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## Minutes of the Council Meeting 06 March 2024

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### 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
Kun Huang	Councillor
Helen Hughes	Councillor
Mohamad Hussein	Councillor
Joseph Rahme	Councillor (arrived 6:34pm)
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:31pm)
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
Bianca Mourched	Coordinator Governance
Lyndall Thompson	Senior Governance & Civic Events Officer

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

**Note:** In recognition of annual World Hearing Day on March 3, the Mayor welcomed to the Chamber Nicole O'Neil, Auslan Interpreter to interpret part of the Meeting's proceedings.

#### Opening Prayer

The opening prayer was read by Pdt Jatinkumar Bhatt from Sri Mandir Hindu Temple Auburn.

## 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.

## 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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## Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link

Nil.

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## Confirmation of Minutes

**Min.668            C03/24-473 Minutes of the Ordinary Meeting of Council - 21 February 2024**

## Motion (Elmore/Saha)

That Council confirm the minutes of the Ordinary Meeting of Council held on 21 February 2024 and 28 February 2024 (*As resumed from the Council Meeting adjourned on 21 February 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, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

Councillor Sarkis left the Meeting at 6:34pm and returned to the Meeting at 6:35pm during the consideration of this item.

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## Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

There were no declarations of interest.



Speaker	Item #	Suburb	Interest
Dr John Brodie	C03/24-479 Cumberland Local Traffic Committee - 07 February 2024 - Recommendations To Council	Guildford West	Resident
Miss Joshika Naidu	C03/24-480 Notice of Motion - Commitment to Gender Equity in Cumberland	Merrylands West	Resident
Mrs Manorama Devana	C03/24-480 Notice of Motion - Commitment to Gender Equity in Cumberland	Pemulwuy	Owner
Miss Crystal Ram	C03/24-480 Notice of Motion - Commitment to Gender Equity in Cumberland	South Wentworthville	Resident

Councillor Hussein left the Meeting at 6:51pm and returned to the Meeting at 6:55pm during Public Forum.

Councillor Rahme left the Meeting at 6:57pm and returned to the Meeting at 6:58pm during Public Forum.

Councillor Huang left the Meeting at 7:00pm and returned to the Meeting at 7:06pm during Public Forum.

Councillor Rahme left the Meeting at 7:19pm and returned to the Meeting at 7:20pm during Public Forum.

Councillor Rahme left the Meeting at 7:20pm and returned to the Meeting at 7:23pm during Public Forum.

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**Min.670      Items Resolved by Exception**

**Motion (Saha/Hamed)**

That Council adopt items C03/24-476 and C03/24-478 on the Council Agenda as per the recommendations in the reports.

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, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

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**C03/24-476 Audit, Risk and Improvement Committee - Draft Minutes of Meeting held on 19 February 2024*****Resolved by Exception***

That Council receive the Draft Minutes of the Audit, Risk and Improvement Committee meeting held on 19 February 2024.

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**C03/24-478 Cumberland Local Traffic Committee- Minutes of 7 February 2024 Meeting and items considered under delegated authority.*****Resolved by Exception***

That Council:

1. Note the items considered under delegated authority by the Cumberland Local Traffic Committee at the 7 February 2024 meeting, as provided in Attachment 1.
2. Receive and note the minutes of the Cumberland Local Traffic Committee meeting held on 7 February 2024, as provided in Attachment 2.

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**ADJOURNMENT**

**7:32pm** The Mayor, Councillor Lake adjourned the meeting in accordance with Clause 5.8 of the *Code of Meeting Practice*.

**7:42pm** The Mayor, Councillor Lake resumed the meeting.

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**Min.671 C03/24-474 Draft Submission - NSW Government's Transport Oriented Development Program****Motion (Farooqui/Huang)**

That Council:

1. Endorse the draft submission to the Department of Planning, Housing and Infrastructure regarding the NSW Government's Transport Oriented Development Program, as provided in Attachment 1; and
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.

**Amendment (Hughes/ Garrard)**

Add the below to point 1.

Subject to the following:

- Place greater emphasis on open space within the submission.
- Omit the words 'outside of peak periods' from point 2 on page 24.

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The proposed Amendment was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

**Motion (Farooqui/Huang)**

That Council:

1. Endorse the draft submission to the Department of Planning, Housing and Infrastructure regarding the NSW Government's Transport Oriented Development Program, as provided in Attachment 1 subject to the following:
  - Place greater emphasis on open space within the submission.
  - Omit the words 'outside of peak periods' from point 2 on page 24.
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.

At this point of the meeting, the Mayor, Councillor Lake suggested that as a result of the current Parliamentary Inquiry in relation to the matter, that the following additional wording may be incorporated into the Motion:

3. Provide a copy of the submission also be provided to the Legislative Council inquiry into the development of the Transport Oriented Development Program.

This was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

**Motion (Farooqui/Huang)**

That Council:

1. Endorse the draft submission to the Department of Planning, Housing and Infrastructure regarding the NSW Government's Transport Oriented Development Program, as provided in Attachment 1 subject to the following:
  - Place greater emphasis on open space within the submission.
  - Omit the words 'outside of peak periods' from point 2 on page 24.
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.
3. Provide a copy of the submission also be provided to the Legislative Council inquiry into the development of the Transport Oriented Development Program.

**Amendment (Sarkis/Christou)**

Add the following point:

4. Forward a copy of the submission to the relevant Ministers and Shadow Ministers and Transport for NSW.

The proposed Amendment was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

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**Motion (Farooqui/Huang)**

That Council:

1. Endorse the draft submission to the Department of Planning, Housing and Infrastructure regarding the NSW Government's Transport Oriented Development Program, as provided in Attachment 1 subject to the following:
  - Place greater emphasis on open space within the submission.
  - Omit the words 'outside of peak periods' from point 2 on page 24.
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.
3. Provide a copy of the submission also be provided to the Legislative Council inquiry into the development of the Transport Oriented Development Program.
4. Forward a copy of the submission to the relevant Ministers and Shadow Ministers of Transport for NSW.

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, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Christou left the Meeting at 7:43pm and returned to the Meeting at 7:45pm during the consideration of this item.

Councillor Sarkis returned to the Meeting at 7:45pm following the adjournment during the consideration of this item.

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**Min.672 C03/24-475 Draft Regents Park Town Centre Public Domain Plan - Post Exhibition**

**Motion (Farooqui/Huang)**

That Council adopt the Regents Park Town Centre Public Domain Plan as provided in Attachment 1.

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, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Sarkis left the Meeting at 8:08pm and returned to the Meeting at 8:14pm during the consideration of this item.

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Councillor Colman left the Meeting at 8:13pm and returned to the Meeting at 8:16pm during the consideration of this item.

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**Min.673            C03/24-477 Quarterly Progress Report on Council's Section 355 Committee and Community Advisory Committees**

**Motion (Colman /Hamed)**

That Council receive the report noting the Draft Minutes of Council's Section 355 and Community Advisory Committees recently convened, and resolve to receive a report in relation to the reintroduction of Petfest at a future Council meeting. The report is to include considerations such as options for the event date, scope, location, funding and any other relevant information.

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, Sarkis and Zaiter.

Councillor(s) Against the Motion:            Nil.

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**Min.674            C03/24-479 Cumberland Local Traffic Committee - 07 February 2024 - Recommendations to Council.**

**Motion (Saha/Colman)**

That Council endorse the recommendations for items considered by the Cumberland Local Traffic Committee at the 7 February 2024 meeting, as provided in this report with the exception of items CTC-24-027, CTC-24-028, CTC-24-029, CTC-24-030, CTC-24-031, CTC-24-032, CTC-24-033, CTC-24-034, CTC-24-035, CTC-24-037, CTC-24-038, CTC-24-042, CTC-24-043, CTC-24-044, CTC-24-045, CTC-24-046, CTC-24-047, CTC-24-048, CTC-24-049, CTC-24-051 and CTC-24-057 which will be dealt with separately.

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, Sarkis and Zaiter.

Councillor(s) Against the Motion:            Nil.

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**Min.675          Alteration of Order of Business****Motion (Hamed/Colman)**

That in accordance with Clause 8.2 of the *Code of Meeting Practice*, Council alter the order of business to allow Items C03/24-480 Notice of Motion - Commitment to Gender Equity in Cumberland and C03/24-481 Notice of Motion - Homelessness in Cumberland City Council 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, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion:              Nil.

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**Min.676          C03/24-480 Notice of Motion - Commitment to Gender Equity in Cumberland****Motion (Colman/Hamed)**

That Council:

1. Recognises that gender equity is critical to enabling residents to live rewarding, safe, healthy and socially connected lives.
2. Develops a strategy to achieve gender equity in Cumberland where all residents are treated with respect and have equal opportunities, decision-making power and responsibilities, regardless of their gender. The gender equity strategy should promote:
  - a) Leadership to ensure;
    - i. Council as a workplace provides equitable opportunities for all employees and maintains an organisational culture which supports gender equity and respect;
    - ii. decision making, resource allocation, planning, policy and service delivery addresses gender inequalities.
  - b) Partnership with community and other levels of government to ensure equitable opportunities, decision-making power and responsibilities, regardless of gender.
  - c) Economic security regardless of gender during working life and retirement.
  - d) Capacity building to build community safety and respect
3. Integrates the gender equity strategy into Council's planning and reporting framework to ensure priorities are included in Councils projects and programs.
4. Allocate funding for the preparation of the Strategy through the Community Reserve.

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**Foreshadowed Motion (Garrard)**

That Cumberland City Council recognises:

1. And supports gender equity enabling residents to live rewarding, safe healthy and socially contented lives, further that Council's adopted action plans together with related legislation adequately enables capacity building and gender equity strategies ensuring priorities are included in Council's projects and programmes.
2. That the Council's existing policies and strategies are proper and appropriate, enabling residents to be treated with respect and have equal opportunities, decision making powers and responsibilities, regardless of their gender.
3. That the adopted policy of 'Access and Equity' thoroughly supports inclusiveness and diversity and is intimately interfaced with all areas of existing government legislation.
4. That Council's adopted 'Recruitment and Employment' policy ensures consistent employment criteria across all areas of the organisation free of bias, ensuring applicants are chosen based on merit.
5. That these policies should be reviewed as required enabling the maintenance of best practice within the local government industry.

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

The Foreshadowed Motion lapsed as a result.

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

Councillor(s) Against the Motion: Garrard.

Councillor Rahme left the Meeting at 8:47pm during the consideration of this item and did not return.

Councillor Huang left the Meeting at 8:53pm and returned to the Meeting at 8:56pm during the consideration of this item.

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**Min.677 C03/24-481 Notice of Motion - Homelessness in Cumberland City Council**

**Motion (Hamed/Colman)**

That Council receive a report on:

1. Outreach services and programs available for the homeless in Cumberland which addresses basic needs such as showering, laundry, crisis food, social interaction and referral to case work and direct services.
2. Identify how Council can integrate with these services identifying opportunities to improve local outcomes and address abovementioned needs.

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3. Explore trial options for the provision of these services as identified by our Homelessness Committee, including collaborations, partnerships and direct service provision.
  4. An estimate of the potential costs involved and the source of funds that may be used to cover these costs.
  5. That Council notes and thanks the tremendous efforts of Council staff, volunteers, and Council's Homelessness advisory committee members.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Saha left the Meeting at 9:19pm and returned to the Meeting at 9:23pm during the consideration of this item.

Councillor Huang left the Meeting at 9:24pm and returned to the Meeting at 9:25pm during the consideration of this item.

Councillor Farooqui left the Meeting at 9:24pm during the consideration of this item.

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## ADJOURNMENT

**9:27pm** The Mayor, Councillor Lake adjourned the meeting.

**9:37pm** The Mayor, Councillor Lake resumed the meeting.

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## Min.678 Matter of Urgency – Councillor Sarkis

In accordance with Clause 9.3(b) of the adopted *Code of Meeting Practice*, the Mayor ruled that the business raised without notice by Councillor Sarkis in relation to traffic improvement in Greystanes be heard by Council as a matter of urgency as it requires a decision by the Council before the next scheduled ordinary meeting.

### Motion (Zaiter/Hamed)

That in accordance with Clause 9.3(a) of the adopted *Code of Meeting Practice*, the business raised by Councillor Sarkis concerning the traffic improvement in Greystanes be considered at this meeting as a Matter of Urgency.

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

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

Councillor(s) Against the Motion: Nil.

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**Min.679 Matter of Urgency – Traffic Improvement in Greystanes**

**Motion (Sarkis/Zaiter)**

That Council immediately investigate traffic improvement to Beresford Rd, Greystanes outside of Beresford Road Public school between (Namoi Street and MacLeay Street) to improve safety outcomes and reduce congestion and liaise with the school principal.

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.

Councillor Farooqui returned to the Meeting at 9:40pm during the consideration of this item.

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**Min.680 C03/24-482 Tender Evaluation Report - Architectural Consultant for Guildford Pool Modernisation Project RFx721**

**Motion (Colman/Saha)**

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract to Mode Design Corp. Pty Ltd AND 65 112 807 931 in accordance with section 178(1)(a) of the *Local Government (General) Regulation 2021*, for \$885,400.00 ex GST; and
2. Delegate to the General Manager the authority to execute the contract and any associated documents.

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.681            Extension of Time**

**Motion (Hussein/Christou)**

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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**C03/24-479 Cumberland Local Traffic Committee - 07 February 2024 - Recommendations to Council**

**Min.682                            CTC-24-027 - Fowler Road, Guildford West - Road Safety Concerns**

**Motion (Colman/Saha)**

That the matter be returned to the Traffic committee for further consideration.

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.

During debate, Councillor Saha raised a Point of Order, citing an alleged breach of Clause 15.11 (d) of *the Code of Meeting Practice*, advising that Councillor Garrard made a personal, unfavourable remark toward him. The Mayor, Councillor Lake did not uphold the point of order, advising that this was a matter of debate rather than a personal comment directed unfavourably toward Councillor Saha. The Mayor allowed Councillor Garrard to continue his speech on the basis that he maintains an element of respect.

Councillor Huang left the Meeting at 9:52pm and returned to the Meeting at 10:03pm during the consideration of this item.

**Min.683                    CTC-24-028 - Oxford Street, Berala - Road Safety Concerns****Motion (Garrard/Hughes)**

That Council

1. Support the installation of traffic calming devices on Oxford Street, Berala.
2. Refer the matter back to the Traffic Committee.
3. Decision is based on the fact that Council does not have a currently adopted LATM Policy and that the present Policy is dated March, 2008 from the former Holroyd City Council.

**Foreshadowed Motion (Colman)**

The Traffic Committee recommends that:

1. The installation of traffic calming devices on Oxford Street, Berala not be supported.
2. Council request Auburn Police Area Command to undertake speed surveillance in Oxford Street, Berala.
3. Investigate the potential for line marking and signage to address concerns and provide a report to the Committee for consideration in April 2024.
4. The concerned resident be notified of the outcome.

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

The Foreshadowed Motion lapsed as a result.

Councillor(s) For the Motion:                    Christou, Cummings, Farooqui, Garrard, Huang, Hughes, Sarkis and Zaiter.

Councillor(s) Against the Motion:            Colman, Elmore, Hamed, Hussein, Lake and Saha.

Councillor Hussein left the Meeting at 10:09pm and returned to the Meeting at 10:21pm during the consideration of this item.

Councillor Sarkis left the Meeting at 10:13pm and returned to the Meeting at 10:18pm during the consideration of this item.

Councillor Huang left the Meeting at 10:15pm and returned to the Meeting at 10:21pm during the consideration of this item.

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**CTC-24-029 - The Avenue, Granville - Road Safety Concerns****Motion (Christou/ Garrard)**

That Council:

1. Support the installation of traffic calming devices on The Avenue, Granville.
2. Refer the matter back to the traffic committee for further consideration.
3. Base its decision on the fact that Council does not have a currently adopted LATM Policy and that the present Policy is dated March, 2008 from the former Holroyd City Council.

Councillor Sarkis left the Meeting at 10:37pm and returned to the Meeting at 10:39pm during the consideration of this item.

Councillor Zaiter left the Meeting at 10:38pm during the consideration of this item and did not return.

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**Min.684          Deferral of Remaining Business**

At this point of the meeting being 10.39pm, due to disorder, the Mayor, Councillor Lake asked for a resolution to close the meeting and stand the remaining business over to the next Council meeting, including the item of business currently before the meeting.

**Motion (Hussein/Elmore)**

That the remaining business be deferred to the next Ordinary Council meeting.

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

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

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

Items CTC-24-029, CTC-24-030, CTC-24-031, CTC-24-032, CTC-24-033, CTC-24-034, CTC-24-035, CTC-24-037, CTC-24-038, CTC-24-042, CTC-24-043, CTC-24-044, CTC-24-045, CTC-24-046, CTC-24-047, CTC-24-048, CTC-24-049, CTC-24-051 and CTC-24-057 within Item *C03/24-479 Cumberland Local Traffic Committee - 07 February 2024 - Recommendations to Council* subsequently were deferred to the next Ordinary meeting of Council, scheduled for the 20<sup>th</sup> of March 2024 at 6.30pm.

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The Mayor, Councillor Lake closed the meeting at 10:40pm.

Chairperson Lisa Lake