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## Minutes of the Council Meeting 15 May 2024

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### Present:

#### Councillors

Lisa Lake (Mayor)	Councillor
Ola Hamed (Deputy Mayor)	Councillor (Via Audio-Visual)
Steve Christou	Councillor
Diane Colman	Councillor
Greg Cummings	Councillor
Glenn Elmore	Councillor
Sabrin Farooqui	Councillor
Paul Garrard	Councillor
Kun Huang	Councillor (Via Audio-Visual)
Helen Hughes	Councillor
Mohamad Hussein	Councillor
Suman Saha	Councillor
Eddy Sarkis	Councillor
Michael Zaiter	Councillor

#### Officers

Peter Fitzgerald	General Manager
Melissa Attia	Director Corporate Performance (Deputy General Manager)
Daniel Cavallo	Director Environment & Planning
Brendan Govers	Director City Services
Nicole Byrn	Director Community & Culture
Charlie Ayoub	Director Governance & Risk
Colin McFadzean	General Counsel
Carol Karaki	Manager Governance
Bianca Mourched	Coordinator Governance
Lyndall Thompson	Senior Governance and Civic Events Officer

The Mayor, Councillor Lake declared the meeting open at 6:30pm.

#### Opening Prayer

The opening prayer was read by Reverend Rodney Kerr from Merrylands Anglican Church.

#### Acknowledgement of Country

The Mayor, Councillor Lake 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 Lake asked all of those in attendance to stand for the playing of the Australian National Anthem.

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### **Min.740 Apologies / Requests for Leave of Absence / Requests for Attendance by Audio-Visual Link**

#### **Motion (Cummings/Hussein)**

That in accordance with Clause 5.3 of the *Code of Meeting Practice*, an apology be accepted on behalf of Councillor Rahme for this Council meeting.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

#### **Min. 741**

#### **Motion (Hussein/Cummings)**

That in accordance with Clause 5.24 of the *Code of Meeting Practice*, Council approve the attendance of Councillor Hamed at this meeting via Audio/Visual Link due to work commitments.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

#### **Min. 742**

#### **Motion (Hussein/Cummings)**

That in accordance with Clause 5.24 of the *Code of Meeting Practice*, Council approve the attendance of Councillor Huang at this meeting via Audio/Visual Link due to work commitments.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

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## ADJOURNMENT

**6:42pm** The Mayor, Councillor Lake adjourned the meeting due to technical issues with the live stream.

**6:49pm** The Mayor, Councillor Lake resumed the meeting.

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## Notice of Live Streaming of Council Meeting

The Mayor, Councillor Lake advised that the Council meeting was being streamed live on Council's website and all in attendance must ensure their speech to the Council is respectful and use appropriate language.

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## Confirmation of Minutes

**Min. 743 C05/24-516 Minutes of the Ordinary Meeting of Council - 01 May 2024**

### Motion (Christou/Garrard)

That Council confirm the minutes of the Ordinary Meeting of Council held on 01 May 2024 subject to the following amendment:

That page 14 reflect that Councillor Christou raised a Matter of Urgency that the Mayor determined would be considered after the consideration of other business at a later point in the meeting.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

## Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

There were no declarations of interest.

**Min. 744      Mayoral Minute - Condolences - The Late Tony Bleasdale OAM**

**Motion (Lake)**

That **Error! No document variable supplied.:**

1. Note with sadness the passing of Blacktown City Council Mayor, Councillor Tony Bleasdale OAM;
2. Make a donation from Council's operational budget of \$2,000 to Grace's Place (Homicide Victims Support Group Australia Ltd – ABN 77709011655); and
3. Observe a minute's silence to honour the life of Tony Bleasdale OAM, including his achievements and contributions to the Blacktown City area and greater Western Sydney.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion:                Nil.

**Note:** At this point of the meeting, Council observed a minute of silence.

**Public Forum:**

**Speakers on Items on the Council Meeting Agenda**

<b>Speaker</b>	<b>Item #</b>	<b>Suburb</b>
Mr Rowan Luke	C05/24-519 Quarter 3 2023/24 Budget Review Statement	Miranda
	C05/24-520 Inquiry into Current and Future Public Transport Needs in Western Sydney - Update	
	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	
Mr Roydon Ng	C05/24-520 Inquiry into Current and Future Public Transport Needs in Western Sydney - Update	Lidcombe
Mr Tony Oldfield	C05/24-521 Notice of Motion - Removal of Berala from the Transport Oriented Development Program	Auburn
Ms Caroline Staples	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	Lidcombe
Ms Wei Thai-Haynes	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	Campsie

Mr Evan Gray	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	Hurstville
Mrs Danielle Wheeler	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	Granville
Mr Frank Webb	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	Merrylands
Mr George Campbell	C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition	Auburn

### Speakers on General Items

<b>Speaker</b>	<b>Subject</b>	<b>Suburb</b>
Miss Jessica Anne Maher	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Ban of books featuring same sex couples.</i>	Auburn
Miss Jessica Crowley	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Allowing discrimination, governing library services, removing free speech, inciting hate.</i>	Guildford
Ms Julie Thomas	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Library Strategy and banning of books.</i>	Greystanes
Miss Zoe Coolan-Glen	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Ban on books with LGBTQIA+ content in libraries.</i>	Lidcombe
Ms Ellen Hrebeniuk	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Safety of Council.</i>	Lidcombe
Mr Craig Kelly	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Removal book same-sex parenting book from children's library</i>	Macquarie Links
Mr Rafiq Ziayee	Matters of Policy, the delivery of services, regulatory functions or issues of community concern - <i>Banning of same-sex parenting book</i>	Merrylands
Ms Alexa Kapust	Matters of Policy, the delivery of services, regulatory functions or issues of community concern – <i>Negative impact on community when banning books with same sex parents.</i>	Granville

During Public Forum, Ms Caroline Staples tabled an online petition in relation to her address. The Mayor, Councillor Lake noted the petition was tabled and would be noted as such in the Minutes.

During Public Forum, Councillor Saha raised a point of order, citing an alleged breach of Clause 15.11 (e) of the *Code of Meeting Practice*, advising that Councillors are required to cite the relevant clause of the *Code of Meeting Practice* allegedly in breach when raising a point of order. The Mayor, Councillor Lake upheld the point of order.

Councillor Hamed left the Meeting at 7:16pm and returned at 7:17pm during Public Forum.

Councillor Christou left the Meeting at 7:19pm and returned at 7:21pm during Public Forum.

Councillor Hussein left the Meeting at 7:25pm and returned at 7:27pm during Public Forum.

Councillor Hamed left the Meeting at 7:36pm and returned at 7:38pm during Public Forum.

Councillor Colman left the Meeting at 7:42pm and returned at 7:45pm during Public Forum.

Councillor Huang left the Meeting at 7:43pm and returned at 7:45pm during Public Forum.

Councillor Hamed left the Meeting at 7:48pm and returned at 7:49pm during Public Forum.

Councillor Sarkis left the Meeting at 7:54pm and returned at 7:55pm during Public Forum.

Councillor Hussein left the Meeting at 8:18pm and returned at 8:22pm during Public Forum.

Councillor Christou left the Meeting at 8:26pm and returned at 8:27pm during Public Forum.

Councillor Saha left the Meeting at 8:32pm and returned at 8:36pm during Public Forum.

After the conclusion of Public Forum, at the request of Councillor Christou, the Mayor, Councillor Lake advised that it would be noted in the Minutes that only speakers who registered to address Council in Public Forum in accordance with the adopted *Code of Meeting Practice* were permitted to address Council at this meeting.

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**Min. 745      Alteration of Order of Business****Motion (Huang/Farooqui)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council alter the order of business to allow Item C05/24-522 Status Update on Council Resolution - C05/24-506 - Adoption of Library Strategy 2024 - 2027 - Post Exhibition within General Business to be brought forward for consideration at this time of the Meeting.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

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**Min. 746      Matter of Urgency - Councillor Huang**

In accordance with Clauses 9.2(a) and 9.3(b) of the adopted *Code of Meeting Practice*, the Mayor ruled that the business raised without notice by Councillor Huang in relation to the urgent consideration of the Motion to Alter the previous Council resolution of Council of 1 May 2024 for Item C05/24-506 be heard by Council as a matter of urgency, as it requires a decision by the Council before the next scheduled ordinary meeting, and directly relates to a matter already before the Council.

**Motion (Huang/Farooqui)**

That in accordance with clause 9.3(a) of the adopted *Code of Meeting Practice*, the business raised by Councillor Huang in relation to alteration of the previous Council resolution for Council's Library Strategy be considered at this meeting as a matter of urgency.

The motion on being put was declared **CARRIED** Unanimously.

Councillor(s) for the motion:                      Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

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**Min. 747      Matter of Urgency - Alteration of the previous Council resolution for Council's Library Strategy****Motion (Huang/Farooqui)**

That as a result of Minister representations concerning funding and a request to reconsider Council's 1 May 2024 resolution with haste along with intense public interest, Council urgently determine a Motion to Alter Council Resolution filed by Councillors Huang, Farooqui, Colman and Elmore for the 5 June 2024 Council meeting as attached

to Item C05/24-522 and as further amended below, to alter the resolution of Council of 1 May 2024 for Item C05/24-506 Adoption of Library Strategy 2024-2027 – Post Exhibition (Min.729) to read as follows:

1. That Council adopt the Library Strategy 2024-27 as outlined in attachment 1.
2. That Council ensure that all books in the library are catalogued and placed within the library according to the records of Libraries Australia (National Library of Australia),
3. In the rare event that a book is received by Council that requires a subjective decision by Council staff to give it a classification, the General Manager is to implement guidelines to assist our library staff to ensure that all books are placed in the appropriate sections of the library.

**Amendment (Christou/Sarkis)**

Replace points 2 and 3 of the original motion with the following:

2. That the book titled same sex parents be moved to the Adult Collection Non Fiction Section,
3. The General Manager implement procedures to ensure that children under the age of 18 can only access books which are age appropriate,
4. Upon implementation of the procedures the General Manager is to conduct a review to ensure Council is compliant with the new procedures.

The Amendment on being Put was declared **LOST**.

Councillor(s) For the Amendment: Christou, Garrard, Hussein and Sarkis.

Councillor(s) Against the Amendment: Colman, Cummings, Elmore, Farooqui, Hamed, Huang, Hughes, Lake, Saha and Zaiter.

Debate then resumed on the Motion.

**Amendment (Garrard/Hughes)**

Replace points 2 and 3 of the original motion with the following:

2. That the book titled same sex parents be moved to the Adult Collection Non Fiction Section.

The Amendment on being Put was declared **LOST**.

Councillor(s) For the Amendment: Christou, Garrard, Hughes and Sarkis.

Councillor(s) Against the Amendment: Colman, Cummings, Elmore, Farooqui, Hamed, Huang, Hussein, Lake, Saha and Zaiter.

The Motion on being Put was declared **CARRIED**.



Councillor(s) For the Motion: Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha and Zaiter.

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

During the consideration of this item, due to repeated interjections, the Mayor, Councillor Lake asked a member of the Public Gallery to leave the Meeting in accordance with Clause 15.17 of Council's *Code of Meeting Practice*. (9:06pm)

Councillor Sarkis left the Meeting at 9:09pm and returned at 9:11pm during the consideration of this item.

Councillor Christou left the Meeting at 9:10pm and returned at 9:12pm during the consideration of this item.

Councillor Hamed left the Meeting at 9:39pm and returned at 9:43pm during the consideration of this item.

Councillor Hussein left the Meeting at 9:46pm and returned at 9:47pm during the consideration of this item.

Councillor Christou left the Meeting at 9:46pm and returned at 9:47pm during the consideration of this item.

During the consideration of this item, Councillor Christou raised a point of order, advising that Councillor Elmore made unfavourable personal remarks toward him. The Mayor, Councillor Lake requested that Councillor Elmore withdraw his comment and Councillor Elmore subsequently withdrew the comment.

Following the above, Councillor Garrard raised a point of order on the same matter, advising that Councillor Elmore was to withdraw his comment and apologise without reservation to comply with the *Code of Meeting Practice*. The Mayor, Councillor Lake requested that Councillor Elmore withdraw his comment and apologise without reservation and Councillor Elmore obliged.

Councillor Christou left the Meeting at 9:52pm and returned at 9:53pm during the consideration of this item.

Councillor Sarkis left the Meeting at 10:11pm and returned at 10:15pm during the consideration of this item.

Councillor Hamed left the Meeting at 10:20pm and returned at 10:21pm during the consideration of this item.

Councillor Hamed left the Meeting at 10:22pm and returned at 10:25pm during the consideration of this item.

Councillor Hussein left the Meeting at 10:33pm and returned at 10:38pm during the consideration of this item.

Councillor Sarkis left the Meeting at 10:33pm and returned at 10:38pm during the consideration of this item.

Councillor Hamed left the Meeting at 10:33pm and returned at 10:35pm during the consideration of this item.

Councillor Christou left the Meeting at 10:37pm and returned at 10:38pm during the consideration of this item.

Councillor Hamed left the Meeting at 10:38pm and returned at 10:39pm during the consideration of this item.

Councillor Hamed left the Meeting at 10:40pm and returned at 10:41pm during the consideration of this item.

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**C05/24-522 Status Update on Council Resolution - C05/24-506 -  
Adoption of Library Strategy 2024 - 2027 - Post Exhibition**

This item was dealt with earlier in the meeting.

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**Min. 748      Extension of Time**

**Motion (Hamed/Sarkis)**

That Council in accordance with Clause 18.2 of the *Code of Meeting Practice*, extend the meeting by 1 hour to conclude at 11:00pm, or if an item being discussed is unfinished at 11:00pm, at the conclusion of that item.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Christou, Colman, Cummings, Elmore,  
Farooqui, Garrard, Hamed, Huang, Hughes,  
Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

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**ADJOURNMENT**

**10:42pm**      The Mayor, Councillor Lake adjourned the meeting.

**10:51pm**      The Mayor, Councillor Lake resumed the meeting.

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**Min. 749      Items Resolved by Exception****Motion (Cummings/Saha)**

That Council adopt items C05/24-517, C05/24-518, C05/24-519 and C05/24-520 on the Council Agenda as per the recommendations in the reports.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion:                      Colman, Cummings, Elmore, Farooqui,  
Garrard, Hamed, Huang, Hughes, Hussein,  
Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

Councillor Sarkis returned to the Meeting at 10:52pm following the adjournment during the consideration of this item.

Councillor Hussein returned to the Meeting at 10:52pm following the adjournment during the consideration of this item.

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**C05/24-517 Legal Report*****Resolved by Exception***

That the report be received.

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**C05/24-518 Investment Report - April 2024*****Resolved by Exception***

That Council receive the April 2024 Investment Report.

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**C05/24-519 Quarter 3 2023/24 Budget Review Statement*****Resolved by Exception***

That Council approve the revised estimates of income and expenditure for 2023/24 contained in the Quarterly Budget Review Statement.

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**C05/24-520 Inquiry into Current and Future Public Transport Needs in Western Sydney - Update*****Resolved by Exception***

That Council receive and note the report.

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**Min. 750      C05/24-521 Notice of Motion - Removal of Berala from the Transport Oriented Development Program**

**Motion (Hughes/Garrard)**

That Council:

1. Undertakes a further information session and consultation with the community regarding the details now provided, and provide explicit requirements of residents;
2. Continues to fight this proposed rezoning development for Berala under the current Transport Oriented Development Program arrangement and implement a community action plan against the TOD;
3. Writes to the State Member for Auburn, requesting that she strongly represent and advocate on behalf of the Berala community in pursuing that Berala be removed from the Transport Oriented Development Program.

**Amendment (Farooqui/Colman)**

That Council:

1. Undertakes a further information session and consultation with the community regarding the proposed Berala Transport Oriented Development (TOD) Program, including the proposed new planning controls.
2. Continues to advocate for Berala under the proposed TOD program on State Government funding for necessary growth infrastructure and to increase social and affordable housing provision, and
3. Writes to the State Member for Auburn, requesting that she strongly represent and advocate on behalf of the Berala community in relation to this Program.

The Amendment on being Put was declared **CARRIED**.

Councillor(s) For the Amendment:      Colman, Elmore, Farooqui, Hamed, Hussein, Lake, Saha and Sarkis.

Councillor(s) Against the Amendment:      Christou, Cummings, Garrard, Huang, Hughes and Zaiter.

The Amendment then became the Motion as follows:

**Motion (Farooqui/Colman)**

That Council:

1. Undertakes a further information session and consultation with the community regarding the proposed Berala Transport Oriented Development (TOD) Program, including the proposed new planning controls.

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2. Continues to advocate for Berala under the proposed TOD program on State Government funding for necessary growth infrastructure and to increase social and affordable housing provision, and
  3. Writes to the State Member for Auburn, requesting that she strongly represent and advocate on behalf of the Berala community in relation to this Program.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Colman, Elmore, Farooqui, Hamed, Hussein, Lake, Saha, Sarkis and Zaiter.

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

Councillor Hussein left the Meeting at 10:52pm and returned at 10:53pm during the consideration of this item.

Councillor Zaiter left the Meeting at 10:52pm and returned at 10:53pm during the consideration of this item.

Councillor Christou returned to the Meeting at 11:04pm following the adjournment during the consideration of this item.

Councillor Christou left the Meeting at 11:09pm and returned at 11:10pm during the consideration of this item.

Councillor Christou left the Meeting at 11:15pm and returned at 11:16pm during the consideration of this item.

Councillor Garrard left the Meeting at 11:15pm and returned at 11:16pm during the consideration of this item.

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The Mayor, Councillor Lake closed the meeting at 11:20pm.

Chairperson 