
Minutes of the Council Meeting 17 April 2024

Present:

Councillors

Lisa Lake (Mayor)	Councillor
Ola Hamed (Deputy Mayor)	Councillor (via Audio-Visual Link)
Steve Christou	Councillor
Diane Colman	Councillor
Greg Cummings	Councillor
Glenn Elmore	Councillor
Sabrin Farooqui	Councillor (arrived 6:33pm)
Paul Garrard	Councillor
Helen Hughes	Councillor
Mohamad Hussein	Councillor (arrived 6:34pm)
Joseph Rahme	Councillor
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:34pm)
Michael Zaiter	Councillor

Officers

Melissa Attia	Acting General Manager
Daniel Cavallo	Director Environment & Planning
Nicole Byrn	Director Community & Culture
Charlie Ayoub	Director Governance & Risk
Tony Chahine	Acting Director Corporate Performance
Emmanuel Isbester	Acting Director City Services
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 6:32pm.

Opening Prayer

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

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.

Min. 704 Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link

Note: The Mayor, Councillor Lake noted that Councillor Huang was an apology for this meeting due to illness.

Motion (Sarkis/Rahme)

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 travelling for work.

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

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

Councillor(s) Against the Motion: Nil.

Min. 705

Motion (Sarkis/Hussein)

That Councillor Farooqui be granted Leave of Absence for the Ordinary Council Meeting to be held on 1 May 2024 as she will be overseas and unable to attend.

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

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

Councillor(s) Against the Motion: Nil.

Min. 706

Motion (Hussein/Christou)

That Councillor Sarkis be granted Leave of Absence for the Ordinary Council Meeting to be held on 1 May 2024 as he will be overseas and unable to attend.

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

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

Councillor(s) Against the Motion: Nil.

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.

Councillor Hussein left the Meeting at 6:40pm during the Notice of Live Streaming.

Confirmation of Minutes

Min. 707 C04/24-492 Minutes of the Ordinary Meeting of Council - 20 March 2024

Motion (Elmore/Cummings)

That Council confirm the minutes of the Ordinary Meeting of Council held on 20 March 2024.

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

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

Councillor(s) Against the Motion: Nil.

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

Councillor Elmore declared a Non-Significant, Non-Pecuniary interest in relation to Item C04/24-495 Draft Operational Plan and Fees and Charges 2024-2025, as he is on the Management Committee of the Guildford Soldiers Memorial School of Arts.

Councillor Sarkis declared a Non-Significant, Non-Pecuniary interest in relation to Item C04/24-500 Review of Property Policies, with respect to the Draft Goods on Display Policy as he has a relative who owns a shop in the LGA.

Min. 708 Mayoral Minute – Bondi Junction Westfield Tragedy

Motion (Lake)

That Council:

1. Note with sadness the six lives that were lost, those injured, and the shock and trauma this tragedy has caused to those present at the time and the community more broadly; and
2. Observe a minute's silence to honour the six lives that have been tragically lost.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Hussein returned to the Meeting at 6:46pm during the consideration of this item.

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

Min. 709 Mayoral Minute – Christ the Good Shepherd Church Wakeley Attack

Motion (Lake)

That Council:

1. Adopt this Mayoral Minute.
2. Send a floral arrangement to Bishop Mar Mari Emmanuel conveying our wishes for his full recovery.

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

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

Councillor(s) Against the Motion: Nil.

At this point of the meeting, Councillor Cummings tabled a petition received from residents of Victor and Vernon Streets, Greystanes requesting footpaths in these streets. The Mayor, Councillor Lake noted the petition was accepted as tabled and would be noted in the Minutes.

Min. 710 Tabled Petition - Victor and Vernon Streets, Greystanes

Motion (Garrard/Sarkis)

That Council accept the tabled petition and that a report be provided back to Council in relation to the matter.

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.

Min. 711 Matter of Urgency – Councillor Rahme

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 Rahme in relation to the missing pine tree at the Granville Memorial be heard by Council as a matter of urgency, as it requires a decision by the Council before the next scheduled ordinary meeting due to the next Council meeting being after ANZAC day.

Motion (Elmore/Hughes)

That in accordance with Clause 9.3(a) of the adopted *Code of Meeting Practice*, the business raised by Councillor Rahme in relation to the missing pine tree at the Granville Memorial 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,
Farooqui, Garrard, Hamed, Huang, Hughes,
Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Min. 712 Matter of Urgency – Missing Pine Tree at Granville Memorial

Motion (Rahme/Christou)

That Council replace the missing pine tree at the Granville Memorial and ensure that all memorial sites are appropriately presented ahead of Anzac Day.

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.

Min. 713 Items Resolved by Exception

Motion (Sarkis/Cummings)

That Council adopt items C04/24-493, C04/24-494, C04/24-500, C04/24-503 and C04/24-504 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, Hughes, Hussein, Lake, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

C04/24-493 Legal Report

Resolved by Exception

That the report be received.

C04/24-494 Investment Report - March 2024

Resolved by Exception

That Council receive the March 2024 Investment Report.

C04/24-500 Review of Property Policies

Resolved by Exception

That Council place the *Draft Goods on Display Policy*, *Draft Outdoor Dining Policy*, *Draft Large Display Advertising Policy* and *Draft Dividing Fences Hardship Policy* on public exhibition for a period of 28 days, and subsequently adopt the documents if no adverse submissions are received.

C04/24-503 Tender Evaluation Report - Auburn Ruth Everuss Aquatic Centre - Heat Pumps***Resolved by Exception***

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the Schedule of Rates contract to MW & JG Greentree T/A Image Air Conditioning (ABN 39 104 379 451) in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, for a contract term from March 2024 until June 2025 for the provision of supply and installation of Heat Pumps at Auburn Ruth Everuss (AREAC) Aquatic Centre.
2. Delegate to the General Manager the authority to execute the contract and any associated documents.

C04/24-504 Outcome of the General Manager's Mid-Year Performance Review for the Period from 1 July 2023 to 31 December 2023***Resolved by Exception***

That Council notes the outcome of the General Manager's mid-year performance review as outlined in this report.

Min. 714 C04/24-495 Draft Operational Plan and Fees and Charges 2024-2025**Motion (Saha/Hamed)**

That Council place the *Draft Operational Plan 2024-2025 and Draft Fees and Charges 2024-2025* 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. Subject to the following amendments:

- Page 189 AFSS Admin & Lodgement fee
 - That the following classes of property ownership be exempt from the fee: not-for-profit organisations, registered charities, places of public worship and benevolent institutions.
 - That the fees be amended to \$250 for lodgement, an additional \$300 for a late fee and the inspection/re-inspection fee to be \$350.
- Page 207 Creative suite fee at the Granville Centre – That a 50% discounted rate be included for not-for-profit organisations.
- Page 194 Brothel program inspection and re-inspection – Amend fees to \$1,000 and \$320 respectively.

-
- Page 197 Trolley Impounding Fee – That the fee be increased to \$118.

Amendment (Elmore/Sarkis)

Omit the point regarding the Trolley Impounding Fee from the Motion.

Foreshadowed Amendment (Christou/Rahme)

Add the following points to the motion:

- increase the Crime Prevention & Community Safety Programs from \$35,004 to \$100,000
- increase the Domestic and Family Violence Initiative \$14,004 to \$100,000
- increase the Homelessness budget from \$59,000 to \$100,000

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

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

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

The Amendment then became the Motion as follows:

Motion (Saha/Hamed)

That Council place the *Draft Operational Plan 2024-2025 and Draft Fees and Charges 2024-2025* 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. Subject to the following amendments:

- Page 189 AFSS Admin & Lodgement fee
 - That the following classes of property ownership be exempt from the fee: not-for-profit organisations, registered charities, places of public worship and benevolent institutions.
 - That the fees be amended to \$250 for lodgement, an additional \$300 for a late fee and the inspection/re-inspection fee to be \$350.
- Page 207 Creative suite fee at the Granville Centre – That a 50% discounted rate be included for not-for-profit organisations.
- Page 194 Brothel program inspection and re-inspection – Amend fees to \$1,000 and \$320 respectively.

The Foreshadowed Amendment of Councillor Christou then became the Amendment as follows:

Amendment (Christou/Rahme)

Add the following points to the motion:

- increase the Crime Prevention & Community Safety Programs from \$35,004 to \$100,000
- increase the Domestic and Family Violence Initiative \$14,004 to \$100,000
- increase the Homelessness budget from \$59,000 to \$100,000

The Amendment moved by Councillor Christou seconded by Councillor Rahme on being Put to the meeting was declared **LOST**.

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

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

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

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

Councillor(s) Against the Motion: Christou, Garrard, Hughes, Rahme and Sarkis.

Councillor Hussein left the Meeting at 7:13pm and returned at 7:14pm during the consideration of this item.

Councillor Hamed left the Meeting at 7:38pm and returned at 7:40pm during the consideration of this item.

Councillor Zaiter left the Meeting at 7:41pm and returned at 7:44pm during the consideration of this item.

Councillor Hamed left the Meeting at 7:42pm and returned at 7:45pm during the consideration of this item.

Min. 715 C04/24-496 Voluntary Planning Agreement - 15 Neil Street, Merrylands**Motion (Sarkis/Hamed)**

That Council:

1. Endorse the draft Voluntary Planning Agreement prepared for 15 Neil Street, Merrylands, and that the draft agreement be publicly exhibited for a period of 28 days in accordance with legislative and policy requirements; and
2. Delegate authority to the Mayor and General Manager to finalise and execute the Voluntary Planning Agreement on behalf of Council for 15 Neil Street, Merrylands, subject to no significant objections on the draft agreement arising from public exhibition.

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

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

Councillor(s) Against the Motion: Nil.

Min. 716 C04/24-497 Draft Toongabbie Town Centre Public Domain Plan**Motion (Saha/Zaiter)**

That Council place the Draft Toongabbie Town Centre Public Domain Plan on public exhibition for a period of 28 days, with a report to be provided back to Council.

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

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

Councillor(s) Against the Motion: Nil.

Councillor Christou left the Meeting at 8:11pm and returned at 8:13pm during the consideration of this item.

Min. 717 C04/24-498 Draft Guildford Town Centre Public Domain Plan - Post Exhibition**Motion (Elmore/Colman)**

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

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

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

Councillor(s) Against the Motion: Nil.

Councillor Hamed left the Meeting at 8:14pm and returned at 8:19pm during the consideration of this item.

Councillor Sarkis left the Meeting at 8:15pm during the consideration of this item and returned at the resumption of the meeting following the adjournment.

Councillor Saha left the Meeting at 8:16pm and returned at 8:19pm during the consideration of this item.

Councillor Hamed left the Meeting at 8:25pm and returned at 8:27pm during the consideration of this item.

Councillor Rahme left the Meeting at 8:28pm and returned at 8:29pm during the consideration of this item.

Councillor Rahme left the Meeting at 8:30pm during the consideration of this item and returned at the resumption of the meeting following the adjournment.

ADJOURNMENT

8:30pm The Mayor, Councillor Lake adjourned the meeting.

8:41pm The Mayor, Councillor Lake resumed the meeting.

Min. 718 C04/24-499 Draft Engineering Services Policy and Guidelines - Post Exhibition

Motion (Garrard/Christou)

That the report be referred back to the Council Department to better include service delivery criteria to adequately accommodate community participation and effectiveness.

Foreshadowed Motion (Elmore)

That Council:

1. Adopt the Engineering Services Policy.
2. Note the refinements to the Engineering Services Guidelines.

The Motion on being Put was declared **LOST** on the casting vote of the Mayor.

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

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

The Foreshadowed Motion of Councillor Elmore then became the Motion as follows:

Motion (Elmore/Hamed)

That Council:

1. Adopt the Engineering Services Policy.
2. Note the refinements to the Engineering Services Guidelines.

The Motion on being Put was declared **CARRIED** on the casting vote of the Mayor.

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

Councillor(s) Against the Motion: Christou, Cummings, Garrard, Hughes, Rahme, Sarkis and Zaiter.

Councillor Farooqui returned to the Meeting following the adjournment at 8:47pm during the consideration of this item.

Min. 719 C04/24-501 Quarterly Progress Report on Council's Section 355 Committee and Community Advisory Committees

Motion (Cummings/Colman)

That Council:

1. Receive the report noting the Draft Minutes of Council's Section 355 and Community Advisory Committees recently convened;
2. Adopt the recommendation to Council within the report for the Floodplain Risk Management Committee;
3. Defer the recommendation of the ATSIC Committee so that the Acting General Manager can receive legal advice in relation to Council's statutory obligations on the *Aboriginal Land Rights Act 1983* and any other relevant Acts or information; and
4. Conduct a workshop on the matter with a report to be returned to the Council Meeting of 5 June 2024.

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

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

Councillor(s) Against the Motion: Christou, Garrard and Rahme.

Councillor Hamed left the Meeting at 9:11pm and returned at 9:12pm during the consideration of this item.

Councillor Rahme left the Meeting at 9:20pm and returned at 9:21pm during the consideration of this item.

Councillor Rahme left the Meeting at 9:21pm and returned at 9:25pm during the consideration of this item.

Min. 720 C04/24-502 Notice of Motion - Promotion of Opportunities in Development Industry

Motion (Christou/Garrard)

In support of effects to promote enhanced economic opportunities from within the development industry towards addressing the existing housing backlog, the General Manager urgently report on the following:

1. As to how developer contributions upon development could be deferred for a specific period; and
2. How the community's interest, represented by Council can be protected.

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

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

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

Councillor Sarkis left the Chamber at 9:26pm at the commencement of this item and did not return.

Councillor Hamed left the Meeting at 9:32pm and returned at 9:33pm during the consideration of this item.

The Mayor, Councillor Lake closed the meeting at 9:43pm.

Chairperson 