by Councillor Saha on being Put 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 Motion: Campbell, Elmore, Hamed, Huang, Lake and Saha.

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

Councillor Rahme left the Meeting at 10:20pm during the consideration of this item.

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**Min.702 C05/20-452 Notice of Motion - Revenue Generation Opportunities****Resolved (Garrard/Zaiter)**

That Council be provided with a report which identifies additional revenue generation opportunities from existing Council owned and/or managed land holdings and property leasing portfolio.

**Carried Unanimously**

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**Min.703      C05/20-453 Notice of Motion - Council's Land in Lane Street and Veron Street, Wentworthville**

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**Motion (Zaiter/Attie)**

That Council:

1. Undertake an Expression of Interest process for the future use of Council's Land in Lane Street and Veron Street Wentworthville which encompass the Wentworthville Library, Community Centre and the car park east of Finlaysons Creek.
2. Be provided with a report of the outcomes to Council's meeting within 6 months.

**Amendment (Lake/Saha)**

"Omit 1 and 2

Insert

1. Note Action 2.2 of the *Cumberland Community Facilities Strategy 2019-2029* adopted 18 September 2019 to proceed with planning for the development of a community hub (incorporating library, multipurpose community centre and other functions) in Wentworthville Town Centre on the existing Wentworthville Library, Community Centre and Redgum Centre site;
2. Proceed with a feasibility study and master planning exercise of this site, in consultation with the community, using funds that are allocated for this purpose in the funding reservation from collected development contributions in the Holroyd Contributions Plan;
3. Report to Council at key milestones of this work;
4. Note the funds allocated to new Community and Library Facilities in the Schedule of Works in the Cumberland Local Infrastructure Contributions Plan; and
5. Following receipt of the above reports, CONSIDER options for the development of this site including the undertaking of an expression of interest process."

The Amendment moved by Councillor Lake seconded by Councillor Saha on being Put 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, Lake and Saha.

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

The Motion moved by Councillor Zaiter seconded by Councillor Attie 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, Garrard, Rahme, Sarkis, Zaiter and Zreika.

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

Councillor Rahme returned to the Meeting at 10:25pm during the consideration of this item.

Councillor Rahme left the Meeting at 10:28pm and returned to the Meeting at 10:30pm during the consideration of this item.

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**Min.704 Extraordinary Council Meeting – 27 May 2020**

**Note:** The Mayor, Councillor Christou noted that given it was past 10:30pm, an extraordinary Council Meeting was required on Wednesday 27 May 2020 at 6pm to consider the remainder of the business from tonight's meeting.

**Resolved (Zaiter/Cummings)**

That Council hold an Extraordinary Council Meeting on Wednesday 27 May 2020 at 6pm to consider the business deferred from tonight's Council Meeting.

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

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

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**C05/20-454 Notice of Motion - New Commuter Car Park**

This item has been deferred to the Extraordinary Council Meeting to be held on 27 May 2020.

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**C05/20-455 Notice of Motion - COVID-19 Testing Facilities**

This item has been deferred to the Extraordinary Council Meeting to be held on 27 May 2020.

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**C05/20-456 Notice of Motion - Amendments to Code of Meeting Practice**

This item has been deferred to the Extraordinary Council Meeting to be held on 27 May 2020.

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**C05/20-457 Questions on Notice - Submitted by Councillor Lake**

The answers to these questions have been published in the Business Paper for this Ordinary Council Meeting (20 May 2020).

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**C05/20-458 Response to Mayoral Minute - Formalising Process for the Review of the General Manager's Performance**

This item has been deferred to the Extraordinary Council Meeting to be held on 27 May 2020.

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**C05/20-459 Evaluation Report - Granville Park Community Sports Pavilion - Construction**

This item was dealt with earlier in the meeting.

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**C05/20-460 Tender Evaluation Report - Granville Park, Field Reconstruction**

This item was dealt with earlier in the meeting.

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The Mayor, Councillor Christou closed the meeting at 10:38pm.

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

**Written Submissions Received****Item C05/20-439 Planning Proposal and Voluntary Planning Agreement for Building 3, 20-22 Dressler Court, Merrylands (Formerly Known As 1-11 Neil Street, Merrylands)*****Ailsa Wang***

I heard of that there is a planning proposal for 20 – 22 Dressler Court Merrylands that is being reported to Council on Wednesday, 20 May 2020 for an additional 4 stories to added to the building which will be directly next to my apartment (1-7 Neil Street, Merrylands). I am writing this email to raise my concern on this proposal. This proposal will make the building 16 stories tall blocking all of our views towards the east. With the current parking situation and the number of outstanding elements that remain to be fixed on our building I would say this is an unnecessary addition to a building. It will cause more parking issues in our area and cause overshadowing issues on our building too.

Please consider our view and feedback when you receive the proposal. Your thoughtful consideration would be highly appreciated.

***Yaween Sun***

For the statement that I would like to against the change of development for 20-22 Dressler court Merrylands.

For my concern the parking will be the biggest problem in our community. There's is already major issue going around our building. People blocking the fire exit, taking other people's private parking spot. The second concern is the traffic. As we all know at this point we only have one exit from our building and leading into a busy road. It cause a lot of danger while crossing the road. Also on Neil st the pedestrian is n a very bad condition. When it's raining the pass will get very muddy and very slippery. Also there are cars and trucks blocking the pedestrian. It is already hard for normal people to walk, some times I see parents with pram have to take there child and pram on to the road which has very fast vehicles to get pass. I don't think build three more levels can help current issues. The third issue is the view, while the building is getting taller it has completely blocking the view from our building and the gap between two buildings are so close if we leave our blinds open the people from that building can see our apartment and it has can course privacy problems.

***Flerida Llaena***

I would like to say no to the planning proposal for 20-22 Dressler Court Merrylands NSW 2160. There are three reasons why I am against it. First is that the building is next to ours which completely overshadows the east side. The second is the very limited parking space and third is oversupply of apartments which further contributes to congested environment.

Attached include picture of the said constructed site and other apartments surrounding our building.

Hoping for your kind consideration.

***Binuj Pradhan***

I would like to submit my submission through this email, so that you can present to the Cumberland Council Mayor. I would like to object to the approval of addition to building 20-22 Dressler Court, Merrylands, NSW 2160. As I am the resident of 24 Dressler Court, Merrylands; the reason for my objections are as follows:-

The proposed planning for an additional 4 stories to added to the building which will be directly next to ours building. This will make the building 16 stories tall blocking all of the views towards the east. With the current parking situation and the number of outstanding elements that remain to be fixed on our building. This will cause more parking issues in our area and cause overshadowing issues on our building too, let alone oversupply of apartments etc. More off street parking will be done as the increased density, hence congestion of the road will occur following more dumping of waste in surrounding area. Please feel free to contact me for further query. Kind regards,



**Saradi Nagaraj**

Hi, I am resident from 24 dressler court and we object or appeal not to approve the extra floors for the above address because it's going to block out view from everything and we don't even get to see any sunlight and there will be a lot of parking issues which is already on going there is no proper parking for the previous buildings only So i hope you oppose that proposal Thanks

**Yuan Da Chen**

I am writing to object the planning proposal for 20 – 22 Dressler Court Merrylands that is being reported to Council on Wednesday, 20 May 2020 for an additional 4 stories to added to the building which will be directly next to ours. This will make the building 16 stories tall blocking all of the views towards the east. With the current parking situation and the number of outstanding elements that remain to be fixed on our building I am strongly against this development.

**Item C05/20-441 Planning Proposal - 2-36 Church Street, Lidcombe****Saul Moran**

Dear Mr Mayor/ Councillors,

The property, 2-36 Church St Lidcombe offers a rare opportunity adjacent to the Lidcombe town centre and train station to provide an important, integrated and community residential development. It is an opportunity to provide vital social, affordable and integrated private Housing. The planning proposal seeks to optimise the social and private offer with minimal impact on the neighbouring area. The Billbergia and LAHC planning proposal will create an additional 218 dwellings and a childcare centre. The associated VPA will deliver approximately \$23 million in value, and includes the following additional public benefits:

- An additional 27 social housing units (taking those to 80 in total) to be retained by the landowner (LAHC) and operated under lease by appointed Community Housing Provider, Evolve Housing;
- Up to 124 affordable housing dwellings (subject to agreement with the CHP) to be owned and operated by the CHP (Evolve Housing) for the benefit of key workers, typically in health, education and public services such as the police force;
- A 60 place child care centre to be privately owned and operated; as a recognised need in the Council's Community Needs studies and
- Monetary contribution of \$7,900,000 to Council, for road upgrades and traffic improvements within the Lidcombe Town Centre. This Proposal will help to improve the flow of traffic, and enhance the public domain and pedestrian amenity of the Town Centre.

Evolve Housing have advised that there is a 5-10 year waiting list for affordable rental housing and a 10+ year waiting list for social housing in the local area. Statistics and experience indicate that this accommodation is particularly required by single women with children escaping domestic violence and 55+ seniors fighting homelessness through lack of employment and having no family support.

Although minimal within the greater demand, the provision of this additional housing is seen as a vital step towards meeting the underlying demand for such diverse accommodation. 2 To achieve these outcomes, the Planning Proposal seeks to amend the heights of building to range from 22m to 53m across the site, with an FSR of 4.21:1. This will deliver approximately 218 additional dwellings.

Council officers have put forward an alternative recommendation, reducing the heights and floor space proposed across 3 of the buildings by 3 storeys each (down to 40m), which would equate to removing 1:1 FSR or approximately 100-120 apartments. The Council officer's planning proposal would see a meaningful reduction in the number of social and affordable rental-housing dwellings that can be delivered, as well as a removal of the childcare centre., This loss equates to a circa \$10 million loss in VPA value, including a \$4 million reduction on the value created for local road upgrades.

The Cumberland Local Planning Panel accepted the Proponent's submission that there will be significant social benefit resulting from the additional heights and floor space proposed in the Planning Proposal as lodged. The Panel neither endorsed nor rejected the Planning Proposal, instead advising Council to weigh up the social benefits gained when making a decision.

It was highlighted that the Planning Proposal has been the subject of extended negotiation with Council, resulting in the proposed 53m maximum height. The Proponent's position is that there would be minimal adverse impact on the social and environmental amenity of the surrounding area, the impacts of overshadowing being 0.001% of area of the Rockwood Cemetery and Necropolis, if the planning proposal and VPA, as lodged, were to be approved. The Proponent, maintains that the corresponding increase in social benefit would far outweigh the minimal impact.

We urge the Councillors to carefully consider these statements, endorse the full value of the VPA, and ensure that the full value of social and public benefits are realised for the Lidcombe Community and for the Council, LAHC and prospective tenants in need.

**Item C05/20-446 Notice of Motion - 'Nobody Left Behind' Campaign**

***Miriam Pellicano***

Dear Council

St Francis Social Services T/A House of Welcome provides services for people seeking asylum in the Cumberland Council LGA, We write to you today to ask you to pass the motion for the "Nobody Left Behind" campaign, which seeks to provide safety nets for people seeking asylum during this COVID-19 crisis,

People seeking Asylum are being left behind

The House of Welcome, as a frontline service, holds grave concerns about the impacts of COVID-19 on people seeking asylum,

People seeking asylum remain ineligible for all Federal COVID-19 measures, including Jobseeker and Jobkeeper, and have not been included in recently announced packages supporting international students,

People seeking asylum are more likely to hold precarious work and live in crowded accommodation, Without an adequate safety net people will not be able to maintain safety measures such as physical distancing or self-isolation,

As recent events in Singapore and Germany highlight, failing to provide for vulnerable communities can undermine attempts to 'flatten the curve',

Since 2016 the House of Welcome (HoW) has been responding to the Federal Government Policy changes that have left people seeking asylum more vulnerable than ever, The changes to eligibility to the Status Resolution Services Support (SRSS) program means thousands of people seeking asylum are ineligible to access the financial safety net this program once provided,

For people seeking asylum who have found employment, they are over-represented in the casual work force, are under-employed or have undocumented work,

COVID-19 has had a substantive impact on industries that rely on a casual workforce, In the last six weeks House of Welcome has been contacted by 74 people who have experienced job losses due to the crisis,

Employment challenges will remain for people seeking asylum; as jobs become available most clients will be less competitive within a skilled, English speaking workforce also competing for the same roles, Since the implementation of the shutdowns House of welcome has seen:

An increase by 110% in requests for assistance for food assistance, rental arrears assistance and financial assistance;

50 people booked in for intake appointments across next two to assess for assistance packages.

There is an average of 30 new calls per day to triage;

Demand for food services has doubled in the last month. Currently delivering a face-to-face service to 170 people per week. 10 new intakes being processed weekly and put on the foodbank program and, where possible, to receive emergency financial assistance

Monthly emergency assistance financial distributions tripled across end-March -April.

Case study of a client in the Cumberland LGA

Mohammed and Sara arrived to Australia with their two young children in June 2019.

The family moved into overcrowded accommodation in Auburn, with the family of four occupying one bedroom in a two bedroom apartment, shared with another family.

House of Welcome was able to support this family with financial assistance for 4 months to prevent the family becoming homeless and destitute while Mohammed was looking for work. Mohammed found work at a car wash, paying \$10-15/hour.

As the family were unable to access any Centrelink or Government payments due to their visa status and SRSS changes, Mohammed had little choice but to accept this job even though this employment was exploitative and below the minimum wage.

Mohammed was working and paying his rent, and continued to be supported by House of Welcome foodbank program as the family was barely getting by. Due to COVID-19 crisis, Mohammed has now lost his job and has no source of income. Despite the moratorium on evictions, on 22/04/2020 Mohammed and his family received an eviction notice as they have been unable to pay their rent. The family are ineligible for any ongoing or one off Government payments and are at serious risk of homelessness and destitution.

House of Welcome has provided a one-off emergency payment to the family and continue to provide foodbank, but do not have the capacity to support the family financially long term.

Number of people seeking assistance from House of Welcome from Cumberland LGA

Impacts of job losses/no access to any other financial safety nets is directly impacting on destitution & homelessness.

During the last seven weeks House of Welcome has received an unprecedented number of calls seeking requests for assistance in areas such as rental arrears, food insecurity, need for crisis accommodation and financial distress.

64.7% of calls for assistance came from people seeking asylum in the Cumberland LGA, with 55.1% of requests for financial assistance coming from residents in the Cumberland LGA. House of Welcome has tripled the amount of Emergency Financial Assistance across this period with 34.6% of payments went to individuals/families living in Cumberland LGA, predominantly to cover rental arrears.

In the last month of April 2020, 52.5% of people who accessed our foodbank were living in Cumberland LGA, with over 170 distributions to families and individuals per week.

The ongoing economic impact of COVID-19 in Australia will be significant, and the ongoing financial strain for those in vulnerable communities will not abate with the end of the pandemic. It is critical that financial and legal safety nets are extended to people seeking asylum, to meet their basic needs, provide safety and access to legal support.

We therefore ask the Council to endorse the campaign and ensure that nobody gets left behind.

**Paul Moulds**

I am writing in support of the motion submitted by Councilor Hamed that seeks the endorsement of Cumberland Council for the Refugee Council led #NoBodyLeftBehind campaign, which is aimed at advocating to the Federal Government to improve services and support available for disadvantaged asylum seekers in our local community.

I am currently the Senior Pastor of The Salvation Army Christian congregation at Auburn Salvation Army and am also responsible for The Salvation Army's social and community work in this area.

Our organization has had to vastly increase its support and services to asylum seekers because of the desperate circumstances they find themselves in since the onset of COVID-19. The Salvation Army is currently housing and feeding a significant number of very vulnerable asylum seekers. This has put a huge burden on our services and finances at a time when public donations and support has been dramatically reduced because of restrictions on public fundraising due to the COVID-19 pandemic.



While most of the asylum seekers we are helping do have work rights and were working prior to the COVID-19 pandemic, the vast majority have lost their employment due to the business closures and the impact of the pandemic. Their visa status makes them ineligible for Government income support benefits, and changes to the eligibility criteria for the Status Resolution Support Services (SRSS) program, that did once provide a safety net for asylum seekers, have made it impossible for them to successfully apply.

Cumberland Council is already aware many people seeking asylum are living in this Council area, and without the work of our charities and support agencies the rates of homelessness and people facing starvation in our community would now be very high. The Salvation Army at Auburn is currently providing free accommodation and weekly food parcels to increasing numbers of vulnerable people since the COVID-19 pandemic started, and people began losing their jobs. We can confirm that the most vulnerable of all, with almost no options for support, are those seeking asylum. Most of these are awaiting an appeal process for their applications, which can take many years.

The Auburn Salvation Army therefore fully supports Councilor Hamed's motion that draws the attention of the community to the plight of these vulnerable members of our community, and specifically asks that the Council call on the Federal Government to provide increased support to people seeking asylum including:

**Access to Medicare**

Income support for asylum seekers who have lost their jobs and access to the JobSeeker Payment for the duration of the pandemic,  
Changing the eligibility criteria for SRSS to provide a safety net for people with no access to work or income

Valid visas – Ensuring visas are speedily renewed during this crisis to ensure people are not left in a situation where they are in the community with no valid visa.

Cumberland Council has always been a community that welcomes people from all nations and strives to create a place of safety and belonging. Your support for our work with vulnerable communities has been outstanding, and we ask that you stand with those on the front-line once again during this unprecedented crisis, and support this motion by Councilor Hamed.

The Federal Government has shown a willingness to introduce measure to protect and support our community and the vulnerable groups within it during this crisis. We are believing and hoping that this campaign, with the support of leading organisations and bodies like Cumberland Council, will lead the Federal Government to extending this support to one of our most vulnerable groups, that live in our community at Cumberland in significant numbers.  
Councilors, help us to ensure no one is left behind,

***Rebecca Langton***

The impact of people seeking asylum being left with no financial safety net will be felt more intensely in Cumberland LGA than in any other community in Australia.  
The Refugee Council of Australia estimates that the Cumberland LGA is home to more people seeking asylum than any other LGA in Australia – at least 10,000 of the national total of 96,952 (as at 31 March 2020)\*

The Federal Government has taken tremendous efforts to ensure people in our communities do not fall through the cracks with the global COVID-19 pandemic.  
However, for people seeking asylum there is no safety net. They are not eligible for the Jobkeeper and Jobseeker packages and cannot access social security payments. The recent drastic cuts to the Status Resolution Support Service, which can provide a basic living allowance for some people seeking asylum, means 95% of people seeking asylum are now no longer eligible for any

form of income support. Many are also excluded from accessing Medicare and the Pharmaceutical Benefits Scheme.

As people seeking asylum lose their jobs due to the economic downturn, there is no safety net whatsoever to prevent them falling into destitution and homelessness, and many are unable to access healthcare through Medicare.

The Refugee Council of Australia calls on Cumberland Council to support the Nobody Left Behind campaign to ensure that the many thousands of people seeking asylum in Cumberland are not left destitute and at risk during the COVID-19 pandemic, the impacts of which will be felt by the entire community.

We ask Cumberland Council to sign on to the open letter from local Councils to the Prime Minister calling for a basic financial safety net for those out of work, access to Medicare, and for Bridging Visas not to be allowed to expire during this crisis period. 22 Councils have signed on to the letter so far nationally, including Canterbury-Bankstown, Ryde, Randwick and Inner West Councils. Mayors of Councils wanting to confirm their support for the letter can do so by completing this form: <https://forms.gle/eTk6HtQ3jNq9zH5bA>

If you wish to discuss please contact Rebecca Langton ([manager@refugeecouncil.org.au](mailto:manager@refugeecouncil.org.au))

\*The Department of Home Affairs does not produce LGA figures for all people on Bridging Visas but does produce quarterly statistics by postcode for people on Bridging Visa E (those who originally arrived by boat). A comparison of postcode and LGA boundaries shows that 13.4% of all Bridging Visa E holders in Australia live in Cumberland LGA (1703 of the national total of 12,742). This represents 36% of all Bridging Visa E holders in NSW and is more than double the second highest total for any LGA in NSW (708 in Canterbury-Bankstown). By comparison, the second ranked LGA nationally is the City of Greater Dandenong in Victoria with 1157 people on Bridging Visa E. Even if just 10% of the 84,210 people seeking asylum on other Bridging Visas are in Cumberland LGA, the local asylum seeker population would exceed 10,000. If asylum seekers on all kinds of Bridging Visas in NSW living in different LGAs are similar to the figures for those on Bridging Visa E, the number living in Cumberland LGA would be around 14,400.

***Chantelle Ogilvie-Ellis***

Dear Council Members,

We welcome the opportunity to make a submission on the proposed motion that Cumberland Council supports the Nobody Left Behind Campaign.

We are leaders of local religious organisations, ethnic communities and community organisations within the Cumberland LGA. In response to COVID-19, we have come together as the Local Organising Team of the Sydney Alliance – a non-partisan civil society coalition which brings together diverse organisations to work for the common good.

As members and leaders within the local Cumberland community, we are proud that our council strives to welcome all people, including those in special need, and support local residents to belong and succeed in Australia.

By supporting the Nobody Left Behind Campaign, Cumberland Council can continue to demonstrate these values and its commitment to the people of Cumberland during the COVID-19 pandemic. People seeking asylum in Cumberland LGA are experiencing crisis and destitution. People seeking asylum are our neighbours and members of our communities. According to the Council's 2018 homelessness report, more than 2700 people seeking asylum on bridging visas live in our LGA. They are part of our faith and diaspora communities, volunteer organisations and community services – and they are currently in grave crisis. This submission includes 4 case studies, which are the stories of our own friends and neighbours.

Since the introduction of work rights for people seeking asylum living in the community in 2014, many people seeking asylum on Bridging Visas have been self-reliant. They have been rebuilding their lives through work, studying and paying taxes, and some have started small businesses which employ other Australians.

COVID-19 has taken away almost all of these jobs. People who were once self-reliant now have no form of income. They're ineligible for all Federal COVID-19 measures, and due to the changes in eligibility for the Federal Status Resolutions Support Scheme the vast majority have no access to any kind of Government income support. They fled persecution in their countries of origin and cannot go back.

They are unable to pay for rent, food, medication. As community leaders, workers and volunteers, we come face to face with this reality when people seeking asylum reach out to us for help as they run out of food, face eviction or are threatened with utility disconnection. We know that they are increasingly reliant on small overstretched charities, mostly run by faith organisations and diaspora communities. These charities are reporting an unprecedented and sustainable demand for support.

There is a hole in our safety net – and it compromises our whole community. People seeking asylum are highly vulnerable to COVID-19. Our recent conversations with experts from the Public Health Association of Australia have confirmed this. Because of their increasing destitution, people seeking asylum need to take whatever work they can regardless of risk; many live in overcrowded and unsanitary living conditions, sleep rough or couch surf. They have a high incidence of other health issues but are less likely to receive medical care. Some have no Medicare, and very few have access to concession rates for medication. Because of a prior history of being turned away, most are unlikely to seek medical help. They are concentrated in areas flagged as a concern for community transmission, particularly in Cumberland LGA.

The example of Singapore shows that when one vulnerable group is neglected, the health of the whole community and the economy is at risk. Federal policy and decision makers have to deal with complex issues and often are not as close to the local and varied situation of communities. It is therefore critical that our Council expresses its concerns in favour of local residents and urges federal authorities to act. While Governments begin to look towards recovery, it is clear that the most vulnerable people in our area will not be able to get back on their feet without support. If support is not forthcoming, they will remain in poverty and destitution for the foreseeable future. In the absence of Federal action, local communities will bear the brunt of the medium and long term impacts of this gap.

We therefore ask our Council to decide in favour of motion C05/20-446 and act in support of people seeking asylum, their communities and friends in Cumberland LGA.

Sincerely

Sydney Alliance Local Organising Team, including:

Fr Peter Blayney and Sister Helen Cunningham - St Patrick's Catholic Church, Guildford

Hava Rezaie – Hazara community leader, Merrylands

Leonie Dyer – House of Welcome, Granville

Thomas Magri – Young Christian Workers, Granville

Richard and Maria Maguire, Unfolding Futures, Wentworthville

Chantelle Ogilvie-Ellis – Sydney Alliance, Merrylands resident

Appendix: Stories from our Cumberland community



**Case study 1, Merrylands: Going without medication**

I am a mother with 2 children. We came to Australia in 2013 as asylum seekers from Iran. My daughter 25 years old and my son is 32. Before COVID-19 I made money cleaning homes. I also volunteered for a Christian Church. Before coronavirus my son working as a painter in building and construction. My daughter was working as a cashier. This year, my daughter and I started studying at TAFE for the first time. Then after one month, we stopped because of coronavirus. During this time, we can't do anything. Now we are just following the rules and the distancing. For all of us, our employers haven't given us all the money that we worked for, but because we don't have a permanent visa we are scared to ask why. My rent is 2 months over due and I have \$1000 in overdue electricity bills over due. I don't receive any money Centrelink so I can't pay. I have anxiety about that. I also have diabetes but I can't afford my medication, or to see a specialist.

**Case study 2, Auburn: "I can't sleep at night and I can't eat"**

I came to Australia by boat from Afghanistan in 2012. I don't have any family here. I have work as a sole trader as a tiler to support myself and to send money to my family in Afghanistan because they need my support.

Before COVID-19 I was working for a tile company for a long time, but during the coronavirus time I was not able to go to work. The owner didn't pay me for my work, which was worth \$27 000. Because I don't have a permanent visa, I couldn't do anything. I can't pay my rent and bills, and owe money for company insurance. Now I can't sleep at night and I can't eat because of all of my problems. I don't have any hope.

**Case study 3: "They are selling their car or their laptop for uni to buy food."**

Najib came to Australia by boat when he was 16. When he first came he studied ESL in high school. After graduating he received a scholarship to study engineering at university. He also worked several days a week to support himself, first in a fibre glass company, and then in IT. In his spare hours volunteered as a student mentor and tutor for international students. "When the pandemic started, my workplace stopped. After 3 weeks they restarted work, but with our shifts cut back. Some weeks I get no work, sometimes I get one day. I've lost around 75% of my income."

As a result, Najib worries about his daily needs. He has been forced to rely on a friend to help pay for rent and food. "I don't really know to explain it, but I feel the stress and the strain on my mental health. I also have to keep up my online classes while trying to work out these difficulties. It's hard to do under pressure. You're always worried about what is going to happen in the next few weeks."

Najib doesn't have Medicare. Every visit to the GP costs \$75, more if tests are needed. He has health conditions that mean he should return to the doctor every two months, but is avoiding going because of the cost. "I can't afford it. I'm just thinking that more important is food and needs for living." "The important thing is that we've been working here for many years, and paying tax toward the Government. I can't return to the country I fled – I am in danger and my family doesn't live there any more. No one I know lives there." "A lot of other people I know on Bridging Visas have lost their jobs. They're hard working people, they saved their money and now they've used it. They are selling their car or their laptop for uni to buy food. Soon they will run out of things to sell."

**Carolina Gottardo**

JRS Australia makes the following submission in support of all three components of motion CO5/20-446 put forward by Councillors Ola Hamed and George Campbell, pertaining to the Refugee Council of Australia (RCOA)'s Nobody Left Behind Campaign.  
People seeking asylum are in need

According to Cumberland Council's 2018 report into homelessness, there were 2,763 people seeking asylum on Bridging Visa Es (BVEs), living within the LGA. Recent figures show that this number has not changed significantly. There is now also a much larger population of people seeking asylum on Bridging Visa As (BVAs) in NSW, some of whom are likely reside in Cumberland LGA.

JRS Australia works with approximately 3,700 people seeking asylum and migrants in vulnerable situations in Western Sydney (on 2019 figures), including a significant proportion who live in Cumberland LGA.

Broadly speaking, we are witnessing the following trends in impact:

People are losing permanent and casual employment without access to any form of Federal Government safety net (JobKeeper, JobSeeker, or SRSS) or State government relief packages and cannot return home because their protection claims are still being assessed.

Predominantly casual employees are being stood down, or having shifts reduced to a point where they cannot pay rent, or for other basic expenses.

Clients are re-presenting to JRS after 5 years of independent living in the community.

A greater number of people are sleeping in overcrowded dwellings or sleeping rough in particular geographical areas of Western Sydney. There are significant, accompanying risks of cluster outbreaks.

These increases come despite a so-called moratorium on evictions. Some landlords are continuing to demand rent, and many people fear of accruing arrears for repayment at a later date. Many are already in significant debt due to loans taken to pay migration agents, or money owed to brokers in countries of origin. People without access to Medicare/PBS are missing out on diagnosis, treatment of other ailments, and cannot afford pharmaceuticals. There are accompanying fears of presenting at hospitals for fear of having to pay up front or for fear of re-detention if reported to DHA.

Through JRS Australia's 'Finding Safety' service, there is anecdotal evidence of an increase in calls from women who feel at greater risk of being harmed in their homes (DV/FV). This is exacerbated by situations in which perpetrators are with the victim 24/7, and experiencing increased stressed and anxiety themselves. Access to DV refuges for women on temporary visas is harder than ever. Case work/counselling phone conversations involving the words 'hopelessness' or explicit expressions of suicidality have grown significantly. Charities are trying to cope, but systemic reform is required

Demand for JRS Australia's food, emergency financial relief, and casework services have grown significantly in the last few weeks. Some of the key statistics are as follows:

Approximately 35% of people employed through our program in the last two years – 74 people - have lost jobs in the last 4 – 6 weeks. The number of phone calls from people who are food insecure (generally in need of a food bank parcel in the same week), who cannot make a rental payment, are in rental arrears, or need psycho-social support has increased by 120%.

160 people were on our phone wait-list as of last Friday.

90% of phone conversations include sentiments expressing 'hopelessness' or 'suicidality.'

Demand for food services has doubled in the last month. Now delivering to approximately 670 people per week. Total numbers are growing each week.

Roughly 45% of the households receiving food parcels from JRS are living in the Cumberland LGA.

Our monthly ER financial budget tripled in March 2020, and ran out in two weeks.

Charities such as JRS Australia will continue to support people on the frontlines, but ultimately it is federal government policy that will ensure that people seeking asylum are health, safe, and independent in this time.



The asks of the Nobody Left Behind campaign, if implemented, would ensure that people seeking asylum around the country have some form of financial support if they cannot find work, can access adequate and safe medical care where required, and have the foundation of legal status (noting that Bridging Visas are often not recognised or valued by employers and landlords) to sign leases, and apply for official employment.

#### Case studies

Niraj\* came to Australia in 2019 and sought protection. In January 2020, Niraj found employment at a restaurant in regional NSW. He relocated to the regional area about an hour away from Sydney and found a place to live there. On 25 March 2020, he was told that the restaurant was closing down indefinitely and that he would no longer be required to work.

Niraj has approximately \$40 in savings, and his fortnightly rent of approximately \$350 was due last week.

JRS Australia does not have money in its emergency relief (ER) budget to support Niraj with ongoing rental payments, given that our priority is families with young children. Niraj is relying on his landlord to delay rental payments by a week so that he can borrow the required money, and collect a bit of money as an Uber Eats delivery bicyclist.

#### Case study 2:

Mazhar, Nadira, and Khubra came to Australia late last year, and then applied for protection. They contacted JRS Australia soon after in severe financial hardship. They were four weeks behind on rent and on the cusp of being homeless. After an assessment, JRS Australia began supporting the family to pay their rental arrears, but they were nonetheless evicted. Mazhar found casual work in a factory earlier this year and the family informed JRS Australia that they no longer needed any support.

The family also managed to sign a short-term lease on a rental property in Western Sydney. In mid March, Mazhar lost his job and the family contacted JRS Australia again for support. All three family members were experiencing suicidal ideations and a number of mental health crisis calls were made, as well as referrals for longer-term community mental health support. The family still do not have any source of income and are getting by on food bank handouts, emergency relief payments, and odd bits of money from neighbours.

The family has an eviction notice for early April 2020 that has not yet been withdrawn. Because the parents have work rights, and the father cannot produce sufficient evidence of his inability to work, they are ineligible for the Status Resolution Support Service (SRSS).

#### Case study 3:

Rahmatullah came to Australia and sought protection in 2012. He spent three years and was released into the Australian community in 2015. Rahmatullah suffers from complex Post-Traumatic Stress Disorder (PTSD), bipolar disorder, kidney disease, and osteoarthritis.

Rahmatullah's application for protection has been rejected at the primary stage, and at the Immigration Assessment Authority (IAA). Rahmatullah did not lodge an application for judicial review because he was hospitalized for three months at the time and unaware of his right to lodge. Rahmatullah lodged an application for Ministerial Intervention into his case in late 2019, and is awaiting an answer. Rahmatullah is homeless.

He does not have any form of bridging visa, nor does he have Medicare. He has stopped seeing a GP because he cannot afford the fees, and does not take all of his pre-existing medication because he does not have prescriptions, nor access to the PBS in order to be able to afford all of his medicines.

Rahmatullah avoids going to the hospital because he is afraid that Australian Border Force may be made aware of his presence at a health facility without a valid visa and re-detain him.

**Case study 4:**

JRS Australia has been working with a young family of five for a number of years. Nazia\*, the mother has experienced serious domestic violence in the past. On the occasions she has attempted to leave, she hasn't been able to find a spot in a refuge or has reneged, worried about the consequences for her immigration status. Nazia's\* protection visa application is tied to that of her husband, who is also the perpetrator.

JRS Australia has been told on multiple occasions that the family is not eligible for SRSS support because of their 'finally determined' status (that is, their application for protection has been twice rejected by the Department and the AAT).

Nazia's husband has lost his job due to COVID-19, and the family is under immense financial pressure to meet their rental obligations and to buy necessities such as nappies. JRS Australia is concerned that Nazia and her children are at greater risk of DV because her husband is now home all of the time, and is increasingly anxious.

**Written Submissions on General Items**

***Sharlyn Teo***

My question relates to Long Day Care -

- a) In light of the fact that a recruitment chill was put in place by council in July 2019, and that has impacted upon the replacement of staff that have left or gone on leave. How many positions are currently vacant where the staffing ratios are being covered by casuals?
- b) Has council ever discussed or is in discussions about the privatisation or outsourcing of the Long Day Care Centres.

***Michael McGowan***

Can you please explain why your financial report for FY2019 shows a marked difference (\$88,000 loss) to the FY20 projected \$7million loss - and how this \$7million figure has been calculated.

- in an email from Richard Sheridan (as attached) he says "Currently we are not achieving full cost recover as the net loss is \$7m per annum"
- This \$7mil loss looks to be for the entire Childrens services program, and long day care is a small part of this program and accounts for a small portion of the loss.
- Is long day care being made to wear some of the losses of the other Children's services program. Can you break down the loss?
- In your report C02/20-366 Attachment 2 Service Unit Reports. from your meeting on 19 February - you have an expense line called "internal costs" for the amount of \$2.899 million - what do these charges relate to? This charge looks not included in the 2019FY financial statement for long day care. Can you please explain why this cost is now being allocated against other departments?
- Regarding report C02/20-366 Attachment 2 Service Unit Reports.

Why does the section for "Finance & Governance" have a significant negative expense for internal

charges, whilst every other department have significant costs? Is this an internal charge transfer for Council services? If so, what basis has been used to identify how these costs are calculated, and why is this not shown as income?

***Margaret Romeo***

Careforkids.com.au was used as a comparison for childcare in a 2019 Cumberland Council meeting - Item No: C11/19-267 – and I quote:

"The 'Care for Kids' website reports that the average cost of Long Day Care in Cumberland is approximately \$101 per child per day before subsidies (See: <https://www.careforkids.com.au/home/childcarecosts>). Therefore, Council is currently charging below the industry average for the Cumberland Local Government Area."

This was used to establish that Cumberland Council were undercharging for their Childcare services, and increased fees in January 2020.

I visited this website [www.careforkids.com.au](http://www.careforkids.com.au) on 19 May 2020 and the result reflected that you should be expecting to pay \$101.75 per day for a child.

How does the Director of Community Development justify the increase of the cost of long day care to the point where the largest increase will make the 0-3 room in Pemulwuy Children's centre 15.2% more expensive than the average cost?



Item No: C06/20-462

## **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL - 27 MAY 2020**

Responsible Division:

Finance & Governance

Officer:

Director Finance & Governance

### **RECOMMENDATION**

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**That Council confirm the minutes of the Extraordinary Meeting of Council held on 27 May 2020.**

### **ATTACHMENTS**

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1. Draft Minutes - 27 May 2020 - Late Attachment [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C06/20-462

Attachment 1  
Draft Minutes - 27 May 2020 -  
Late Attachment





Placeholder for Attachment 1

# Minutes of the Extraordinary Meeting of Council - 27 May 2020

## Draft Minutes - 27 May 2020 - Late Attachment 0 Pages



Item No: C06/20-463

## EMERGENCY RELIEF FUND APPLICATIONS

Responsible Division: Community and Organisation Development  
Officer: Acting Director Community and Organisation Development  
File Number: SC619  
Community Strategic Plan Goal: *Transparent and accountable leadership*

## SUMMARY

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The Emergency Relief Fund was established in May 2019 to provide financial support to the community at any time for donations to fundraising appeals that respond to crisis or disaster situations, or for new community-led initiatives that address an emerging or unexpected community need where action is time critical.

This report presents four new applications received for the consideration of Council.

## RECOMMENDATION

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**That Council adopt the one application recommended for funding as outlined under attachment 1 of this report and allocate \$3,819.50 from the 2019/20 Emergency Relief Fund to support vulnerable community members affected by the COVID-19 pandemic.**

## REPORT

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### ***Background***

At the Ordinary Meeting of Council held on 20 May 2020, Council resolved to defer the determination of the Emergency Relief Fund applications presented for consideration “until COVID-19 restrictions are eased for Council to consider the matter thoroughly” (2020 Min. 685 C05/20-429).

However, prior to 20 May 2020, four additional applications had been received from local community organisations that were seeking donations for community initiatives to support vulnerable community members impacted by COVID-19.

In accordance with the Emergency Relief Fund Guidelines, applications are assessed in accordance with the *Community Grants and Donations Policy* and established Emergency Relief Fund criteria and reported to Council for consideration.

### ***Funding Priorities and Eligibility Criteria***

Not for profit organisations including registered charities and auspicing organisations

are eligible to apply, with priority given to organisations located within the Cumberland Local Government Area or providing services to residents of Cumberland.

Requests for financial assistance under the Emergency Relief Fund will typically constitute one-off financial assistance for donations to fundraising appeals that respond to crisis or disaster or for new community-led initiatives that address an emerging or unexpected community need where action is time critical.

Applicants can apply through two funding streams: *Donations to Fundraising Appeals* or *Community Initiatives*.

### ***Application Process***

In accordance with the Guidelines, submitted applications were assessed internally for eligibility and conformance with the assessment criteria.

### ***Applications Received and Assessment Outcomes***

Three of the four applications received, were deemed ineligible. One application is recommended for funding. The schedule provided in Attachment 1 provides a summary of the assessment outcomes.

## **COMMUNITY ENGAGEMENT**

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Information about the Cumberland Emergency Relief Fund is available on Council's website and open all year round.

Council will notify the applicants of the outcome of their applications.

## **POLICY IMPLICATIONS**

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The *Community Grants and Donations Policy* outlines the framework under which grants and donations made by Council to the community are governed.

The Policy ensures Council meets legislative requirements prescribed in Section 356 of the *Local Government Act 1993*. All applications submitted under the Emergency Relief Fund have been assessed in accordance with this Policy and the Emergency Relief Fund Guidelines.

## **RISK IMPLICATIONS**

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If funded, the successful applicant will be required to enter into a Financial Assistance Agreement with Council and meet all requirements of project delivery, reporting and acquittal.

## **FINANCIAL IMPLICATIONS**

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There is a total of \$20,000 remaining in the 2019/20 Emergency Relief Fund budget to fund the application recommended for funding (\$3,819.50) with \$16,180.50 remaining available for the remainder of the financial year, should Council resolve to endorse the application covered in this report.

## CONCLUSION

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The Emergency Relief Fund was established to provide financial support to the community at any time for community initiatives and donations to fundraising appeals that respond to crisis and address an emerging or unexpected community need where action is time critical.

The application recommended for funding supports local community-led initiatives and provides a direct benefit to vulnerable residents of the Cumberland LGA impacted by COVID-19.

## ATTACHMENTS

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1. Schedule of Applications Received - Emergency Relief Fund [↓](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT C06/20-463

Attachment 1

Schedule of Applications  
Received - Emergency Relief  
Fund





Schedule of Applications – Emergency Relief Fund – 3 June 2020

**Schedule of Applications: Emergency Relief Fund**

Applicant	<i>Cerebral Palsy Alliance</i>	<i>Zen Tea Lounge Trust</i>	<i>Refugee Advice &amp; Casework Service</i>	<i>Little Wings</i>
<b>Project Category</b>	Community Initiatives	Community Initiatives	Community Initiatives	N/A (Applicant did not select a category).
<b>Amount requested</b>	\$3,819.50	\$5,000	\$46,800	\$5,000
<b>Need identified</b>	Seeking funding to purchase digital packs (comprising of tablet, screen protector and durable case) for 18 clients who reside in Cumberland area to help them remain active and connected to their family and friends through online care, support and interaction in response to COVID 19 and the restrictions put in place.	Seeking funds to purchase a freezer (\$2000) and a sealing/packaging machine (\$3000) to allow the roll out of a new pre-packaged food line, provide work for trainees, and generate the funds to operate DV awareness and intervention programs.	Seeking funds to pay for Emergency Interpreting Services to deliver critical legal services to People Seeking Asylum and refugees.	Seeking funds to assist with the recruitment, training, support, uniforms and personal expenses to assist in increasing their volunteer pool from the area (all drivers and pilots are volunteers); of whom approximately 25% stem from the Cumberland local government area, to provide emergency medical transport.
<b>Recommendation</b>	Application meets the Community Initiatives stream of the funding guidelines and provides a one off financial donation addressing a community need for vulnerable residents of the Cumberland LGA impacted by COVID-19.	Application has been deemed ineligible for funding due to application for funds are to support operational expenses of organisation.	Application has been deemed ineligible for funding due to application for funds are to support operational expenses of the organisation; and have applied for amount above the cap.	Deemed ineligible for funding due to application for funds are to support operational expenses and because only 25% of those benefiting from the funds are from the Cumberland LGA.
<b>Comments</b>	Application meets the funding guidelines and responds to an urgent and increased need for emergency assistance for vulnerable residents of the Cumberland LGA impacted by COVID-19.	Application does not meet the funding guidelines.  Applicant will be provided with information about eligible business COVID-19 grants that organisation may be able to apply for. Referral will be made for ongoing support and connection by Council's Business Engagement Coordinator and with local DV network supports.	Application does not meet the funding guidelines.  Applicant will be provided with information about other grant opportunities they may be eligible to apply for and connected with Council's Grants Team.	Application does not meet the funding guidelines.  Applicant has been given details for other grant opportunities they may be eligible to apply for and connected with Council's Grants Team.



Item No: C06/20-464

## REVIEW OF MAYORAL COMMUNITY FUND GUIDELINES

Responsible Division: Finance & Governance  
Officer: Director Finance & Governance  
File Number: SC483  
Community Strategic Plan Goal: *Transparent and accountable leadership*

## SUMMARY

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This report recommends that the *Mayoral Community Fund Guidelines* be re-adopted following a review process undertaken.

## RECOMMENDATION

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**That Council re-adopt the *Mayoral Community Fund Guidelines*.**

## REPORT

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The Cumberland City Council Mayoral Community Fund provides financial support to applicants for deserving or worthy causes that support positive community outcomes in Cumberland. In addition, the fund also outlines circumstances whereby an applicant can apply for support where their request is of great urgency or will miss the regular round of the community grants process.

Requests for financial assistance under the Mayoral Community Fund will typically constitute one-off financial assistance to an individual or organisation for a cause considered to be worthy and of benefit to the Cumberland community. This may include, but is not limited to, contributions for welfare support, community fundraising initiatives, venue hire fees, or a contribution towards a community based activity or event.

The *Mayoral Community Fund Guidelines* (Attachment 1 to this report) have been reviewed and is recommended for immediate re-adoption. No changes are proposed.

## COMMUNITY ENGAGEMENT

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Given the *Mayoral Community Fund Guidelines* are proposed to remain unchanged, it is recommended that they be re-adopted by Council.

## POLICY IMPLICATIONS

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The guidelines if re-adopted will be updated in Council's Policy and Guidelines Register, and will rescind and supersede the existing version of the Guidelines.

## RISK IMPLICATIONS

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This report has been prepared to address the minor or low risk of having operative guidelines in place after the anticipated review date. This report ensures that an appropriate review of the guidelines has taken place to ensure currency and relevance of information.

## FINANCIAL IMPLICATIONS

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The Mayoral Community Fund is currently budgeted within the adopted Council budget.

## CONCLUSION

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The *Mayoral Community Fund Guidelines* have been reviewed in accordance with their stated review date and are recommended for re-adoption.

## ATTACHMENTS

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1. Mayoral Community Fund Guidelines [↓](#) 

DOCUMENTS  
ASSOCIATED WITH  
REPORT C06/20-464

Attachment 1  
Mayoral Community Fund  
Guidelines





CUMBERLAND  
CITY COUNCIL

# MAYORAL COMMUNITY FUND GUIDELINES

## AUTHORISATION & VERSION CONTROL

<b>Guideline Number</b>	GLD-001
<b>Guideline Owner</b>	Director Finance & Governance
<b>Date Adopted</b>	
<b>Version No</b>	2.0
<b>Document ID</b>	
<b>Review Date</b>	

## PURPOSE

The Mayoral Community Fund Guidelines provide a defined process by which financial assistance can be provided to the community on request by the Office of the Mayor.

## SCOPE

The Mayoral Community Fund Guidelines apply to all requests of financial assistance from the Office of the Mayor. Council is to ensure that it complies with section 356 of the *Local Government Act 1993* which states that:

- “(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days’ public notice of the council’s proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if:*
- (a) the financial assistance is part of a specific program, and*
  - (b) the program’s details have been included in the council’s draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) the program’s proposed budget for that year does not exceed 5 per cent of the council’s proposed income from the ordinary rates levied for that year, and*
  - (d) the program applies uniformly to all persons within the council’s area or to a significant group of persons within the area.”*

The Mayoral Community Fund is typically for one-off requests for financial assistance that benefit the Cumberland community but do not meet the detailed guidelines of the Cumberland Community Grants Program. This may include consideration of requests that do not align with the timing of the Community Grants Program funding rounds, where supporting evidence is provided to demonstrate the urgency of the application.

The Mayoral Community Fund is one of three financial assistance programs provided by Council and governed by the *Community Grants and Donations Policy*.

## GUIDELINES

### Funding

\$30,000 is available annually at the discretion of the Mayor within the adopted Council budget. Three program streams are available. A maximum of \$5,000 per request applies.

For purposes of equity, a cap of \$500 is generally provided on applications to support individuals applying under the Community Representative stream to avoid duplication with Council’s Community Grants Program.

### Eligibility

The following are eligible to apply:

- A not for profit organisation
- A charity

- An individual

Requests for financial assistance under the Mayoral Community Fund will typically constitute one-off financial assistance to an individual or organisation for a cause considered to be worthy and of benefit to the Cumberland community. This may include, but is not limited to, contributions for welfare support, community fundraising initiatives, venue hire fees, or a contribution towards a community based activity or event.

Councillors, Council staff and their immediate families (parent, spouse, partner or children) are ineligible to apply for funds.

Requests for donations to fundraising appeals or new community led initiatives that address an emerging or unexpected community need where action is time critical will be considered under the Emergency Relief Fund.

### **Funding Programs**

Applicants can apply through the following three funding programs:

- **Community Support:** The project/initiative supports the wellbeing of resident(s) of the Cumberland community, including severe hardship requests.
- **Community Initiatives:** The project/initiative delivers positive social, economic, cultural, recreational or environmental benefits to resident(s) of the Cumberland community.
- **Community Representation:** The project/initiative aims to build a positive profile of Cumberland and/or support an individual, group or organisation to represent the Cumberland LGA or community.

Applications for funding must demonstrate a clear link to the program applied under.

### **Ineligible Applications**

The following applications are considered ineligible for funding under the Mayoral Community Fund. Applications received that:

- Support the operational expenses of an organisation
- Are in support of political events or programs
- Are from any government organisation or agency or school
- Do not provide a direct benefit to resident(s) of the Cumberland LGA
- Are eligible to be funded through another Council grant or funding program, unless supporting evidence is provided detailing the urgency of the request
- Are a duplication of Council's current programs, events or service offerings
- Are from an organisation that has not met the reporting requirements or conditions of their financial assistance provided by Council
- Are from an organisation that has a current debt with Council.

### Requesting Funding

Requests for funding may be made by submitting a completed Mayoral Community Fund Application Form to Council by:

Email: [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au)

In writing: The Office of the Mayor, Cumberland City Council, PO Box 42, MERRYLANDS NSW 2160

Some funded activities may have additional requirements such as proof of insurance, evidence of financial hardship through a copy of a Centrelink issued Health Care Card or Pensioner Card.

In cases of severe hardship, the Mayor can instigate an application of support.

### Assessment Process

Applications will be assessed by a panel in accordance with the *Community Grants and Donations Policy* and the established criteria outlined in these Guidelines.

The panel will assess the eligibility of each request and make a final recommendation to the Mayor. The Mayor may consult fellow councillors on a case by case basis. The final decision to approve funding is at the discretion of the Mayor.

### Conditions of Funding

By submitting a request, the following conditions are agreed to:

- Where the project is of an ongoing nature, Council will not be responsible for recurrent costs or ongoing maintenance.
- Only one successful application per applicant will be granted through the Mayoral Fund per financial year.
- Council funding may be used in conjunction with funding from other sources (outside Council) provided that such funding is disclosed at the time of request to Council.
- Funding must be used for the purpose for which it is granted.
- Projects must acknowledge Cumberland City Council as the funding body in the activity. The use of the Council approved logo is required in any promotional activity or signage related to the funded project, and the requester acknowledges this assistance as below on media releases, invitations, posters, signs, digital channels such as website and any other suitable communications. Requestors give permission for Council to use their name, value of support offered and intended use of funds for any reporting or promotion purposes the General Manager deems appropriate.
- Should the project not proceed, all funds are to be returned to Council.

### Funding Requirements

Successful applicants must provide compulsory information to Council within four weeks of notification of a successful application. Should Council not receive the information at the end of this period, funds will be forfeited, unless an extension is granted to the applicant in writing.

All recipients of funds will be required to account for funds provided as follows:

- For funding up to \$1,000 – provide a letter confirming the funds have been spent in accordance with the approved Mayoral Community Fund request.
- For funding over \$1,001 – complete and submit a Mayoral Community Fund expenditure form provided by Council. The form will require information such as how the funds were spent, income and expenditure statements and/or supporting receipts/invoices. A statutory declaration may also be required to be completed.

In both cases, Council encourages the provision of photos of the finished project and any other information relevant to the funding provided by Council.

Failure to lodge a letter or an expenditure form will affect eligibility for future Mayoral Community Fund requests.

### **Reporting Requirements**

Council's Director Finance & Governance will maintain appropriate records of all applications approved under this fund.

All Mayoral Community Fund expenditure will be reported to Council quarterly as part of Council's Operational Plan update, as well as be listed in Council's Annual Report.

A register will be maintained on Council's website of approved applications under the Mayoral Community Fund for the current and previous financial year.

### **RELATED LEGISLATION**

- Section 356 of the *Local Government Act 1993*.

### **RELATED DOCUMENTS AND COUNCIL POLICY**

- Cumberland City Council Community Strategic Plan
- Community Grants and Donations Policy
- Community Grants Program Guidelines
- Emergency Relief Fund Guidelines



Item No: C06/20-465

## DRAFT COMPANION ANIMAL POLICY

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: SC120-02  
Community Strategic Plan Goal: *A safe accessible community*

## SUMMARY

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This report recommends the adoption of the *Draft Companion Animal Policy* following a period of public exhibition.

## RECOMMENDATION

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**That Council adopt the *Draft Companion Animal Policy* as attached.**

## REPORT

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At the Ordinary Meeting of 4 March 2020, Council resolved the following (C03/20-390 Min. 944):

*“That Council:*

- 1. Place the Draft Cumberland City Council Companion Animals Policy on public exhibition for a period of 28 days.*
- 2. Receive a further report on submissions received and any amendments proposed, prior to adoption of a Cumberland City Council Companion Animals Policy.”*

## Consultation Outcome

The *Draft Companion Animals Policy* was placed on public exhibition from 17 March 2020 to 17 April 2020, on Council’s “Have Your Say” community engagement website and in local newspaper publications.

During this period, Council recorded 54 visits to the ‘Have Your Say’ website, with 15 people downloading the *Draft Companion Animal Policy*.

A total of 4 submissions were received, with most comments relating to grammatical or content suggestions. A summary of those comments and Council’s response is outlined in Attachment 2 of this report.



In consideration of these comments and no overarching objection being raised to the implementation of the *Draft Companion Animal Policy*, it is now recommended that the document be adopted as provided in Attachment 1.

## COMMUNITY ENGAGEMENT

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Council placed the *Draft Companion Animal Policy* on public exhibition as detailed within the body of this report, with the 4 submissions received being responded to. Each community member who made a submission, was also notified that further consideration of this item would take place at the 3 June 2020 Council Meeting.

## POLICY IMPLICATIONS

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There are no other policy implications for Council associated with this report.

## RISK IMPLICATIONS

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There are no risk implications for Council associated with this report.

## FINANCIAL IMPLICATIONS

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Adoption of this Draft Policy will permit Council to utilise the services of local veterinary clinics in attending to a feral cat, which is anticipated to reduce Council's current expenditure in addressing this issue.


## CONCLUSION

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Council has publicly exhibited the *Draft Companion Animal Policy* and formally responded to all who made a submission. The Policy is now recommended for adoption.

## ATTACHMENTS

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1. Draft Companion Animal Policy [↓](#) 
2. Submissions Draft Companion Animal Policy [↓](#) 

**DOCUMENTS  
ASSOCIATED WITH  
REPORT C06/20-465**

**Attachment 1  
Draft Companion Animal Policy**





# COMPANION ANIMALS POLICY

## PURPOSE

Cumberland City Council values pet ownership and is committed to encouraging responsible pet ownership to benefit the entire community, including the welfare of the pets within. Council appreciates that companion animals can promote the health and happiness of owners and of those who come in contact with the animals. While most pet owners are responsible, certain owners do not behave responsibly including the effective control of their animals. This can cause conflict within the community, particularly in open space areas where there may be competing uses.

## SCOPE

This policy applies to dogs and cats only.

### The Companion Animals Act 1998

The *Companion Animals Act 1998* ('the Act') addresses the rights and responsibilities of companion animal owners. The aim of the Act is to protect the rights and responsibilities of animals and their owners, in balance with the rights and responsibilities of others within the community.

Under the Act, there is a requirement for permanent pet identification and lifetime registration, to ensure that a pet can be returned home in the event that is injured, lost or stolen. Other matters covered by the legislation include Council's regulatory powers in relation to the control of cats and dogs, off leash areas in public open space, dangerous dogs, restricted breeds, seized animals and assistance animals for people with a disability.

## DEFINITIONS

**Authorised Officer** - An employee of Cumberland City Council authorised to perform regulatory functions for the purposes of the *Companion Animals Act 1998 (NSW)*.

**Cat** – Means an animal of the species *Felis catus*

**Companion animal** – Means each of the following:

- a) A dog,
- b) A cat,
- c) Any other animal that is prescribed by the regulations as a companion animal

**Council pound** – Means each of the following:

- a) A public or private pound established by a Council under the *Impounding Act 1993*, or

Council Policy  
Companion Animals

- b) Any other place approved by a Council as a place for the holding of animals for the purposed of this Act (*Companion Animals Act, 1998*)

**Dog** - Means an animal (of either sex, or desexed, and whether or not domesticated) of a species with the scientific name *Canis familiaris*, *Canis lupus familiaris*, *Canis lupus dingo*, *Canis familiaris dingo* or *Canis dingo*, or a synonym of any of those names, and including a hybrid of any of those species.

**Dangerous dog** - a dog for the time being the subject of a declaration by an Authorised Officer of a council or a court under the *Companion Animals Act 1998 (NSW)* that the dog is a dangerous dog.

**Dog attack** - the act of a dog rushing at, attacking, biting, harassing or chasing any person or animal (not vermin), whether or not any injury is caused to the person or animal.

**Menacing dog** - a dog for the time being the subject of a declaration by an Authorised Officer of a council under section 34 (1A) or a court under section 45 (1A) of the *Companion Animals Act 1998 (NSW)* that the dog is a menacing dog.

**Nuisance cat** - a cat is a nuisance if the cat:

- (a) makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
- (b) repeatedly damages anything outside the property on which it is ordinarily kept.

**Nuisance dog** - a dog is a nuisance if the dog:

- (a) is habitually at large, or
- (b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
- (c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
- (d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
- (e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
- (f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.

**Restricted dogs** - The following dogs are restricted dogs for the purposes of the *Companion Animals Act 1998 (NSW)*:

- (a) American pit bull terrier or pit bull terrier,
- (b) Japanese Tosa,
- (c) Dogo Argentino,
- (c1) Perro de Presa Canario or Presa Canario,
- (d) Fila Brasileiro,
- (d1) any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901 (Cth)*,

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- (e) any dog declared by an Authorised Officer of a Council under Division 6 of this Part to be a restricted dog,
- (f) any other dog of a breed, kind or description prescribed by the *Companion Animals Regulation 2018 (NSW)*.

**Off-Leash Area** - A public place that is declared to be an off-leash area by order of council.

**Veterinary practitioner** – has the same meaning as in the *Veterinary Practice Act 2003*.

## POLICY STATEMENT

Cumberland City Council recognises that effective management of domestic pets needs a balanced approach, due to the significant social and health benefits of pet ownership. The Cumberland City Council Companion Animals Policy intends to achieve this by:

- Implementing, wherever possible, a 'low kill' position and working in conjunction with the veterinary practitioners and animal holding facilities to achieve this.
- Promoting the importance of companion animals to the wellbeing of people living in an urban environment and encouraging responsible pet management.
- Promoting responsible pet ownership through education, information and encouraging pet owners to register, microchip and desex their cats and dogs.
- Reducing the number of lost and wandering cats and dogs by educating pet owners about the importance of identifying, registering and maintaining control of their animals
- Meeting the requirements of the *Companion Animals Act 1998 (NSW)* in relation to dogs which may be considered a nuisance, menacing, or dangerous, as well as restricted dogs.
- Identifying, promoting, and assessing the suitability and sufficiency of off-leash parks and open space areas for dog exercise relative to continuing changes in population demographics.
- Monitoring compliance with the *Companion Animals Act 1998 (NSW)* and *Companion Animals Regulation 2018 (NSW)*, and using enforcement sanctions where appropriate.

## PRINCIPLES

This policy has been developed with reference to the *Guideline on the Exercise of Functions under the Companion Animals Act* issued by the Department of Premier and Cabinet (NSW).

## REQUIREMENTS

### 1. COMMUNITY EDUCATION STRATEGY

Education and awareness of pet and non-pet owners is the key to achieving responsible pet ownership and community harmony. Council will implement ongoing, effective, and community sensitive education strategies to encourage and reinforce responsible pet ownership.



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Council Environmental Protection Officers are the 'front line' of this community education strategy. Council Environmental Protection Officers will raise awareness of the responsibilities including but not limited to legislative requirements, penalties and incentives of pet owners with regard to their pets, raise awareness of the importance and benefits of pet ownership, particularly to non-pet owners and inform non-pet owners (particularly children and their parents) about animal behaviour.

**Council Environmental Protection Officers will educate and inform the community about responsible pet ownership through:**

- Regularly monitoring parks and talking to pet owners, providing information about responsible pet ownership and their obligations under the Act;
- Effectively promoting park signage, particularly in off-leash areas;
- Providing information on Council's website and at community events;
- Providing information materials at Council's Customer Service Counter on responsible pet ownership.

## **2. REGISTRATION AND MICROCHIPPING OF DOGS AND CATS - NSW COMPANION ANIMALS REGISTER**

Dogs must be registered by 6 months of age and cats must be registered by 4 months of age. Cats and dogs must both be microchipped by 12 weeks of age.

Compliance with the above requirements assists Cumberland City Council (and other councils) in returning pets to their owners in the instance of a pet becoming lost, hurt or stolen. It is therefore imperative that animal owners also update the Companion Animal Register should any registration details change.

- For more information on pet registration, including registration fees, refer to the **Microchipping & Registration page of the Office of Local Government website.**
- Change of Owner/Details and Change of Address Forms can be obtained from **Council's website and the Office of Local Government website.**

## **3. LOST, SEIZED AND SURRENDERED PETS**

Council understands how distressing losing a pet can be and therefore attempts to locate owners for return of the animal as soon as possible. Under legislative obligations however, Council will provide owners 14 days to claim a registered pet, or 7 days to claim an unregistered pet before re-homing options are considered.

It is Council's preference to return all unaccompanied pets home safely to their owners rather than impound an animal, however this approach is only successful if the animal is micro-chipped and the registration details are up to date.

## **4. DE-SEXING**

Desexing helps to reduce aggressive behaviour in animals, thereby assisting owners with control requirements. It is therefore preferable that pets be desexed, unless they are intended for breeding.



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Desexing is also recognised to assist in reducing the number of abandoned companion animals and serves to prevent unnecessary suffering of unwanted animals.

The Office of Local Government has introduced from 1 July 2020, owners of cats that are not de-sexed by 4 months of age will be required to pay an annual permit fee in addition to the one-off lifetime pet registration fee. Exemptions will be in place for cats that are registered before 1 July 2020, and for cats kept for breeding purposes by members of recognised breeding associations.

## 5. NUISANCE ANIMALS

Residents may contact Council to report nuisance animal issues. Wherever possible, complaints will be followed up by Cumberland City Council Environmental Protection Officers within 24 hours.

Residents who lodge a nuisance animal complaint may also be asked to complete an Animal Nuisance Kit. This information assists Council in the collection of evidence, which may be required in the event that the owner of the nuisance animal fails to take steps to abate the nuisance (e.g. persistent noise from a barking dog).

Should a dog repeatedly make noise (e.g. barking), cause damage, or chase people/ animals/vehicles, Council can issue a Nuisance Order. A nuisance Order remains in force for six (6) months. If during this time the owner then fails to stop the animal causing a nuisance, they are in breach of the order and may incur a penalty.

In responding to community concerns, it is acknowledged that persistent dog barking can be a neighbourhood nuisance caused by boredom, lack of exercise and stimulation, or confinement to an inappropriately small space. To address dog barking, Council will pursue positive and proactive approaches such as providing off-leash areas for dogs to socialise, community education and training for dog owners.

A cat may also be declared a nuisance if it persistently makes noise that unreasonably interferes with the wellbeing of neighbours or if it repeatedly damages the property of others.

## 6. CONTROL OF DOGS

An unrestrained and/or unsupervised dog in a public space can be a danger to other people and animals. There are penalties for unleashed dogs and dogs that attack, bite, harass, chase or rush at a person or animals.

### 6.1 Off-leash areas

Off-leash exercise helps to relieve boredom in animals by allowing an outlet for pent up energy, particularly where an animal may be confined to indoor or small spaces. Regular off-leash exercise may also reduce incidences of unacceptable nuisance behaviour, such as uncontrolled barking.

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The use of public parks must however be managed in partnership with other park users, including cyclists, children at play, recreational walkers, and picnickers. To maximise opportunities for off-leash exercising and the socialising of dogs, Council has designated off-leash park and open space areas.

**Council's off-leash areas are:**

- Hampden Road Reserve- 8 Hampden Road, South Wentworthville
- Dirrabari Reserve Pemulwuy
- Gardenia Parade Park, Greystanes
- Coleman Park - Lidcombe Nottingham Road Berala
- Webbs Avenue Park - Auburn
- Wyatt Park Church Street, Lidcombe
- Little Duck Creek Reserve – Wolseley Street, Guildford
- Scout Memorial Park – Glen Street, Granville

Even though dogs are permitted off leash in these areas, owners are required by the Act to have effective control of their animals at all times (e.g. by using voice commands). This ensures the safety of the animal, other dogs and people. **Because of this requirement, Council does not provide fencing in all designated off-leash areas.**

In wishing to facilitate a positive experience for Cumberland residents, Council will aim in the first instance to provide education and information to dog owners regarding on-leash/off-leash areas and prohibited public spaces. Fines will however be issued for non-compliance with any direction given.

In order to respond to the changing needs of the Cumberland community, Council will regularly review the provision of off-leash / on-leash areas. Any changes to off-leash areas will involve community consultation and on-site notices. A current list of approved off-leash areas will also be maintained on Council's website.

**The following criteria will be used as a guide for assessing potential off-leash areas:**

- Scope for building community wellbeing and interaction, in addition to providing social opportunities for residents.
- Size - sufficient to exercise dogs and provide a safe environment for dogs to run freely.
- Accessibility
- Proximity to other off-leash areas
- Mix of uses prevalent in the area
- Unsuitable proximity to public places (such as childcare centres, playgrounds or sports fields) and the nature of any dividing fence or barrier between those areas

Effective, welcoming and positive signage will be used to identify off-leash parks and open spaces. Dog tidy stations will also be installed and maintained at all off-leash parks.

Council Policy  
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**Under Section 14 of the Act, dogs are prohibited at all times in the following public places:**

- Children's playgrounds, *including within 10 metres of the children's play area*
- Food preparation/consumption areas, including that is within 10 meters of any apparatus provided in that public place or part for the preparation of food for human consumption or for the consumptions of food by humans
- Recreation areas, such as sports fields, ovals, pitches and courts (subject to Council determination and signage)
- School grounds
- Childcare centres
- Shopping areas (subject to Council determination and signage)
- Wildlife protection areas.

**6.3 Dogs in outdoor dining areas**

Under the Act, café and restaurant operators are able to decide whether or not to allow dogs to enter their outdoor dining area. When allowed by café and restaurant owners, dogs are permitted in outdoor dining areas only, generally provided on public footways with temporary infrastructure to indicate the boundaries of the area.

**Where café and restaurant operators decide to allow dogs in their outdoor dining area the following conditions must be complied with:**

**Council designated on-leash area:**

- The outdoor dining area must not be enclosed and must be able to be entered by the public without passing through an enclosed area
- Dogs must be on a leash at all times
- Dogs must be on the ground at all times
- Dogs can be provided with drink but not food
- Dangerous and restricted dogs are prohibited.

**Council designated off-leash area:**

- Dogs must be under effective control
- Dogs can be provided with food as long as the food is on the ground and not provided using an apparatus that is used for human food consumption
- Dogs can sit on a person's lap, but must not be allowed to sit on any table or chairs or make contact with other apparatus provided for the consumption of food by humans

**Dogs are not permitted in food preparation areas at any time.**

Owners are responsible for the dog's behaviour and for ensuring that it does not impact on the welfare of other people, dogs and animals in outdoor dining areas. Operators of outdoor dining areas are responsible for informing their patrons of the conditions for having dogs in food consumption areas and should monitor compliance with these requirements.

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#### 6.4 Dog Faeces

Owners have a legal and social responsibility to pick up after their dogs. Uncollected faeces pose potential health risks, especially in playgrounds, on sports fields, on neighbouring properties, and on public footpaths.

Council will provide dog tidy stations (including dog litter bags) at all off-leash parks and other suitable locations.

It is an offence not to put dog litter in the bin. Fines will be issued for non-compliance.

#### 6.5 Dog attacks

Council strongly encourages dog attack victims to report the incident to Council and NSW Police as soon as possible. Environmental Protection Officers will follow up all complaints and reports within 24 hours.

A dog that has attacked may be declared to be a Dangerous Dog by Council.

#### 6.6 Restricted and Dangerous Dogs

Some breeds of dog are "restricted". It is illegal to sell, give away, acquire or breed with a restricted dog. It is also prohibited to import a restricted breed into Australia.

The following dogs are "restricted dogs" under the Act:

- American pit bull terrier or pit bull terrier,
- Japanese Tosa,
- Dogo Argentino,
- Fila Brasileiro,
- Any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901 (Commonwealth)*
- Any dog declared to be a restricted dog by an authorised Council officer
- Any other dog of a breed, kind or description prescribed by the *Companion Animals Regulation 2018 (NSW)*.

A current list of restricted breed dogs can also be found in the definition section of the Act.

A Dangerous Dog is a dog that threatens or attacks members of the public or animals and has been declared as "dangerous" by a Council or a court under the Act.

Once a dog has been declared dangerous, owners must keep their dog in compliance with requirements outlined in the Act. Severe penalties may be imposed and/or the dog may be seized and destroyed if the requirements are not met.

**Additional information on the rules and regulations that relate to restricted and dangerous dogs can be found in the *Restricted and Dangerous Dogs in NSW* Brochure on the Companion Animals page of the Office of Local Government website.**



Council Policy  
Companion Animals**7. CAT MANAGEMENT****7.1 Registration / Identification**

Cats must have identification (e.g. a collar, tag and microchip) that enables the Council to find the name of the cat and the address or telephone number of the owner.

For residents who became the owner of a cat before 1 July 1999, the cat must have a microchip or collar and ID tag. The cat does not have to be registered on the Companion Animals Register, unless there has been a breach of the Act (e.g. a nuisance order placed or it is taken to an animal pound).

Residents who become the owner of a cat after 1 July 1999, must ensure that the cat is microchipped by 12 weeks of age and lifetime registered on the Companion Animals Register by 6 months of age.

**For more information on the registration of cats, refer to the Companion Animals – Cats page on the NSW Office of Local Government website.**

**7.2 Community Education**

There are a number of simple steps that can be undertaken by the community to decrease the number of stray cats. These include:

- Not feeding a cat unless you are planning to adopt it. By “adoption”, Council requires the cat to be micro chipped, registered and provided with a collar with name tags. Desexing of the cat is strongly recommended.
- Minimising places where cats can breed and where a mother cat can have her kittens. For example areas such as under the house should be kept closed off.

**7.3 Use of Council's Cat Traps**

Cumberland residents are able to borrow cat traps to humanely catch stray cats on private property. When using the traps, it is important to check that a domesticated cat is not caught by mistake, as even a domesticated cat may seem 'feral' when under the stress of being trapped in a cage. Any person who catches what they know to be a domesticated cat, must immediately release it so it can return home.

To assist the community with reducing the number of stray cats, Cumberland City Council owns cat traps which may be borrowed (subject to a returnable deposit) in accordance with Councils Fees and Charges under the terms of Councils cat trap agreement and the following provisions:

- The cat trap can be borrowed for up to a maximum of 7 days, after which time it must be returned;
- Residents can arrange to borrow cat traps at Cumberland City Council Customer Service Centres located at 1 Susan Street, Auburn or 16 Memorial Avenue, Merrylands. An Environmental Protection Officer will deliver the cat trap to the nominated property and provide instructions on how to use it correctly so as to minimise any potential distress to a captured animal. Residents will be required to provide fresh food for the trap.

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## Council Policy Companion Animals

### 7.4 Cat Capture and Transportation to the Pound

Once a cat is captured the following provisions will be undertaken when transporting to an animal holding facility or a local veterinary clinic:

- When a cat is caught, the resident is to notify Council immediately. An Environmental Protection Officer will then pick up the cat from the resident and determine whether it should be taken to an animal holding facility or a local veterinary clinic.
- If a captured cat is clearly domesticated it must be released immediately to the owner.
- If the cat is deemed to be feral and undomesticated by the animal holding facility or a local veterinary clinic, Cumberland City Council will pay for the cost of euthanising the cat.
- The resident (for legal purposes), will be required to sign a statement stating that they do not own the cat and to the best of their knowledge, their neighbours do not own a cat.

### 7.5 General Requirements

Cats are prohibited from wildlife protection areas and food preparation areas. Cats can also be declared nuisance cats if they persistently make noise that unreasonably interferes with the wellbeing of neighbours or if they repeatedly damage the property of others.

Council recommends that cat owners take steps to ensure that their animals are confined indoors after dark to prevent injury to the animal, protect wildlife and to reduce instances of nuisance.

### RELATED LEGISLATION

*Companion Animal Act 1998 and associated Regulation;*

*Local Government Act 1993 and associated Regulation;*

*Impounding Act 1993 and associated Regulation;*

### AUTHORISATION & VERSION CONTROL

<b>Policy Owner</b>	<i>Manager Health and Environmental Protection</i>
<b>Date Adopted</b>	
<b>Version No</b>	<i>Revision No.1</i>
<b>TRIM Number</b>	
<b>Review Date</b>	

DOCUMENTS  
ASSOCIATED WITH  
REPORT C06/20-465

Attachment 2  
Submissions Draft Companion  
Animal Policy





**Summary of Submissions – Draft Companion Animal Policy**

Comments/Suggestions	Council Response	Changes to Strategy
<p><b>Submission 1:</b></p> <p>I note that you wish to Identify, promote, and assess the suitability and sufficiency of off-leash parks and open space areas for dog exercise relative to continuing changes in population demographics. I wish to put forward the reserve in Macklin Street, part of Linlee Street Park, or an area in Bombala Street reserve. These small reserves/parks have little use and could easily be fenced off to allow people to have their dogs off leash.</p>	<p>The suggestion has been forwarded for consideration for the Have Your Say on proposed dog off-leash parks.</p>	<p>No change to the Draft Companion Animal Policy.</p>
<p><b>Submission 2:</b></p> <p>I write with regard to the shops at the corner of Guildford Road &amp; Fowler Road Guildford West. A bizarre occurrence is occurring regarding feral cats there at the back of the shops. Shop owners in order to stop rats, mice &amp; vermin are allowing Cats to breed &amp; roam the shops. They feed the cats. These cats are not registered, not de-sexed and are now breeding exponentially. To date there are about 10. They are fed and quite beautiful but this continuing is going to be a problem. I am a cat owner &amp; love cats but I can see a problem occurring not getting them de-sexed etc.</p>	<p>The comments have been directed to Councils Environmental Protection Team for investigation.</p>	<p>No change to the Draft Companion Animal Policy.</p>
<p><b>Submission 3:</b></p> <p>There are many residents keeping pets officially and unofficially but neglecting them. Only one meal per day for large dogs, never walked, cooped up in small spaces - dogs are unsettled and bark, frequently disrupting neighbourhood peace.</p>	<p>The Draft Companion Animal Policy outlines the responsibilities for dog owners and cat owners alike and how Council responds to complaints.</p>	<p>No change to the Draft Companion Animal Policy.</p>

<p>Residents who have started owning dogs - but never train or discipline them. We can take ours off leash as they are behaved, but many a time have had to quickly pick our little dog up as massive untrained and usually more boisterous and aggressive breeds come running straight for us, dismissing the calls of their owner. People need to understand the importance of training and socialising their dog. Dogs aren't merely novel accessories.</p> <p>Residents feeding random and stray cats, so that they stay close and riddle the neighbourhood with territorial fights, parvo and other viruses which are dangerous for properly owned cats. Residents also feed strays and unofficially take one in - yet never register/microchip/desex them causing many problems. Cats usually get very sick and die. We've been having to call the RSPCA and council cat traps many times to deal with these issues.</p> <p>More education, animal rights and duty of care awareness and responsible pet ownership needed here.</p>		
<p><b>Submission 4:</b></p> <p>See table below:</p>	<p>The submission provided outlines many suggested changes to the Draft Companion Animal Policy. Many of the suggestions made were grammatical or additional content suggestions. Whilst the intent was noted, some suggestions were accepted that enhance the Draft Companion Animal Policy, whilst other suggestions were chosen not implemented.</p>	<p>See table below:</p>

**Submission 4 – Comments/Suggestions**

I haven't owned a dog for many, many years – and not owned a cat since 2004. So a long time has passed – and legislation and regulations have changed. So, interestingly, I was reading the Draft Companion Animals Policy almost as a layperson – and thus when I didn't think it was quite clear as to what is currently required of me as a responsible pet owner, I researched government legislation and guidelines, and other Council documents to try and gain further clarification.

I thus suggest there be several additions made to the document – for clarity - to hopefully encourage and foster a wider understanding of responsible pet ownership. And for ease, I've flagged my additions in red text – to hopefully make my suggestions more readily realised and understood.

I have also made other comments for Council's consideration, with the intention of helping Council fulfil its requirements according to the Companion Animals Act - *to promote awareness within its area of the requirements of this Act with respect to the ownership of companion animals.*

The 4/3/20 Business Paper on the Responsible Pet Ownership Education Program said: *The draft (Companion Animals) Policy would provide further opportunities for engagement with the local community on responsible pet ownership as areas such as community education, animal registration, de-sexing of companion animals, nuisance animals, the control of dogs, cats and feral cats are all considered within that document.*

So, to me, it seems logical and sensible to include more information in this Policy document – not less or a minimum -in an effort to inform and educate all stakeholders regarding responsible pet ownership.

And I hope my suggestions and comments are seen as they are intended – as constructive feedback – not criticism. I'm hoping they might simply make the document more understandable for pet owners, many who could be from overseas and are not used to prescriptive legislation and guidelines pertaining to pet cats and dogs. And hopefully, if the additional information is included in the Policy, then it will help explain the responsibilities, costs and financial incentives associated with responsible pet ownership.

**POLICY STATEMENT**

More assertive language:

I suggest terminology in the Policy Statement of the Draft Policy is changed to more assertive language – as it is State legislation that is to be followed and needs to be adhered to, not simply Council policy.

And I suggest such wording will have more impact as I suggested (and was adopted) in Council's Outdoor Dining Policy and its reference to 'No Smoking' legislation. And in this way there will be emphasis that pet ownership comes with certain responsibilities that are mandated in legislation - and that fines or court appearances could be involved if this legislation is

breached. But the financial incentives that can be gained by adhering to legislation in a prompt fashion should also be flagged, to further encourage responsible pet ownership. Suggestions regarding this are flagged in red text below:

- *Dot point 3 - Promoting responsible pet ownership through education, information and flagging the need for pet owners to register, microchip and desex their cats and dogs and that there can be penalties for not doing this – also that there are extra costs involved in choosing not to de-sex a cat or dog.*
- *Dot Point 4 - Reducing the number of lost and wandering cats and dogs by educating pet owners of the need to identify, register and maintain control of their animals*

The warm, fuzzy and woolly terms of “*encouraging*” and “*importance*” are not the most appropriate terms for what is needed here. Pet owners need to realise it is necessary – and there is enforceable legislation and guidelines pertaining to responsible pet ownership. If I read ‘encourage’ and ‘important’ I don’t think of law enforcement and associated penalties and incentives – and by not strongly flagging the need for compliance – and financial incentives - to pet owners, surely Council is carrying out a disservice to pet owners.

Council Officers themselves flagged in the Business Paper, 4/3/20, on the Responsible Pet Ownership Education Program: *Council staff efforts (should) be placed in providing information to the Cumberland community on the financial implications should they choose not to de-sex a cat or dog.*

My additions are simply taken from the Council Business Paper and I think it important that the financial implications of actions that can be taken by pet owners should be referenced in this Draft Policy - to enhance the understanding and education of the community. Council should make matters very clear to pet owners - in plain and explicit English, that’s easy to understand. Hence I suggest an additional dot point as per below – emphasising the legislative requirements involved in responsible pet ownership - and the associated penalties and financial incentives involved.

- Additional dot point – at dot point 7 – moving the last dot point (to make an 8<sup>th</sup> dot point) as per below.

Dot point 7:

- *Flagging the legislative requirements - and associated penalties and financial incentives - involved in responsible pet ownership.*
- *Monitoring compliance with the Companion Animals Act 1998 (NSW) and Companion Animals Regulation 2018 (NSW), and using enforcement sanctions where appropriate.*

## 1. COMMUNITY EDUCATION STRATEGY

Refer red text for suggested additional information at the beginning of page 4:

*Council Environmental Protection Officers are the 'front line' of this community education strategy. Council Environmental Protection Officers will raise awareness of the responsibilities and legislative requirements, financial penalties and incentives for pet owners with regard to their pets, raise awareness of the importance and benefits of pet ownership, particularly to non-pet owners and inform non-pet owners (particularly children and their parents) about animal behaviour, including eligible pensioner concessions.*

Please note: As stated above, I again suggest the above embellishments - as hopefully, by using the 'broken record' technique of clearly repeating a message - readers of this Policy document may be more likely to understand (and comply) with the responsible pet ownership message that Council is trying to get across to all stakeholders.

And I have included reference to pensioner concessions as I believe it's an item that is important to the community, particularly considering the demographics of our LGA

Suggestions regarding the forms of education and information provided by Officers that could be added and / or developed – refer page 4:

- Dot point 3: *Providing information on Council's website and at community events, including citizenship ceremonies;*
- Dot point 4: *Providing information materials at Council's Customer Service Counter on responsible pet ownership, including in Council's Information Booklet.*

Please note: I can see 'Animals' are already included in the booklet – refer page 6 – which is excellent – and very nicely worded too – as it mentions the word 'legally'!

(So here I'm only suggesting the booklet be added to the list as a reference – the booklet doesn't need to be developed).

Can Council educate the community through its school children – by visits and talks at schools? And if it can, add this activity to the list?

## 2. REGISTRATION AND MICROCHIPPING OF DOGS AND CATS - NSW COMPANION ANIMALS REGISTER

I suggest the heading of Section 2 needs to include 'microchipping' as this is the section where the important matter of 'microchipping' is referenced.

I also suggest other additions:

*Dogs must be registered by 6 months of age and cats must be registered by 4 months of age, other than exempt cats and dogs.*

*The registration fee is a once-only payment, which covers the cat or dog for its lifetime in NSW, regardless of any changes in ownership. Penalties can apply for failing to register a cat or dog.*

*Discounted registration fees are available for de-sexed pets, eligible pensioners and cats and dogs bought from certain rehoming organisations, including council pounds and shelters.*



*And the state government has introduced that from 1/7/20, owners of cats that are not de-sexed by 4 months of age will be required to pay an annual permit fee in addition to the one-off lifetime pet registration fee. Exemptions will be in place for cats that are registered before 1/7/20 and for cats kept for breeding purposes by members of recognised breeding bodies. Owners of dogs that are of a restricted breed or declared to be dangerous will also be required to pay an annual permit fee in addition to their one-off lifetime pet registration fee.*

*Cats and dogs must both be microchipped by 12 weeks of age, or before being sold or given away, whichever comes first. Penalties can apply for failing to microchip a cat or dog. Collar and tag – A dog must legally wear a collar with an identification tag stating the name of the dog and the address or telephone number of the owner. A tag for a cat will help it be returned if lost.*

Again these additions surely provide a far more helpful and comprehensive information package - to help educate pet owners – including the legal requirements pertaining to pet ownership. And this detail has simply been sourced from the content of various government and other councils' documents.

Furthermore if Council's responsible pet ownership identification initiative is going to include the purchase of a specialised engraving machine and animal identification tags, then surely 'collar and tag' needs to be included in this Policy document – to help the success of an initiative obviously aimed at assisting in the identification of animals that may be found roaming and allowing prompt contact to be made with the registered owner, and the animal to be returned as quick as possible. And as the Business Paper on the Responsible Pet Ownership Education Program, 4/3/20, stated –*the basic identification of animals will assist greatly with the rehoming rates across Council.* This should also help reduce Council overheads.

### **3. LOST, SEIZED AND SURRENDERED PETS**

Suggested additions to the 2<sup>nd</sup> paragraph are in red text:

*It is Council's preference to return all unaccompanied pets home safely to their owners rather than impound an animal, however this approach is only successful **when** the animal is microchipped and the registration details are up to date – **and wears a collar with an identification tag stating the name of the animal and the address or telephone number of the owner.***

I've suggested these amendments - as surely Council wants to remind pet owners to tag their pets – and remind the owners of the legal requirements regarding microchipping and registering. The use of the term "*if*" (instead of "*when*") doesn't seem to resonate as much, that there is a 'legal requirement' to microchip and register pets?



**4. DE-SEXING**

I suggest an addition at the end of the 2 short paragraphs in this section - to further inform and educate regarding responsible pet ownership:

*And in an attempt to encourage the de-sexing of cats and dogs, there are discounted registration fees available for de-sexed cats and dogs.*

*And the state government has introduced that from 1/7/20, owners of cats that are not de-sexed by 4 months of age will be required to pay an annual permit fee in addition to the one-off lifetime pet registration fee. Exemptions will be in place for cats that are registered before 1/7/20 and for cats kept for breeding purposes by members of recognised breeding bodies.*

This additional information – and important information - is simply taken from Council's own Business Paper, 4/3/20, regarding the proposed Responsible Pet Ownership Education Program.

And in the same Business Paper, Council emphasised that any costs associated with the subsidisation of the de-sexing of animals were outside the available Council budget - and thus recommended that Council rely upon the legislative changes to be implemented by the state government, 1/7/20 - and that Council staff efforts should be placed in providing information to the Cumberland community on the financial implications should they choose not to de-sex a cat or dog.

Hence it would be remiss of Council not to provide information on the financial implications of choosing not to de-sex a cat or dog – and thus any reference to the financial cost of not de-sexing a pet is surely a fair and sensible consideration to include in this Policy?

**6. CONTROL OF DOGS**

Suggested addition in red text – to be placed immediately under this heading, before clause 6.1:

*Dogs legally are required to be kept on a leash whilst in a public place, or secured in a yard at all times. An unrestrained and unsupervised dog can be a danger to other people and animals – and there are penalties for unleashed dogs and dogs that attack, bite, harass, chase or rush at a person or animals.*

I believe this addition should be included as it is legal requirement to keep a dog on a leash in a public place. And such an inclusion is surely educating the owner – and supporting the owner and supporting responsible pet ownership – which I gather Council is aiming to do through this Policy.

**6.1 Off-leash areas**

2 existing parks have been omitted from the list of Council's off-leash areas – and need to be added:

- *Little Duck Creek Reserve - Wolseley Street, Guildford*
- *Scout Memorial Park - Glen Street, Granville*

Please note: As of 6/4/20 these 2 off-leash dog areas have now been added to the listing on Council's website. (But this omission may explain why residents in the Granville area have been asking for more off-leash dog parks – as they were unaware of the parks that do actually exist already).

Please note: 1<sup>st</sup> paragraph, page 6, states: *Even though dogs are permitted off leash in these areas, owners are required by the Act to have effective control of their animals at all times (e.g. by using voice commands). This ensures the safety of the animal, other dogs and people. **Because of this requirement, Council does not provide fencing in all designated off-leash areas.*** Yet, perhaps naively, I thought by definition that all off-leash parks were closed-off, designated areas – otherwise dogs could run off and the public feel threatened by unleashed dogs.

And on questioning Council regarding this, I've been advised that not all dog parks are fully fenced. If this is the case, I'm quite horrified – as I had thought, and expected, that all dog parks are completely fenced off, protecting everyone from unleashed dogs. (Not everyone appreciates dogs jumping up at them, sniffing at their heels etc). But if the off-leash parks aren't fully fenced, I suggest they all should be – and that any of Council's budget allocated to off-leash dog parks should **first** be spent on fully fencing all existing dog parks – and certainly before any money is spent on creating new off-leash areas.

## 6.2 Prohibited areas

Please refer to the red text below regarding suggested additions to the list of prohibited areas:

- *Children's playgrounds, including within 10 metres of the children's play area*
- *Areas of food preparation or consumption – including within 10 metres of said area - except cafés or restaurants whose owners permit dogs (not restricted dogs or declared dangerous dogs) in their outdoor dining areas*

These additions are listed in the Companion Animals Act – and by adding this detail, hopefully the Policy is more informative for readers of Council's Policy – and will also help dog owners comply with the Act.

## 6.4 Dog Faeces

The red font below indicates suggested additions to the text.

The blue font suggests text to be deleted:

*Owners have a legal and social responsibility to pick up after their dogs. Uncollected faeces pose potential health risks, especially in playgrounds, on sports fields, on neighbouring properties, and on public footpaths. **Owners should carry plastic bags to pick up dog droppings – and if owners do not clean up after a dog in a public area, the owner can be fined.***

*Council will provide dog tidy stations (including dog litter bags) at all off-leash parks and other suitable locations.*

*It is an offence not to put dog litter in the bin. Fines will be issued for non-compliance.*

Red font: Dog owners need to be responsible for **any** mess their dog makes - not just in off-leash parks, where dog litter bags may be provided by Council. And Cumberland Council needs to highlight this – including that there are legal requirements and possible penalties involved for owners not removing their dog faeces. Other Councils clearly flag this to their community.

Blue font: I don't believe this document should include reference to providing 'dog litter bags' in the dog parks as Council is surely leaving itself open to complaints when these bags run out – or are even 'stolen' for owners' use outside of Council's dog parks. It will also save Council expense.

Responsible dog owners should always be responsible - and always be adequately prepared – always carrying their own supply of dog litter bags for when they are needed – whenever they take their dog outside of their home.

## **7. CAT MANAGEMENT**

### **7.3 Use of Council's Cat Traps**

Suggested addition to text is flagged in red font:

*Cumberland residents are able to borrow cat traps to humanely catch stray cats on private property. When using the traps, it is important to check that a domesticated cat is not caught by mistake, as even a domesticated cat may seem 'feral' when under the stress of being trapped in a cage. Any person who catches what they know to be a domesticated cat, **must either contact the owner, contact Council or immediately release it so it can return home – whichever is the appropriate option at the time.***

I suggest an amendment along these lines - because if a cat is lost or has been removed - and is a long way from home, then simply releasing it will surely not achieve much?

### **7.4 Cat Capture and Transportation to the Pound**

Refer red text below for suggested additional information regarding the capture of domesticated cats. It flags a timeframe for concerned pet owners – and although duplicating information contained in section 2, it's an important matter for distressed cat owners that could be well served by also referencing it in this section.

Dot point 2:

- If a captured cat is clearly domesticated it must be released immediately. If the animal holding facility or a local veterinary clinic scans the cat and advises the borrower of the cat trap (i.e. resident), that the cat is micro chipped and lives in the general area it was trapped, the cat must be returned by the borrower and released in the same area. **(Note that under legislative obligations Council provides owners 14 days to claim a registered pet, or 7 days to claim an unregistered pet before re-homing options are considered).***

**RELATED LEGISLATION**

Suggested addition:

**Companion Animals Act 1998 (NSW)**

I trust Council can see the value in my suggestions – how they may assist some pet owners in our LGA to become more responsible pet owners. Perhaps my comments will be particularly helpful to some who are new to pet ownership - and are unaware of the legislative requirements required with owning a pet - and are also unaware of the discounted costs and financial incentives available to pet owners.

I look forward to Council's response.

**Submission 4 – Changes to Policy**

Council Environmental Protection Officers are the 'front line' of this community education strategy. Council Environmental Protection Officers will raise awareness of the responsibilities **including but not limited to legislative requirements, penalties and incentives** of pet owners with regard to their pets, raise awareness of the importance and benefits of pet ownership, particularly to non-pet owners and inform non-pet owners (particularly children and their parents) about animal behaviour.

**Page 4:**

**2. REGISTRATION AND MICROCHIPPING OF DOGS AND CATS - NSW COMPANION ANIMALS REGISTER**

**Page 5:**

Desexing is also recognised to assist in reducing the number of abandoned companion animals and serves to prevent unnecessary suffering of unwanted animals.

**The Office of Local Government has introduced from 1 July 2020, owners of cats that are not de-sexed by 4 months of age will be required to pay an annual permit fee in addition to the one-off lifetime pet registration fee. Exemptions will be in place for cats that are registered before 1 July 2020, and for cats kept for breeding purposes by members of recognised breeding associations.**

**Page 5:**

**6. CONTROL OF DOGS**

**An unrestrained and/or unsupervised dog in a public space can be a danger to other people and animals. There are penalties for unleashed dogs and dogs that attack, bite, harass, chase or rush at a person or animals.**

**Page 6:****Council's off-leash areas are:**

- Hampden Road Reserve- 8 Hampden Road, South Wentworthville
- Dirrabari Reserve Pemulwuy
- Gardenia Parade Park, Greystanes
- Coleman Park - Lidcombe Nottingham Road Berala
- Webbs Avenue Park - Auburn
- Wyatt Park Church Street, Lidcombe
- Little Duck Creek Reserve – Wolseley Street, Guildford
- Scout Memorial Park – Glen Street, Granville

**Page 7:****6.2 Prohibited areas**

**Under Section 14 of the Act, dogs are prohibited at all times in the following public places:**

- Children's playgrounds, *including within 10 metres of the children's play area*
- Food preparation/consumption areas, *including that is within 10 meters of any apparatus provided in that public place or part for the preparation of food for human consumption or for the consumptions of food by humans*
- Recreation areas, such as sports fields, ovals, pitches and courts (subject to Council determination and signage)
- School grounds
- Childcare centres
- Shopping areas (subject to Council determination and signage)
- Wildlife protection areas.

**Page 10:****RELATED LEGISLATION**

*Companion Animal Act 1998 and associated Regulation;*

*Local Government Act 1993 and associated Regulation;*



*Impounding Act 1993 and associated Regulation;*

**Officer Comments**

Following the inclusion of the comments above, the following changes were made to the Draft Companion Animal Policy on Pages 9 & 10:

**7.3 Use of Council's Cat Traps**

Cumberland residents are able to borrow cat traps to humanely catch stray cats on private property. When using the traps, it is important to check that a domesticated cat is not caught by mistake, as even a domesticated cat may seem 'feral' when under the stress of being trapped in a cage. Any person who catches what they know to be a domesticated cat, must immediately release it so it can return home.

To assist the community with reducing the number of stray cats, Cumberland City Council owns cat traps which may be borrowed (subject to a returnable deposit) **in accordance with Councils Fees and Charges** under the terms of Councils cat trap agreement and the following provisions:

- The cat trap can be borrowed for up to a maximum of 7 days, after which time it must be returned;
- Residents can arrange to borrow cat traps at Cumberland City Council Customer Service Centres located at 1 Susan Street, Auburn or 16 Memorial Avenue, Merrylands. An Environmental Protection Officer will deliver the cat trap to the nominated property and provide instructions on how to use it correctly so as to minimise any potential distress to a captured animal. Residents will be required to provide fresh food for the trap.

**7.4 Cat Capture and Transportation to the Pound**

Once a cat is captured the following provisions will be undertaken when transporting to an animal holding facility or a local veterinary clinic:

- When a cat is caught, the resident is to notify Council immediately. An Environmental Protection Officer will then pick up the cat from the resident and determine whether it should be taken to an animal holding facility or a local veterinary clinic.

- If a captured cat is clearly domesticated it must be released immediately **to the owner**. ~~If the animal holding facility or a local veterinary clinic scans the cat and advises the borrower of the cat trap (i.e. resident), that the cat is micro chipped and lives in the general area it was trapped, the cat must be returned by the borrower and released in the same area.~~
- If the cat is deemed to be feral and undomesticated by the animal holding facility or a local veterinary clinic, Cumberland City Council will pay for the cost of euthanising the cat.
- ~~If the resident has no means of transport and is unable to transport the cat due to physical or financial constraints, individual arrangements can be made with Council for the Environmental Protection Officer to transport the cat(s).~~

~~Should this be the case,~~ **T**he resident (for legal purposes), will be required to sign a statutory declaration **statement** stating that they do not own the cat and to the best of their knowledge, their neighbours do not own a cat.





Item No: C06/20-466

## **RESPONSE TO NOTICE OF MOTION - RESPONSIBLE PET OWNERSHIP EDUCATION PROGRAM**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: SC483  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report provides a response to the Notice of Motion (C09/19-223, Min.689) considered at Council's meeting of 18 September 2019, seeking a report into the development of a Responsible Pet Ownership Education Program.

### **RECOMMENDATION**

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**That Council receive and note the report.**

### **REPORT**

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At Council's meeting of 18 September 2019, Item C09/19-223, Min 689 contained a Notice of Motion relating to the development of a Responsible Pet Ownership Education Program. In considering this item, Council resolved the following:

*"That Council:*

- 1. Prepare a report on the development and delivery of an ongoing pet education program for members of the community that explains the responsibilities, costs and benefits associated with responsible pet ownership;*
- 2. Investigate whether it is possible to provide an incentive to those that participate in Council's pet education program, such as free or subsidised microchipping and animal de-sexing, that would encourage the uptake of the pet education program;*
- 3. Investigate the issue of stray and feral cats in the local government area and devise a plan to efficiently and effectively control them in order to improve public health and safety; and*
- 4. Undertake consultation with the Companion Animals Advisory Committee in relation to the items above."*

Following this, Council resolved at the 3 March 2020 Council meeting *"That the matter be deferred pending the outcome of public consultation of the Draft Companion Animals Policy"*. In response to this Notice of Motion, staff have reviewed existing pet education initiatives which at present involve interacting with the community through stall attendance at events, providing written information relating to responsible pet

ownership (via Council's website and dedicated pamphlets) and through general discussions with Council staff during the normal course of their duties when responding to companion animal matters. Additionally, community engagement was previously undertaken through the operation of a Companion Animal Advisory Committee.

In order to further educate the community on the potential costs associated with pet ownership, it is important to recognise the host of changes proposed to be implemented by the NSW Government from 1 July 2020. In this regard, owners of cats that are not de-sexed by four months of age will be required to pay an \$80 annual permit in addition to the one-off lifetime pet registration fee. Exemptions will be in place for cats that are registered before 1 July 2020 and for cats kept for breeding purposes by members of recognised breeding bodies. Furthermore, from 1 July 2020 owners of dogs that are of a restricted breed or declared to be dangerous will be required to pay a \$195 annual permit in addition to their one-off lifetime pet registration fee. Information relating to these legislative changes are well covered on the Office of Local Government website and as part of a review of the content on Council's newly launched website, staff will ensure that a link is provided to this information and other relevant factsheets developed by the Office of Local Government.

An allocation of funding will allow for enhanced initiatives such as the subsidised microchipping of cats and dogs, which will assist in the identification of animals that may be found roaming and will allow for contact to be made with the registered owner for the animal to be returned in a prompt manner.

Initial trialling of this initiative at the PetFest event resulted in Council being able to offer this service at \$30 per microchip through an agreed charge at a local veterinary facility. Although the cost of having an animal microchipped can vary from vet to vet, Council would investigate the possibility of partnering with a local clinic in offering this service at a set rate (similar to previously achieved). In this regard and using \$30 as an indicative cost per microchip, it is proposed that Council initially allocate \$7,000 for this purpose meaning that approximately 230 microchipping vouchers could be offered to local residents.

Other costs associated with improving Council's pet identification initiative include the purchase of a specialised engraving machine and animal identification tags. With these initiatives, it is envisaged that the basic identification of animals will assist greatly with the rehoming rates across Council.

Council Officers have also considered incentives to encourage the de-sexing of a cat or dog which from surveying local veterinary clinics was found to be approximately \$140 on average. The costs associated with subsidising such a procedure are therefore considered to be outside of available budget at this time. It is therefore recommended that Council rely upon the host of legislative changes proposed to be implemented by the NSW Government from 1 July 2020 and that Council staff efforts be placed in providing information to the Cumberland community on the financial implications should they choose not to de-sex a cat or dog.

A summary of the estimated costs associated with each of the initiatives discussed throughout this report is outlined in Table 1 below:

**Table 1**

<b>Item</b>	<b>Cost</b>
Responsible Pet Ownership leaflets	\$2,000
Subsidise microchipping	\$7,000
Engraving Machine	\$7,000
Animal Tags	\$4,000
<b>Total</b>	<b>\$20,000</b>

It is also acknowledged that a strategic approach to Council's management of companion animals should be considered and in this regard, a draft Companion Animals Policy has been prepared that is presented to Council for consideration under a separate report. Public exhibition of the draft Policy provides further opportunities for engagement with the local community on responsible pet ownership, with areas such as community education, animal registration, de-sexing of companion animals, nuisance animals, the control of dogs, cats and feral cats all considered within that document.

## **COMMUNITY ENGAGEMENT**

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Initiatives proposed within this report would be subject to a localised promotion at the time of events, or as determined time appropriate, to work in with other responsible pet ownership initiatives throughout the calendar year.

## **POLICY IMPLICATIONS**

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As part of Council's overall response to responsible pet ownership, a draft Companion Animals Policy has been developed for the consideration of Council (presented as a separate report).

## **RISK IMPLICATIONS**

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There are no risk implications for Council associated with this report.

## **FINANCIAL IMPLICATIONS**

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There are no financial implications for Council associated with this report, as the budget required for implementation of the initiatives highlighted within this report can be funded through efficiency savings.

## **CONCLUSION**

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Council staff have undertaken a review of current pet education programs in response to the Notice of Motion and considered additional methods to increase the awareness of responsible pet ownership across the Cumberland City Council area. It is therefore recommended that the initiatives detailed within this report be supported.

## **ATTACHMENTS**

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Nil