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## Minutes of the Council Meeting 3 February 2021

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### Present:

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

### Also Present:

|                 |  |
|-----------------|--|
| Charlie Ayoub   | Executive Manager Corporate Services         |
| Colin McFadzean | General Counsel                              |
| Carol Karaki    | Senior Coordinator Governance & Civic Events |
| Olivia Shields  | Senior Governance Officer                    |

The Mayor, Councillor Christou declared the meeting open at 6:33pm.

### Opening Prayer

The opening prayer was read by Reverend Brian Rensford from Holroyd New Life Church.

### Acknowledgement of Country

The Mayor, Councillor Christou read 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.1002      C02/21-663 Minutes of the Ordinary Meeting of Council - 16  
December 2020**

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

That Council confirm the minutes of the Ordinary Meeting of Council held on 16 December 2020.

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**Min.1003      MM02/21-51 Mayoral Minute – Update on Maintenance of Grave –  
Arthur Todd Holroyd**

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

That Council:

1. Endorse the Mayoral Minute, noting the action undertaken; and
2. Commit to the annual upkeep of the site, at a cost of \$165 per annum, funded by Council's maintenance budget.

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**Min.1004      Matter of Urgency – Councillor Sarkis**

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

That in accordance with Clause 9.3(b) of the Cumberland City Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to increasing Police patrols in the Pemulwuy area.

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**Min.1005 Matter of Urgency – Police Patrols in Pemulwuy Area****Resolved (Sarkis/Cummings)**

That Council lobby the Local State Members, write to the NSW Premier and the NSW Police to increase Police patrols in the Pemulwuy area due to recent events of break and enters and children being approached by strangers.

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**Min.1006 Resumption of Standing Orders****Resolved (Sarkis/Zaiter)**

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

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

| Speaker           | Item #   | Suburb     |
|-------------------|--|------------|
| Mrs Julie Overton | C02/21-672 Response to Notice of Motion - Skate Park in Greystanes | Greystanes |

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**Min.1007 Suspension of Standing Orders****Resolved (Sarkis/Garrard)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C02/21-672 to be brought forward for consideration at this time of the Meeting.

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**Min.1008 C02/21-672 Response to Notice of Motion - Skate Park in Greystanes****Resolved (Sarkis/Cummings)**

That Council receive and note the report.

**Carried Unanimously**

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**Min.1009 Items by Exception****Resolved (Sarkis/Cummings)**

That Council adopt items C02/21-665, C02/21-666 and C02/21-668 on the Council Agenda in bulk as per the recommendations in the reports.

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**Min.1010      C02/21-665 Investment Report - December 2020**

**Resolved (Sarkis/Cummings)**

That Council receive the 31 December Investment Report.

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**Min.1011      C02/21-666 Council Meeting Schedule 2021**

**Resolved (Sarkis/Cummings)**

That Council adopt the Council Meeting Schedule as outlined in the report.

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**Min.1012      C02/21-668 Report on Outstanding Council Resolutions**

**Resolved (Sarkis/Cummings)**

That Council receive the report.

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**Min.1013      C02/21-664 Disability Inclusion Action Plan 2017-2021 Progress Report**

**Resolved (Lake/Saha)**

That Council:

1. Receive and note the progress report on the implementation of the Cumberland Disability Inclusion Action Plan 2017-2021.
2. Note the new deadline for the development of a new Disability Inclusion Action Plan to be 1 July 2022; and
3. Receive and note the extension of the current Cumberland Disability Inclusion Action Plan for one year to 30 June 2022.

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**C02/21-665 Investment Report - December 2020**

This item was dealt with earlier in the meeting.

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**C02/21-666 Council Meeting Schedule 2021**

This item was dealt with earlier in the meeting.

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**Min.1014 C02/21-667 Update on Approved Mayoral Community Fund Applications**

**Resolved (Sarkis/Cummings)**

That Council receive the report.

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**C02/21-668 Report on Outstanding Council Resolutions**

This item was dealt with earlier in the meeting.

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**Min.1015 C02/21-669 Bi-Annual Report on Councillor Expenses and Facilities**

**Resolved (Hamed/Elmore)**

That Council:

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

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**Min.1016 C02/21-670 Finalised Internal Audit into Councillor Expenses**

**Resolved (Attie/Garrard)**

That Council:

1. Receive the report.
2. Note the General Manager will immediately implement the recommendations of the report.

During the consideration of this item, Councillor Hamed raised a point of order in accordance with clause 10.22 of the Code of Meeting Practice advising that she had been misrepresented by Councillor Zaiter in his comments regarding her expense claims. The Mayor, Councillor Christou ruled against her point of order.

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.

Councillor Rahme left the Meeting at 7:59pm and returned to the Meeting at 8:02pm during the consideration of this item.

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Councillor Garrard left the Meeting at 8:00pm and returned to the Meeting at 8:02pm during the consideration of this item.

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**Min.1017      C02/21-671 Outcome of Lease Negotiations - Oriole Park Site**

**Motion (Elmore/Campbell)**

That Council:

1. Enter into an Agreement for Lease with West Sydney Wolves over the site area outlined in this report for a period of 18 months, contingent on funding being sought to deliver the project based on an approved program of works and relevant planning approvals.
2. Delegate authority to the General Manager to finalise the agreement documentation.
3. Consider a long term lease further once a Plan of Management has been adopted for the site.

**Amendment (Zreika/Attie)**

That Council:

1. Enter into an Agreement for Lease with West Sydney Wolves over the site area outlined in this report for a period of 18 months per the amount in point 2, for a facility generally consistent with their EOI submission, contingent on funding being sought to deliver the project based on an approved program of works and relevant planning approvals.
2. Subject to point 1 and a Plan of Management being adopted which incorporates the site, enter into a lease for 20 years with West Sydney Wolves for a commencing annual rent amount of \$505 per annum in lieu of the capital works program being undertaken; and
3. Delegate authority to the General Manager to finalise the agreement documentation.

The Amendment moved by Councillor Zreika 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 Amendment:      Attie, Christou, Cummings, Garrard, Rahme, Sarkis, Zaiter and Zreika.

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

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

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

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

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

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

Councillor Saha left the Meeting at 8:36pm and returned to the Meeting at 8:40pm during the consideration of this item.

Councillor Cummings left the Meeting at 8:44pm and returned to the Meeting at 8:46pm during the consideration of this item.

Councillor Sarkis left the Meeting at 8:53pm and returned to the Meeting at 8:55pm during the consideration of this item.

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**Min.1018 Closed Session**

**Resolved (Attie/Sarkis)**

At this stage of the meeting being 8:57pm, the Mayor advised that in accordance with Section 10a of the *Local Government Act 1993* the meeting would move into Closed Session, with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action was taken as the items listed were within the following provisions under Section 10a of the *Local Government Act*:-

*(2) The matters and information are the following:*

*(d) commercial information of a confidential nature that would, if disclosed,*

*(i) prejudice the commercial position of the person who supplied it.*

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**Min.1019 Open Session**

**Resolved (Attie/Sarkis)**

Council returned to Open Session at 9:04pm to resolve the below Confidential Item:

C02/21-673 Approval of Contract - Procurement Exemption

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**Min.1020      C02/21-673 Approval of Contract - Procurement Exemption**

**Resolved (Garrard/Attie)**

That Council defer this matter for a workshop.

**Carried Unanimously**

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The Mayor, Councillor Christou closed the meeting at 9:04pm.

Chairperson  General Manager 