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- The height of any building in the south east corner of the site (marked C2 on the indicative masterplan).

The Motion moved by Councillor Zaiter seconded by Councillor Rahme on being Put was declared CARRIED.

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

Councillors Attie and Sarkis left the Meeting at 7:14pm prior to the consideration of this item.

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**Min.840 C09/20-560 Notice of Motion - Cumberland Local Environmental Plan**

**Motion Attie/Zaiter**

That Council:

1. Note the additional submissions received from various local stakeholders for the new Cumberland Local Environmental Plan.
2. Endorse the following additional site specific planning controls to be included in the new Cumberland Local Environmental Plan;
  - a) 2 Ruth Street and 6 Burnett Street Merrylands – Increase Height to 17m and FSR to 2:1 in line with the adjacent B1 Zoning Controls as adopted at the ordinary meeting of council 15 July 2020.
  - b) 68 McArthur Street Guildford to be zoned R4 with FSR of 1.5:1 and HOB of 21m.
  - c) 32-34 Marian Street and 2A Bury Road Guildford to be zoned R4 with FSR of 1.7:1 and HOB of 21m.
  - d) 27-29 Gelibolu Parade Auburn to be zoned B4 with FSR of 5:1 and HOB of 45m.
  - e) 7-10 Wayman Place Merrylands to have FSR of 3.5:1 and HOB of 38m.
  - f) 90A-100 Auburn Road Auburn to be zoned B4 with FSR of 3:1 and HOB of 32m
3. Delete clause 6.12 of the new Cumberland Local Environmental Plan as adopted at the ordinary meeting of Council on 15 July 2020 because it is unnecessary in light of (a) the proposal to permit residential flat buildings in the B2 and B4 zones and (b) to the extent that ground floor commercial premises are proposed, town planning objectives for street activation and the location of car parking can be addressed by Development Control Plan provisions.
4. Council review and provide a further report to Council on the adequacy of controls in the Cumberland Development Control Plan going to street activation, car parking location and setbacks for both commercial premises and residential flat buildings within the B2 and B4 zones.

**Amendment (Lake/Saha)**

Omit paragraphs 2 and 3 and insert:

2. In relation to 2 Ruth Street and 6 Burnett St Merrylands amend the controls to height 17m and FSR 2:1 in accordance with the recommendation of the Officers at Council meeting 15 July 2020.

The Amendment moved by Councillor Lake seconded by Councillor Saha on being Put was declared LOST.

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 Amendment: Campbell, Elmore, Huang, Lake and Saha.

Councillor(s) Against the Amendment: Attie, Christou, Cummings, Garrard, Hamed, Rahme, Sarkis and Zaiter.

The Motion moved by Councillor Attie seconded by Councillor Zaiter on being Put was declared CARRIED.

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, Cummings, Garrard, Rahme, Sarkis and Zaiter.

Councillor(s) Against the Motion: Campbell, Elmore, Hamed, Huang, Lake and Saha.

Councillor Attie returned to the Meeting at 7:21pm during the consideration of this item.

Councillor Sarkis returned to the Meeting at 7:24pm during the consideration of this item.

Councillor Zreika left the Meeting at 7:35pm during the consideration of this item.

Councillor Hamed left the Meeting at 7:49pm and returned to the Meeting at 7:51pm during the consideration of this item.

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**Min.841      Items by Exception****Resolved (Attie/Saha)**

That Council adopt items C09/20-548, C09/20-552, C09/20-553, C09/20-554 and C09/20-558 on the Council Agenda in bulk as per the recommendations in the reports.

Councillor Rahme left the Meeting at 7:53pm and returned to the Meeting at 7:55pm during the consideration of this item.