
Minutes of the Council Meeting 17 March 2021

Present:

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 (via web conferencing)
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Suman Saha	Councillor
Michael Zaiter	Councillor
Tom Zreika	Councillor (via web conferencing joined 6:48pm)
Peter Fitzgerald	Acting 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 6:31pm.

Opening Prayer

The opening prayer was read by Fr. Peter Blayney from St Patrick's Catholic, Guildford.

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.

Min.1052 Apologies/Leave of Absence

Resolved (Elmore/Sarkis)

That the apology tendered on behalf of Councillor Zreika be accepted.

Councillor Zreika later joined the meeting at 6:48pm via web conferencing.

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

Councillors Attie and Sarkis declared a less than significant non-pecuniary interest in items C03/21-699, C03/21-700 and C03/21-701 as they are both members of the Sydney Central City Planning Panel and they noted it is possible that these matters may be heard by the Panel in future. As such, they exited the Chamber during the consideration of these items.

Confirmation of Minutes

Min.1053 C03/21-695 Minutes of the Ordinary Meeting of Council - 03 March 2021

Resolved (Sarkis/Garrard)

That Council confirm the minutes of the Ordinary Meeting of Council held on 3 March 2021 with an amendment to Min.1043 to reflect the amendment moved by Councillor Garrard which was subsequently accepted by the mover of the Motion.

The Motion moved by Councillor Sarkis seconded by Councillor Garrard 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.

Public Forum:

Speakers on Items on the Council Meeting Agenda

Speaker	Item #	Suburb
Mr Roydon Ng	C03/21-707 Notice of Motion - Racism Not Welcome Campaign	Lidcombe
Dr Sabrin Farooqui	C03/21-707 Notice of Motion - Racism Not Welcome Campaign	Potts Hill
Miss Nazanin Sharifi	C03/21-707 Notice of Motion - Racism Not Welcome Campaign	Doonside
Ms Yusra Metwally	C03/21-707 Notice of Motion - Racism Not Welcome Campaign	Chester Hill

Min.1054 Suspension of Standing Orders

Resolved (Attie/Cummings)

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C03/21-707 to be brought forward for consideration at this time of the Meeting.

Min.1055 C03/21-707 Notice of Motion - Racism Not Welcome Campaign

Motion (Huang/Saha)

That Council:

1. Note the alarming rise in incidents of racism in Australia and our local community;
2. Endorse the “Racism Not Welcome” campaign developed by the Inner West Multicultural Network (IWMN);
3. Support the instalment of bi-lingual* “Racism Not Welcome” street signs in key locations around the Cumberland LGA as part of this campaign;
4. Work with the IWMN to install the “Racism Not Welcome” street signs; and
5. Allocate \$5000 towards Racism Not Welcome Campaign.

(*English + one of the top 5 languages that reflects the demographic of the local community)

The Motion moved by Councillor Huang 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.

Min.1056 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.

Min.1057 Matter of Urgency – Councillor Attie**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 outdoor dining during Ramadan and Easter.

ADJOURNMENT

7:50pm The Mayor, Councillor Christou adjourned the Meeting for a short recess during the consideration of this item.

7:58pm The Mayor, Councillor Christou resumed the Meeting and consideration of this item continued accordingly.

Carried Unanimously

Min.1058 Matter of Urgency – Outdoor Dining during Ramadan and Easter**Resolved (Attie/Sarkis)**

That Council:

1. Allow cafes/restaurants within the LGA that wish to apply for the ability to serve customers immediately in front of their business during the month of Ramadan commencing at the time of Iftar and during the Easter period.
2. The outdoor dining fees shall be suspended pending a further decision of the Council under Section 610E of the Local Government Act for the period of Ramadan and Easter, consistent with the approach of the Mayoral Minute resolved by Council in April 2020.
3. Any café/restaurant that wishes to undertake cooking in front of their business can also apply however will be required to have inspections and comply with Council policies.
4. All activities pertaining to this motion are to be in accordance with Council's outdoor dining policy, Section 68 of the Local Government Act and relevant policies.
5. Fast track any applications within this category.

Carried Unanimously

Min.1059 Resumption of Standing Orders

Resolved (Garrard/Attie)

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

Min.1060 Items by Exception

Resolved (Sarkis/Attie)

That Council adopt items C03/21-696, C03/21-697, C03/21- 702, C03/21- 703 and C03/21-705 on the Council Agenda in bulk as per the recommendations in the reports.

Min.1061 C03/21-696 Legal Report

Resolved (Sarkis/Attie)

That Council receive the report.

Min.1062 C03/21-697 Monthly Management Accounts - January 2021

Resolved (Sarkis/Attie)

That Council receive the report.

Min.1063 C03/21-702 Readoption of the Asbestos Management Policy and Guideline

Resolved (Sarkis/Attie)

That Council readopt the Asbestos Management Policy and supporting Guideline.

Min.1064 C03/21-703 Draft Asbestos Management Framework

Resolved (Sarkis/Attie)

That Council place the *Draft Asbestos Management Framework 2021* on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period.

Min.1065 C03/21-705 Approval of Heavy Vehicle Access to FBT - Transwest Pty Ltd**Resolved (Sarkis/Attie)**

That Council:

1. Approve a trial period of twelve (12) months for heavy vehicles under Higher Mass Limits to access Council roads identified under recommendation 2, subject to the completion of a surface dilapidation and condition report submitted by the applicant to Council and the payment of a performance bond as determined by Council's fees and charges.
2. Note that permissible access to Council's roads would be restricted to the following road sections:
 - (i) Long Street, Smithfield – From Cumberland Highway to Gipps Road (approximately 2.3km)
 - (ii) Britton Street, Smithfield – From Long Street roundabout to past the first bend (approximately 520m)

Min.1066 C03/21-698 Investment Report - February 2021**Resolved (Garrard/Sarkis)**

That Council receive the report and congratulate the finance staff on their efforts.

Min.1067 C03/21-699 45 Barcom Street, Merrylands West - Draft Voluntary Planning Agreement and Draft Development Control Plan

Note: Councillors Attie and Sarkis exited the Chamber at 8:17pm prior to the consideration of this item as they had declared a less than significant non-pecuniary interest in relation to this item.

Resolved (Cummings/Elmore)

That Council:

1. Endorse in-principle the public benefit offer from the applicant of 45 Barcom Street, Merrylands West, for a monetary contribution towards local infrastructure upgrades in the Merrylands West area, as well as a monetary contribution towards the Duck River Masterplan;
2. Endorse that the draft Voluntary Planning Agreement and draft site-specific Development Control Plan for 45 Barcom Street, Merrylands West, be publicly exhibited for a period of 28 days in accordance with statutory and policy requirements; and
3. Note that the planning proposal for 45 Barcom Street, Merrylands West, will be placed on Post-Gateway public exhibition at the same time as the exhibition of the

draft Voluntary Planning Agreement and draft site-specific Development Control Plan.

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

Min.1068 C03/21-700 2-22 William Street, Granville - Planning Proposal, Development Control Plan and Voluntary Planning Agreement

Note: Councillors Attie and Sarkis were not present in the Chamber during the consideration of this item as they had declared a less than significant non-pecuniary interest in relation to this item.

Resolved (Cummings/Zaiter)

That Council:

1. Adopt the recommended planning controls for 2-22 William Street, Granville, as previously resolved by Council, being:
 - a. a maximum building height of 16 metres be applied to the site;
 - b. a maximum Floor Space Ratio of 1.7:1 be applied to the site; and
 - c. removal of existing local heritage item I205 known as 10 William Street, Granville (Lot 27 DP 2371).
2. Finalise the Planning Proposal (Attachment 1), as delegated by the Minister, following execution of the Voluntary Planning Agreement and registration on title.
3. Note that this Local Environmental Plan amendment will be published in the Government Gazette upon finalisation.
4. Adopt the site-specific Development Control Plan as an amendment to the Parramatta Development Control Plan 2011, as provided in Attachment 4, with the Development Control Plan coming into effect on the date of notification (gazetted) of the Local Environmental Plan amendment.
5. Delegate to the General Manager the authority to make minor, non-policy corrections or formatting changes to the Development Control Plan controls, if required, prior to coming into effect.
6. Endorse that the site-specific Development Control Plan provisions be carried over to the new Cumberland Development Control Plan when this is in force.
7. Endorse and delegate authority to the Mayor and General Manager to execute the Voluntary Planning Agreement on behalf of Council for 2-22 William Street, Granville, as provided in Attachment 5.

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

Min.1069 C03/21-701 Planning Proposal - 2 Railway Street and 3-7 East Street, Lidcombe

Note: Councillors Attie and Sarkis returned to the Chamber at 8:19pm following the consideration of this item as they had declared a less than significant non-pecuniary interest in relation to this item.

Resolved (Zaiter/Lake)

That Council note the rejection by the Department of Planning, Industry and Environment of the Planning Proposal at 2 Railway Street and 3-7 East Street, Lidcombe.

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

C03/21-702 Readoption of the Asbestos Management Policy and Guideline

This item was dealt with earlier in the meeting.

C03/21-703 Draft Asbestos Management Framework

This item was dealt with earlier in the meeting.

Min.1070 C03/21-704 Response to Notice of Motion Granville Park Stadium Naming

Resolved (Cummings/Rahme)

That Council :

1. Name the new Granville Park stadium, The Eric Tweedale Stadium.

-
2. Install an interpretive plaque detailing Eric Tweedale's achievements and contributions to Australia and the plaque be placed in the Eric Tweedale Stadium.
 3. Include an acknowledgement of Mick O'Connell in the function room at the Eric Tweedale Stadium.

Carried Unanimously

C03/21-705 Approval of Heavy Vehicle Access to FBT - Transwest Pty Ltd

This item was dealt with earlier in the meeting.

Min.1071 C03/21-706 Cumberland Traffic Committee - Minutes of Electronic Meetings held in February 2021

Resolved (Sarkis/Attie)

That:

1. The minutes of Part 1 Items of the Cumberland Traffic Committee electronic meeting of 3 February 2021, be received and noted; and
2. The minutes of Part 2 Items of the Cumberland Traffic Committee electronic meeting of 3 February 2021 be received and recommendations contained therein be approved.

Carried Unanimously

C03/21-707 Notice of Motion - Racism Not Welcome Campaign

This item was dealt with earlier in the meeting.

Min.1072 Closed Session

Resolved (Attie/Elmore)

At this stage of the meeting being 8:27pm, 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,*
 - (ii) *confer a commercial advantage on a competitor of the council.*

Min.1073 Open Session

Resolved (Sarkis/Cummings)

Council returned to Open Session at 8:36pm to resolve the below Confidential Item:

C03/21-708 Outcome of Expression of Interest Process - Opportunity for
Redevelopment of Council's site at Wentworthville

**Min.1074 C03/21-708 Outcome of Expression of Interest Process -
Opportunity for Redevelopment of Council's site at Wentworthville**

Resolved (Attie/Zaiter)

That Council defer the matter to the next Council Meeting.

Carried Unanimously

The Mayor, Councillor Christou closed the meeting at 8:36pm.

Chairperson _____ Acting General Manager _____