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## Minutes of the Council Meeting 17 June 2020

### Meeting commenced at 6:32pm

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#### Present:

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor (arrived 6:38pm)
Ned Attie	Councillor
George Campbell	Councillor (via web conferencing)
Greg Cummings	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor (via web conferencing joined 6:33pm)
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Suman Saha	Councillor
Michael Zaiter	Councillor
Tom Zreika	Councillor
Hamish McNulty	General Manager
Melissa Attia	Acting Director Community and Organisation Development
Daniel Cavallo	Director Environment & Planning
Peter Fitzgerald	Director Works & Infrastructure (via web conferencing)
Richard Sheridan	Director Finance & Governance

#### Also Present:

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

#### Opening Prayer

The opening prayer was read by 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 Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

### **Apologies/Leave of Absence**

Nil

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

There were no declarations of interest.

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### **Confirmation of Minutes**

**Min.723            C06/20-467 Minutes of the Ordinary Meeting of Council - 03 June 2020**

#### **Resolved (Garrard/Cummings)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 3 June 2020.

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**Min.724            MM06/20-33 Mayoral Minute – Councillor Briefings and Workshops During Covid-19**

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

That Council conduct all future Councillor Briefings and Workshops in person, with appropriate social distancing implemented in accordance with the NSW Public Health Order, with all Councillors required to attend in person to confirm their attendance.

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 Zreika left the Meeting at 6:46pm and returned to the Meeting at 6:49pm during the consideration of this matter.

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**Public Forum**

The Mayor, Councillor Christou advised that 2 public forum written submissions were received in relation to Item C06/20-470 Adoption of the Operational Plan and Schedule of Fees and Charges 2020-21 - Post Exhibition. A copy was sent to all Councillors by the officers prior to the meeting, and the Acting Director Community and Organisation Development responded to both submissions prior to the meeting. The Mayor, Councillor Christou proceeded to read out the submissions as follows:

**Mr Michael McGowan – Concerned Parent – Pemulwuy**

Dear Councillors,

I am writing to voice my objection to the proposed fee increase for the long day care centres.

My questions are:

- Is the fee increases normally part of an annual review or will be looked at when the council decides they feel the need to raise the fees? This is the 2nd fee increase in 2020 and will have raised the fees by approximately 20% in this year. (In our case over 20%). This is massively above CPI, and will significantly harm many residents of the council financially during a time when many are suffering because of job losses or reduced employment.
- One of the reasons we have been given is the comparison to other centres that “Exceed the National Standards”. So, if the Council centres fall out of the “exceed” bracket, will fees be then reduced? Or will council use this as another reason to further increase fees to “boost the centre back to the exceed level”. It would be good if Council would release the details of the 15 centres they have used as a comparison (as part of the “transparent and Accountable leadership” that Council is aiming for) prior to the vote on the fee increases.

**Ms Lise Chao – Parent - Auburn**

Please do not increase the childcare fees. They are already really high as they are. As you know our salary does not increase at the moment and we don't even get CPI increase in salary so we cannot afford an increase in costs. It makes it really hard to work when your salary goes to childcare fees and you have two kids attending.

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**Min.725      Items by Exception****Resolved (Sarkis/Cummings)**

That Council adopt items C06/20-468, C06/20-472 and C06/20-478 on the Council Agenda in bulk as per the recommendations in the reports.

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**Min. 726      C06/20-468 Legal Report****Resolved (Sarkis/Cummings)**

That Council receive this report.

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**Min.727            C06/20-472 Investment Report - May 2020**

**Resolved (Sarkis/Cummings)**

That Council receive the report.

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**Min.728            C06/20-478 Audit, Risk and Improvement Committee - Draft Minutes of Meeting Held on 18 May 2020**

**Resolved (Sarkis/Cummings)**

That Council receive the Draft Minutes of the Audit, Risk and Improvement Committee meeting held on 18 May 2020.

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**Min.729            C06/20-469 Quarterly update on Community Safety & Crime Prevention Plan**

**Resolved (Saha/Sarkis)**

That Council receive this report.

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**Min.730            C06/20-470 Adoption of the Operational Plan and Schedule of Fees and Charges 2020-21 - Post Exhibition**

**Motion (Zaiter/Attie)**

That Council adopt the *Draft Operational Plan 2020-21* and *Fees and Charges 2020-21* as outlined in Attachments 1 and 2 of this report.

**Amendment (Lake/Hamed)**

Add the words

“subject to the following:

In relation to the 2020-21 Fees and Charges for Children’s Services 0 Education and Care:

1. That up to and including 27 September 2020 the fees that applied as at 2 March 2020 be the fees adopted.
2. That from 28 September 2020:
  - a. The Long Day Care fees that applied as at 2 March 2020 be the fees adopted for Long Day Care, and
  - b. The balance of the fees as they were placed on public exhibition be adopted.
3. That the fees for Long Day Care be further reviewed in November 2020 for report to Council at its meeting on 18 November 2020.
4. That the Pricing Policy for Long Day Care be amended from “Full Cost Recovery” to “Substantial Cost Recovery”.”

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The Amendment moved by Councillor Lake seconded by Councillor Hamed 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 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 Attie 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.

Councillor Rahme left the Meeting at 7:04pm and returned to the Meeting at 7:07pm during the consideration of this matter.

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**Min.731            C06/20-471 Making Rates and Fixing Charges 2020/21**

**Resolved (Lake/Sarkis)**

1. That Council makes the Rates and Charges for the following rating structures for the 2020/2021 rating year in accordance with Chapter 15, parts 4 and 5 of the Local Government Act 1993: and adopt the overdue Rates and Charges interest rate of 0% for the period 1 July 2020 to 31 December 2020 and then 7% for the period 1 January 2021 to 30 June 2021.

Former Auburn City Council Rate Path

An ordinary residential rate of zero point one five two four nine four (0.152494) cents in the dollar on the land value of all rateable land categorised as Residential in the former Auburn City Council. The minimum ordinary rate shall be five hundred and ninety four dollars and sixty two cents (\$594.62) per assessment be made and levied for the rating year 1 July 2020 to 30 June 2021.

An ordinary business amount shall be zero point three five five six five (0.35565) cents in the dollar applied to the land value on all parcels of Business in the former Auburn City Council. The minimum ordinary rate shall be five hundred and ninety four dollars

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and sixty two cents (\$594.62) per assessment be made and levied for the rating year 1 July 2020 to 30 June 2021.

#### Former Holroyd City Council Rate Path

An ordinary residential rate of zero point one two two six two three (0.122623) cents in the dollar on the land value of all rateable land categorised as Residential in the former Holroyd City Council, together with a residential base rate of \$507.00 per assessment be made and levied for the rating year of 1 July 2020 to 30 June 2021.

An ordinary business rate of zero point four five three two six three (0.453263) cents in the dollar on the value of all rateable land categorised as Business in the former Holroyd City Council, subject to a minimum charge of \$1,238.05 per assessment be made and levied for the rating year 1 July 2020 to 30 June 2021.

A special infrastructure rate of zero point zero one four eight four three eight (0.0148438) cents in the dollar on the land value of all rateable land categorised as Residential in the former Holroyd City Council and levied for the rating year 1 July 2020 to 30 June 2021.

A special infrastructure rate of zero point zero two seven four one nine one (0.0274191) cents in the dollar on the land value of all rateable land categorised as Business in the former Holroyd City Council be made and levied for the rating year 1 July 2020 and 30 June 2021.

#### Former Parramatta City Council Rate Path

An ordinary residential rate of zero point one four one seven zero one (0.141701) cents in the dollar on the land value of all rateable land categorised as Residential in the former Parramatta City Council. The minimum ordinary rate shall be seven hundred and eight dollars and eight cents (\$708.08) per assessment be made and levied for the rating year 1 July 2020 to 30 June 2021.

An ordinary business amount shall be zero point six zero six one four one (0.606141) cents in the dollar applied to the value of all rateable land categorised as Business General under the former Parramatta City Council. The minimum ordinary rate shall be seven hundred and twenty two dollars and eighty three cents (\$722.83) per assessment be made and levied for the rating year 1 July 2020 to 30 June 2021.

An industrial business amount shall be zero point seven six three one seven seven (0.763177) cents in the dollar applied to the land value of all rateable land categorised as Business ICA under the former Parramatta City Council. The minimum ordinary rate shall be seven hundred and twenty two dollars and eighty three cents (\$722.83) per assessment be made and levied for the rating year 1 July 2020 to 30 June 2021.

An Open Space and Acquisition Embellishment special rate amount shall be zero point zero zero five three nine five (0.005395) cents in the dollar applied to the land value on all parcels of rateable land categorised under the former Parramatta City Council. Together with a base rate of \$25.66 per assessment be made and levied for the rating year of 1 July 2020 to 30 June 2021.

A Suburban Infrastructure Special rate amount shall be zero point zero zero seven four five (0.00745) cents in the dollar applied to the land value on all parcels of rateable land

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categorised under the former Parramatta City Council. Together with a base rate of \$11.81 per assessment be made and levied for the rating year of 1 July 2020 to 30 June 2021.

2. That the short names of each form of rate and charge pursuant to Section 453 of the Act, shall be as follows:

Ordinary Rates:

- Res Ord Rate
- Res Base Amt
- Res Min Rate
- Bus Ord Rate
- Bus Min Rate
- Bus Ind Rate

Special Rates:

- O. S. A. & E. Spec Rate
- S.I. Spec Rate

Stormwater Management Service Charges:

- Stormwater Management Service Charges for residential and business parcels of land shall be known by the name of Stormwater Mgt Chg.
- Waste Management Service Charges for residential rateable land shall be known by the name of DWM Charge.

### CUMBERLAND COUNCIL PENSIONER REBATE POLICY

#### Former Auburn Council Rate Path

That pensioner rate rebates continue to apply with eligible pensioners receiving a rebate on their Rates and Domestic Waste Management Charge, to a maximum of \$250.00

#### Former Holroyd Council Rate Path

That pensioner rate rebates continue to apply with eligible pensioners receiving a rebate on their Rates and Domestic Waste Management Charge, to a maximum of \$250.00, plus an additional pensioner voluntary rebate of \$15.00 per assessment in accordance with former Holroyd City Council's policy.

#### Former Parramatta City Council Rate Path

That pensioner rate rebates continue to apply with eligible pensioners receiving a rebate on their Rates and Domestic Waste Management Charge, to a maximum of \$250.00, plus an additional \$100.00 to eligible pensioners in accordance with former Parramatta City Council's policy.



3. That the following Stormwater Management Levy be proposed:

Residential:

- \$25 per property

Residential (Strata lots):

- \$12.50 per Strata Unit

Business:

- \$25 per 350 sqm capped at \$500 per property maximum

Business (Strata lots)

- \$12.50 per Strata Unit

4. That Council include in the Draft 2020/2021 Operational Budget the following Domestic Waste/ Recycling Service Charge for 2020/2021:

	Unit	2020-21
240L garbage bin, 240L green waste and 240L recycling bin (single unit dwellings only)	Service	\$650
240L garbage waste bin and 240L recycling bin (former Holroyd only)	Service	\$556
120L/140L garbage bin, 240L green waste and 240L recycling bin	Service	\$500
120L/140L garbage bin, 240L recycling bin (strata properties only)	Service	\$480
Availability charge	Service	\$160
Additional 240L recycling bin	Service	\$85
Additional 240L green waste bin	Service	\$85
Administration fee for change of services	Service	\$42

**Carried Unanimously**

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**C06/20-472 Investment Report - May 2020**

This item was dealt with earlier in the meeting.

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**Min.732 C06/20-473 Cumberland Local Housing Strategy**

**Resolved (Sarkis/Attie)**

That Council adopt the *Cumberland Local Housing Strategy*.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:



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Councillor(s) For the Motion: Attie, Elmore, Hamed, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Campbell, Christou, Cummings, Garrard and Huang.

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**Min. 733 C06/20-474 Draft Cumberland Affordable Housing Strategy**

**Resolved (Sarkis/Attie)**

That Council place the Draft *Cumberland Affordable Housing Strategy* on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition.

**Carried Unanimously**

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**Min. 734 C06/20-475 Planning Proposal - 106 - 128 Woodpark Road, Smithfield**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the planning proposal for 106-128 Woodpark Road, Smithfield, to amend the *Holroyd Local Environmental Plan 2013* as follows:
  - a. Increase the Height of Building control for the southern portion of the site from 20 metres to 29 metres.
  - b. Amend Schedule 1 to include 'shop', 'business premises' and 'office premises' as additional permitted uses.
  - c. Introduce a cap on the amount of floor space of the additional permitted uses (7,000m<sup>2</sup> for office premises, and 10,500m<sup>2</sup> for shop and business premises).
2. Endorse that the planning proposal 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:

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. 735      C06/20-476 Request for Gateway Alteration for the Planning Proposal Request for 2 Bachell Avenue, Lidcombe**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse an amended planning proposal for 2 Bachell Avenue, Lidcombe, that seeks to amend *Auburn Local Environmental Plan 2010*, to:
  - a) Increase the floor space ratio (FSR) control for the site from 2.5:1 to 3:1;
  - b) Apply a height of building (HOB) control for the site of 18m and 32m height of building control;
  - c) Amend Schedule 1 to add Office and Business Premise as additional permitted uses to the site; and
  - d) Add a clause to Part 6 that applies a local provision regarding a floor space cap of 7000m<sup>2</sup> to the additional permitted uses.
2. Endorse that the amended planning proposal be forwarded to the Department of Planning, Industry and Environment seeking an alteration to the Gateway Determination.
3. Note that the following controls are to be retained as included in the Gateway Determination for the proposal:
  - a) Introduction of B5 Business Development Zone for the site.
  - b) Removal of Foreshore Building Line that applies to the site.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

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

Councillor(s) Against the Motion:              Elmore.

Councillor Rahme left the Meeting at 8:27pm during the consideration of this item.

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**Min.736      C06/20-477 Submission on the Sydney Metro West Environmental Impact Statement**

**Resolved (Attie/Saha)**

That Council:

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1. Endorse the draft submission in Attachment 2 and forward to the Department of Planning, Industry and Environment.
  2. Delegate authority to the General Manager to finalise the draft submission, including any minor typographical or editorial changes.

Councillor Rahme returned to the Meeting at 8:30pm during the consideration of this item.

Councillor Garrard left the Meeting at 8:31pm during the consideration of this item.

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**Min.737          Suspension of Standing Orders**

**Resolved (Attie/Sarkis)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Councillor Attie to make an apology to Councillor Saha, in relation to comments made at the previous Ordinary Council Meeting.

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**Min.738          Resumption of Standing Orders**

**Resolved (Attie/Elmore)**

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

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The Mayor, Councillor Christou closed the meeting at 8:38pm.

Chairperson  General Manager 