
Minutes of the Council Meeting 21 August 2024

Present:

Councillors

Lisa Lake (Mayor)	Councillor
Ola Hamed (Deputy Mayor)	Councillor
Steve Christou	Councillor
Diane Colman	Councillor
Greg Cummings	Councillor
Glenn Elmore	Councillor
Sabrin Farooqui	Councillor
Paul Garrard	Councillor (arrived 6:36pm)
Kun Huang	Councillor (Via Audio-Visual)
Helen Hughes	Councillor
Mohamad Hussein	Councillor
Joseph Rahme	Councillor (arrived 6:37pm)
Suman Saha	Councillor
Eddy Sarkis	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
Bianca Mourched	Coordinator Governance
Lyndall Thompson	Senior Governance and Civic Events Officer

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

Opening Prayer

The opening prayer was read by Sheikh Mohammed Al-Zoubi from Auburn Islamic Community Centre.

The Mayor, Councillor Lake thanked Sheik Mohammed Al-Zoubi and all of Cumberland's local faith leaders who have contributed to and supported Council during the current term.

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.

Councillor Garrard joined the Meeting at 6:36pm during the National Anthem.

Min. 803 Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link

Motion (Hussein/Sarkis)

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

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

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

Councillor(s) Against the Motion: Nil.

Min. 804

Motion (Sarkis/Hussein)

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, Rahme, Saha and Sarkis.

Councillor(s) Against the Motion: Nil.

Councillor Rahme joined the Meeting at 6:37pm during the consideration of this item.

Councillor Garrard left the Meeting at 6:37pm and returned at 6:38pm during the consideration of this item.

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.

Confirmation of Minutes

Min. 805 C08/24-575 Minutes of the Ordinary Meeting of Council - 07 August 2024

Motion (Elmore/Sarkis)

That Council confirm the minutes of the Ordinary Meeting of Council held on 07 August 2024.

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

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

Councillor(s) Against the Motion: Nil.

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

There were no declarations of interest.

Min. 806 Mayoral Minute – Mayoral Thank You

Motion (Lake)

That Council endorse the Mayoral Minute. The Motion on being Put was declared

CARRIED.

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

Councillor(s) Against the Motion: Nil.

Councillor Sarkis left the Meeting at 6:40pm and returned at 6:42pm during the consideration of this item.

Councillor Huang left the Meeting at 6:59pm and returned at 7:00pm during the consideration of this item.

Councillor Rahme left the Meeting at 7:08pm and returned at 7:11pm during the consideration of this item.

Councillor Colman left the Meeting at 7:24pm and returned at 7:27pm during the consideration of this item.

Councillor Sarkis left the Meeting at 7:28pm and returned at 7:32pm during the consideration of this item.

Councillor Colman left the Meeting at 7:36pm during the consideration of this item.

Councillor Hussein left the Meeting at 7:37pm and returned at 7:38pm during the consideration of this item.

Public Forum:

Speakers on General Items

Speaker	Subject	Suburb
Ms Stefania Coco	Indigenous "Treaty by Stealth"	Merrylands West

Councillor Colman returned to the Meeting at 7:41pm during Public Forum.

Councillor Farooqui left the Meeting at 7:45pm during Public Forum and did not return.

ADJOURNMENT

7:49pm The Mayor, Councillor Lake adjourned the meeting in accordance with Clause 15.13 of the *Code of Meeting Practice*.

8:04pm The Mayor, Councillor Lake resumed the meeting.

Min. 807 Items Resolved by Exception

Motion (Sarkis/Cummings)

That Council adopt items C08/24-576, C08/24-577, C08/24-578, C08/24-582 and C08/24-584 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, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha and Sarkis.

Councillor(s) Against the Motion: Nil.

C08/24-576 Legal Report***Resolved by Exception***

That the report be received.

C08/24-577 Investment Report - July 2024***Resolved by Exception***

That Council receive the July 2024 Investment Report.

C08/24-578 Council Functions and Delegations During the Caretaker and Post Election Period***Resolved by Exception***

That Council:

1. In accordance with Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and General Manager or in their absence, to the person(s) acting in these roles, to exercise the powers, authorities, duties and functions of Council which cannot reasonably be deferred to the first Council meeting following the Cumberland Council Local Government Election, noting the limitations on exercising Council functions during the caretaker period as outlined in s.393(b) of the *Local Government (General) Regulation 2021*. This period:
 - a) Commencing from midnight immediately following the final Ordinary Council meeting of the Council term being 21 August 2024; and
 - b) Concluding on 13 September 2024;

Noting that any such decisions made during the Caretaker period are to be unanimous and circulated to Councillors for their information, and be reported to the first Ordinary Council Meeting following the general election.

2. In accordance with Section 377 of the *Local Government Act 1993*, delegate authority to the General Manager or in his absence, to the person acting in that role, to exercise the powers, authorities, duties and functions of Council which cannot reasonably be deferred to the first Council meeting following the Cumberland Council Local Government Election. This period:
 - a) Commencing on 14 September 2024; and
 - b) Concluding at the time of commencement of the first Council meeting held following the local government general elections, whereby a Mayor is required to be elected by Council in accordance with s.290 of the *Local Government Act 1993*;

Noting that any such decisions will be reported to the first Ordinary Council meeting following the general election.

C08/24-582 Response to Notice of Motion - The Draft Granville Town Centre Public Domain Plan

Resolved by Exception

That Council receive and note the report.

C08/24-584 Quarterly Progress Report on Council's Section 355 Committee and Community Advisory Committees

Resolved by Exception

That Council receive the report noting the Draft Minutes of Council's Section 355 and Community Advisory Committees recently convened.

Min. 808 C08/24-579 Draft Annual Financial Statements 2023/24

Motion (Saha/Elmore)

That Council:

1. Pursuant to the provisions of Section 413(2)(c) of the *Local Government Act 1993* and Section 215 of the *Local Government (General) Regulations 2021*, note the following in respect to the Annual Financial Statements for the financial year ending 30 June 2024:
 - a) Have been prepared in accordance with:
 - the *Local Government Act 1993* (as amended) and the Regulations made there under;
 - the *Australian Accounting Standards* and other pronouncements of the Australian Accounting Standards Board;
 - the Local Government Code of Accounting Practice and Financial Reporting
 - b) Present fairly Council's operating results and financial position.
 - c) Accord with Council's accounting and other records,
 - d) Signatories are not aware of anything that would make these Statements false or misleading in any way.
2. Pursuant with Section 413(2)(c) of the *Local Government Act 1993*, and Section 215(1)(b) of the *Local Government (General) Regulations 2021*, authorise the Mayor, Deputy Mayor, General Manager, and the Responsible Accounting Officer to sign the 'Statements by Councillors and Management' for the General Purpose and Special Purpose Financial Statements which must then accompany these Financial Statements.
3. Refer the draft Annual Financial Statements to Audit, per S413(2)(c) of the *Local Government Act 1993*.

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4. Receive the Minutes of the Audit, Risk and Improvement Committee held on 19 August 2024.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Christou returned at 8:06pm following the adjournment during the consideration of this item.

Councillor Garrard left the Meeting at 8:06pm during the consideration of this item.

Councillor Rahme returned at 8:07pm following adjournment during the consideration of this item.

Councillors Rahme and Sarkis left the Meeting at 8:08pm during the consideration of this item.

Min. 809 C08/24-580 Draft Merrylands Town Centre Public Domain Plan and Draft Amendments to the Cumberland Development Control Plan for the Merrylands Town Centre - Post Exhibition

Motion (Hamed/Saha)

That Council:

1. Adopt the Merrylands Town Centre Public Domain Plan, as provided in Attachment 1.
2. Adopt to the amendments to the Cumberland Development Control Plan for the Merrylands Town Centre, as provided in Attachments 2 and 3.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Garrard returned to the Meeting at 8:12pm during the consideration of this item.

Councillors Rahme and Sarkis returned to the Meeting at 8:16pm during the consideration of this item.

**Min. 810 C08/24-581 Draft Toongabbie Town Centre Public Domain Plan -
Post Exhibition**

Motion (Saha/Colman)

That Council:

1. Adopt the Toongabbie Town Centre Public Domain Plan as provided in Attachment 1.
2. As part of the 2025/26 budget development process, consider allocating funding toward the renewal of public amenities at Portico Park.

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

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

Councillor(s) Against the Motion: Nil.

**Min. 811 C08/24-583 Response to Notice of Motion - Homelessness in
Cumberland City Council**

Motion (Hamed/Colman)

That Council receive and note this report.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Saha left the Meeting at 8:20pm during the consideration of this item and did not return.

**Min. 812 C08/24-585 Notice of Motion - Future Public Carparking on the
North Side of Lidcombe**

Motion (Hughes/Garrard)

1. That Council seek a report which will identify land available for future public carparking on the North Side of Lidcombe; and
2. That such a report disregard any consideration of 13 John Street as a considered site.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Huang left the Meeting at 8:47pm and returned at 8:48pm during the consideration of this item.

C08/24-586 Questions on Notice - Submitted by Councillor Garrard

The Questions on Notice were answered in the business paper for this Meeting.

The Mayor, Councillor Lake closed the meeting at 8:51pm.

Chairperson_____