

MINUTES OF THE MEETING OF PARRAMATTA CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC PLACE, PARRAMATTA ON MONDAY, 15 DECEMBER 2014 AT 6.45 PM

The Lord Mayor, Councillor S D Lloyd, in the Chair and Councillors J P Abood (retired 10.37 pm), J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa (Deputy Lord Mayor), B Makari, J L Shaw, L E Wearne and A A Wilson (retired 11.01pm).

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor S D Lloyd acknowledged the Burrumattagal Clan of The Darug, the traditional land owners of Parramatta and paid respect to the elders both past and present.

FOUNDATION ACKNOWLEDGEMENT

The Lord Mayor also acknowledged the colonial heritage of Parramatta and recognised the contribution of the early settlers in laying the foundations of this great and historic city.

MIGRANT ACKNOWLEDGEMENT

The Lord Mayor also acknowledged the many migrants that have come to Parramatta and now call it home.

All these elements holistically make Parramatta what it is today.

MINUTES

SUBJECT Minutes of the Council (Development) Meeting held on 8 December 2014

RESOLVED (Esber/Abood)

15295 **That** the Minutes be taken as read and be accepted as a true record of the Meeting.

DECLARATIONS OF INTEREST

far, we are grateful for the partnership we have with the Parramatta City Council.

The demand for our services has been increasing within the vulnerable sections of Parramatta's Asian, African and Middle Eastern communities. However, being currently homeless, with no office space, we are severely constrained in delivering our projects and services as also meeting the funding requirements of Parramatta Council.

We were shown Council properties in Darcy Street, Hunter Street, Horwood Place and Macquarie Street and we had narrowed down to the Hunter St property. We have now been advised that this property cannot be leased to Shakti. I urge you Lord Mayor and all the Councillors to please recognise the importance of our presence in Parramatta and give us suitable office space somewhere. An NGO such as ours cannot be ignored considering the large ethnic population in Parramatta and the increase in domestic violence.

Shakti currently cannot afford market rent but can pay subsidised rent. As and when we are able to get State or Federal funding contracts we may be in a better position to pay a higher rent. Shakti has been working with the local communities for almost two years now and are here to stay.

Our current volunteer pool of 10 women come from varying backgrounds including professionals, academics, social workers and counsellors. That number can only increase and we need office space to accommodate them all."

- NOTE:**
- 1 Councillor P Esber returned to the meeting at 7.13 pm during consideration of this matter.**
 - 2 Councillor J Chedid left the meeting at 7.13 pm during consideration of this matter.**
 - 3 Councillor J A Hugh left the meeting at 7.14 pm during consideration of this matter.**

2 SUBJECT Development Application - 50 Robert Street, Telopea
 REFERENCE DA/491/2014
 FROM Adam Byrnes

STATEMENT

By Mr Adam Byrnes:-

"The officers report recommending approval is supported.

Concern is raised in relation to the deferred commencement condition that requires my client to construct a 40 – 50m underground pipe, a headwall and scour protection structure in Council's land. The site immediately adjacent the property enjoys discharge into the creek from a direct pipe from the rear of the property. It is considered onerous that the application will be burdened by a condition requiring at least \$35,000 of additional costs due to the deferred commencement condition.

Alternative arrangements for management of stormwater exist, via an absorption trench or a system that spreads the discharge over the rear of the site reducing velocity and impacts. We would seek your endorsement of an alternative measure, rather than my client bearing the burden of 50m of infrastructure. We submit that any concerns expressed by officers in relation to the function and maintenance of the absorption trenches could be managed by a condition that enforces improved maintenance and long term viability of the trench, given the unique circumstances.

We seek Council's approval of the application and endorsement of a stormwater management arrangement that does not necessitate construction of significant infrastructure, with high costs, and that has not been required for other developments as close as next door to the subject site."

15299 RESPONSE

By Mark Leotta - Manager Development and Traffic Services:-

"The submission raises concern with respect to the recommended deferred commencement condition which seeks construction of a stormwater pipe, headwall, and scour protection in Vineyard Creek Reserve.

This method of disposal forms part of the stormwater plan submitted by the applicant and considered in the assessment of the development application.

The objection to the deferred commencement condition principally relates to the cost of this method of drainage relative to installing on site absorption trenches to drain the on-site detention system. A general estimate indicates that construction of a headwall and scour protection will cost around \$30k.

Council does not generally support the use of absorption trenches as a primary drainage solution. Soils in the Parramatta Council area are generally made up of clay, shale and sandstone particles which do not absorb water well and therefore, the ability for absorption trenches to effectively manage stormwater is very limited. Absorption trenches also have a very short lifespan, usually less than 10 years, as they fill with silt, and water overflows regularly, compromising the amenity of residents and downstream properties. To accommodate run off from a full on-site detention system an absorption trench would need to be

excessively large, and this compromises the functionality of private open space. Absorption trenches are not a permanent solution for stormwater control and it is not desirable to continue this practice on a widespread basis throughout Parramatta.

It is noted that an absorption trench was proposed to drain the approved dual occupancy on the adjoining property at 52 Robert Street. In line with common practice, Council's Engineers review acceptable engineering methods on an on-going basis to improve applied engineering practice. In light of this, it is not now considered that the use of absorption trenches in lieu of drainage via appropriate pipe infrastructure represents best long-term stormwater drainage management practice and accordingly it is not considered that the drainage arrangements applied in the case of 52 Robert Street is sufficiently technically robust to be applied beyond the circumstances of that particular application. This is the more evident as greater re-development demand has since arisen from the time the development at 52 Robert Street was approved in March 2013.

The escalating demand from re-development necessitates a design solution that serves the wider public interest in providing drainage solutions for as many sites as possible while protecting public land through poorly regulated run off of stormwater. The proposed discharge to a headwall with scour protection will also facilitate re-development on approximately 5 surrounding sites, while protecting Council's reserve from erosion, weed infestation and degradation of the endangered ecological community within the reserve."

NOTE: Councillors J Chedid and J A Hugh returned to the meeting at 7.18 pm during consideration of this matter.

3 SUBJECT Development Application - 4 - 6 Shirley Street, Rosehill
REFERENCE DA/203/2014
FROM Darryl Thiedeke – Hy-Tec Industries Pty Ltd

STATEMENT

By Mr Darryl Thiedeke – Hy-Tec Industries Pty Ltd:-

15300 “1 My name is Darryl Thiedeke, I am the National Business and Development Manager for Hy-Tec Industries Pty Limited, the applicant for this DA.

2 Hy-Tec is a concrete supplier and a wholly owned subsidiary of Adelaide Brighton Limited. Hy-Tec employs hundreds of people and operates a network of concrete batching plants in the Sydney metropolitan area. It has plants located in Glendenning, Smeaton Grange, Mascot, Prestons and Auburn, Mulgrave and Glenorie.

- 3 The DA before Council today has been prepared by Hy-Tec and R.W. Corkery in close co-operation with Council's planning staff. Hy-Tec has supplied all of the necessary reports and information to demonstrate compliance with Council's planning and IN3 zone objectives and development controls together with a statement under section 4.6 of the LEP concerning the height of silos proposed as part of the plant.
- 4 Submissions received by Council have been satisfactorily addressed to Council requirements. Hy-Tec has provided to Council a copy of its agreement with the neighbouring Turf Club dated 28 October 2014 in regards to the visual amenity of the concrete plant silos.

Auburn Plant and RMS

- 5 Hy-Tec is applying for a DA for a new concrete batching plant at Rosehill because RMS has provided notice that it proposes to compulsorily acquire Hy-Tec's existing plant at Auburn.
- 6 Hy-Tec is reliant upon Council's grant of this DA today to help it mitigate serious potential business losses, and minimise its claim against the State for compensation, arising from this compulsory acquisition.
- 7 Hy-Tec's Auburn plant is the central and most important plant in its Sydney metropolitan network. It is situated close to a number of important concrete markets and it is the key plant supporting the rest of Hy-Tec's network of plants in Sydney.

Consequences of a production 'gap'

- 8 RMS has informed Hy-Tec that it requires access to Hy-Tec's Auburn plant by no later than 31 July 2015. Immediately on learning of the proposed compulsory acquisition, Hy-Tec acquired the Rosehill site and took steps to lodge its application for a DA for a new concrete batching plant.
- 9 Based on standard industry timeframes and expert advice, the construction of a permanent concrete batching plant at Rosehill will require at least 32 weeks. It may take longer, and Hy-Tec is reliant on the approval of the DA before it can begin the construction of the Rosehill plant.
- 10 Any 'gap' between the ceasing of operations in Auburn and the commencement of operations at Rosehill will have very significant commercial consequences for Hy-Tec and its related companies from which Hy-Tec sources its raw materials.
- 11 The supply of concrete to the developments in the Parramatta Council area will also be affected if there is any such 'gap'.
- 12 In order to ensure there is no interruption to Hy-Tec's ability to

supply concrete to the local area, in addition to a DA for a new fixed concrete batching plant, Hy-Tec is seeking the approval of a mobile batch plant as part of this DA. The mobile plant will allow Hy-Tec to maintain and service its customers while the fixed plant is being constructed. Once the fixed plant is operational, the mobile plant will be de-commissioned.

Conclusion

- 13 Hy-Tec believes that the DA satisfies all of Council's planning requirements and furthers Council's objectives under the IN3 zone. Hy-Tec strongly endorses Council's professional planner's report recommending approval of the application. RMS also supports this DA and has sent a letter to Council dated 4 December 2014 supporting the prompt grant of the DA.
- 14 Hy-Tec would like to thank the Parramatta Council for its consideration of this application. Approval of the application today will help Hy-Tec to mitigate its losses and reduce its claims against the State arising from the acquisition of the Hy-Tec Auburn plant, while maintaining Hy-Tec's supply of concrete for the ongoing development of the Parramatta region.”

4 SUBJECT 197 Macquarie Street, Parramatta
 REFERENCE RZ/6/2014
 FROM Gavin Carrier on behalf of Holdmark

STATEMENT

By Mr Gavin Carrier – on behalf of Holdmark:-

15301 “Thank you for Opportunity to present.

- Council Officers Report provides 3 options for consideration and recommends one for adoption by Council. It omitted to include the obvious fourth Option – ie the consideration of the development proposal for each site individually on its own merits.
- Each site has different attributes which determine its value within the urban planning framework for the city
- 197 Church Street has many unique features which set it apart from the other two sites and render it much more strategically important in urban planning terms
- The Boomerang design proposed for the site makes a huge, positive contribution to the urban framework of Parramatta CBD. Its iconic form provides the perfect counterbalance to Aspire tower. Together they bookend the heart of Parramatta public domain.
- World Class city spaces are often defined by two or more

strategically located buildings:

- Paris – Eiffel Tower and Arc de Triomphe
 - London – Tower Bridge and Houses of Parliament
 - New York – Empire State Building and Statue of Liberty
 - Sydney – Opera House and Harbour Bridge
 - AND NOW
 - Parramatta – Aspire and the Boomerang
- The midwinter shadow of the Boomerang only causes minor overshadowing of the Solar Zone in Parramatta square:
 - NIL at 12 noon
 - 19% at 1.00pm
 - 12% at 2.00pm
 - It is considered that the Boomerang's overshadowing effect is far outweighed by the benefits it provides.
 - One size does not fit all as postulated in Council Officers' report.
 - Accordingly we urge Council to reject the recommendation to proceed with Option 2 in the Report and, instead, resolve to seek opportunities to create a world-class CBD in Parramatta by encouraging developers to submit innovative individual proposals for key sites each of which would then be assessed on its own merits. Holdmark is ready willing and able to commit to delivering the Boomerang with immediate commencement."

ECONOMY AND DEVELOPMENT

- 7.1 SUBJECT 28 Jamieson Street, Granville
(Lot 102 DP 775235) (Woodville Ward)
- DESCRIPTION Demolition of a rear verandah, internal alterations and construction of a new addition at the rear of the heritage listed semi-detached dwelling.
- REFERENCE DA/580/2014 - Submitted 01 September 2014
- APPLICANT/S Within Creative Design and Construction
- OWNERS Mr G J Ayre
- REPORT OF Manager Development and Traffic Services
- REASON FOR REFERRAL TO COUNCIL
- The application is being referred to Council for determination as the application seeks approval for structural works to a heritage item.
- RESOLVED (Issa/Abood)
- 15302 **That** Development Application DA/580/2014 for demolition of a rear verandah, internal alterations and construction of a new addition at the rear of a heritage listed dwelling on land at 28 Jamieson Street, Granville be approved subject to conditions of consent in Attachment 1 of this report.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

7.2 SUBJECT Shop 1/318 Railway Terrace, Guildford
(Lot 1 SP 67949) (Woodville Ward)

DESCRIPTION Use of the premises as a Thai therapeutic massage centre.

REFERENCE DA/709/2014 - D03407914

APPLICANT/S One Stop Architecture and Project Management

OWNERS M M Q Tran

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is being referred to Council for determination as the Application seeks approval for a massage business.

RESOLVED (Issa/Dwyer)

15303 **That** Council as the consent authority grant development consent to Development Application No. DA/709/2014 to use Shop 1, 318 Railway Terrace Guildford as a Thai massage business for 12 months from the date on the Occupation Certificate subject to the conditions contained in the Section 79C Report contained within attachment 1.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

7.3 SUBJECT Part of 30B Phillip Street, Parramatta (Lot 102 DP

1031459 and Lot A DP 421172) (Arthur Phillip Ward)

DESCRIPTION Two lot subdivision

REFERENCE DA/546/2014 - Submitted 15 August 2014

APPLICANT/S Karimbla Construction Services

OWNERS Parramatta City Council

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council for determination as the site is owned by Council and involves a Voluntary Planning Agreement with a future Land Dedication to Council.

RESOLVED (Issa/Makari)

15304 **That** Council as the consent authority grant development consent to Development Application No. DA/546/2014 for the 2 lot subdivision of the land on land at 30B Phillip Street, Parramatta for a period of five (5) years for registration to occur from the date on the Notice of Determination subject to the conditions in Attachment 1.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

7.4 SUBJECT 12 Good Street, Granville (Lot 1 DP 1001554) Elizabeth Macarthur Ward

DESCRIPTION Alterations to a heritage listed building and use of the premises as a restaurant and function centre.

REFERENCE DA/625/2014 - submitted 12 September 2014

APPLICANT/S Mr A Verma

OWNERS Himalaya Enterprises Pty Ltd

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council for determination in accordance with its resolution dated 27 June 2011 that Council considers development applications for works to a heritage item.

RESOLVED (Chedid/Issa)

15305 **That** Council grant development consent to DA/625/2014 at 12 Good Street, Granville for alterations to a heritage listed building and use of the premises as a restaurant and function centre for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the conditions in Attachment 1, the Section 79C Report.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

7.5 SUBJECT 50 Robert Street Telopea (Lot 5 DP 210045) (Elizabeth Macarthur Ward)

DESCRIPTION Demolition, tree removal, and construction of a two storey dual occupancy development with Torrens title subdivision

REFERENCE DA/491/2014 - Submitted 31 July 2014

APPLICANT/S Mr N J Shehadie

OWNERS Mr N J Shehadie and Mrs A M Shehadie

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council at the request of a Councillor.

MOTION (Garrard/Chedid)

That Council as the consent authority grant consent to Development Application No. DA/491/2014 for demolition, tree removal and construction of an attached 2 storey dual occupancy development with Torrens title subdivision at 50 Robert Street, TELOPEA NSW 2117 for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to appropriate conditions and subject to the provision of a stormwater management arrangement that does not necessitate the construction of significant infrastructure and is in line with the Council approval for No. 52 Robert Street, Telopea.

AMENDMENT (Wearne/Finn)

That Council as the consent authority grant deferred commencement development consent to Development Application No. DA/491/2014 for demolition, tree removal and construction of an attached 2 storey dual occupancy development with Torrens title subdivision at 50 Robert Street, TELOPEA NSW 2117 for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions contained within Attachment 1.

The amendment was put and lost.

15306 The motion was put and carried.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, P Esber, P J Garrard, J A Hugh, S A Issa, B Makari and J L Shaw.

NOES Councillors G J Elmore, J D Finn & L E Wearne.

NOTE: Councillor A A Wilson left the meeting at 8.01 pm during consideration of this matter.

7.6 SUBJECT 4-6 Shirley Street, ROSEHILL NSW 2142
Lot 1 DP 870814
(Elizabeth Macarthur Ward)

DESCRIPTION Tree removal, construction and operation of a concrete batching plant with a capacity of 150,000m³ of concrete annually. Approval is also sought for a temporary mobile concrete batching plant on the northern part of the site.

REFERENCE DA/203/2014 - Lodged- 15 April 2014

APPLICANT/S Hy-Tec Industries Pty Ltd

OWNERS Hy-Tec Industries Pty Ltd

REPORT OF Manager Development and Traffic Services. Also late correspondence from Mr D Petrovski.

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council as the proposal seeks to vary the maximum height limit of the silos by 100% (from 12 metres to 24 metres).

MOTION (Issa/Chedid)

That consideration of this matter be deferred.

AMENDMENT (Finn/Elmore)

- (a) **That** Council as the consent authority :
- 1 Approve the variation to Clause 4.3- Maximum permissible building height as requested under Clause 4.6 of PLEP2011 and ;
 - 2 Grant development consent to Development Application No. DA/203/2014 for tree removal, construction and operation of a concrete batching plant with a capacity of 150,000m³ of concrete annually, along with approval for a temporary mobile concrete batching plant on the northern part of the site.
 - 3 Replace condition 46 with:-

“The external face of all new structures above RL 9.0m AHD are to be painted with a horse race themed artwork, to be prepared in consultation with the ATC and Parramatta City Council. The approved photomontage and design description is to form part of the construction certificate documentation.”
- (b) **Further, that** the individual submitters on the proposal be advised of the decision of Council.

The amendment was put and lost.

15307 The motion was put and carried.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, R Dwyer, P Esber, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw and A A Wilson.

NOES Councillors S H Chowdhury, G J Elmore, J D Finn and L E Wearne.

- NOTE:**
- 1 **Councillor J D Finn had previously declared an interest in relation to this item having previously worked on a study for the application during previous employment, but remained in the Chamber during consideration of this matter.**
 - 2 **Councillor A A Wilson returned to the meeting at 8.05 pm during consideration of this matter.**
 - 3 **Councillor J P Abood left the meeting at 8.06 pm and returned at 8.07 pm during consideration of this matter.**
 - 4 **Councillor P Esber left the meeting at 8.06 pm and returned at 8.07 pm during consideration of this matter.**

7.7 SUBJECT 29 Wylde Street, Telopea (Lot 1 DP 1189068) (Elizabeth Macarthur Ward)

DESCRIPTION Tree removal and construction of a detached dual occupancy development with Torrens title subdivision.

REFERENCE DA/562/2014 - Submitted 25 August 2014

APPLICANT/S A J Design and Draft

OWNERS Mr Stephen Anthony Raheb and Mrs Louise Anne Raheb

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The site is a former Council Public Reserve that was owned by Council up until June 2014.

RESOLVED (Chedid/Esber)

15308 (a) **That** Council as the consent authority grant development consent to Development Application DA/562/2014 for the erection of a detached dual occupancy for a period of five (5) years for physical commencement to occur from the date on the Notice of Determination subject to the recommended conditions.

(b) **Further, that** the objector be advised of Council's decision.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw and A A Wilson.

NOES Councillor L E Wearne.

7.8 SUBJECT Old Saleyards Reserve (Pk 268), 80 Gladstone Street, NORTH PARRAMATTA, NSW 2014 (Elizabeth Macarthur Ward) Lots 852A and 852B in DP 368761, Lot 1 in DP 128133, Lot G in DP 370944, Lot 6 in DP 25459, Lot 17 in DP 632713, Lot 15 in DP 631234, Lot 13 in DP 630815 and Lot 11 in DP 631483.

DESCRIPTION Erection of temporary buildings, lighting and fencing to enable use of reserve as a Parramatta Eels Training Facility

REFERENCE DA/696/2014 - Submitted 16 October 2014

APPLICANT/S Parramatta National Rugby League Club Limited

OWNERS Parramatta City Council

REPORT OF Manager Development and Traffic Services. Also Team Leader Development Assessment Team Memorandum dated 15 December 2014.

REASON FOR REFERRAL TO COUNCIL

Council is the landowner of the site.

RESOLVED (Makari/Esber)

- 15309 (a) **That** Council as the consent authority grant development consent to Development Application No. 696/2014 for erection of temporary buildings, lighting and fencing to enable use of reserve as a Parramatta Eels Training Facility, at Old Saleyards Reserve (Pk 268), 80 Gladstone Street, North Parramatta subject to the recommended conditions in Manager Development and Traffic Services report and the following additional conditions:-
- 1 Any request from any community group for the use of the Old Saleyards Reserve is to require that an application be submitted to the Club and the Council to be determined if it permits suitability. This will ensure that the community use of the ground is consistent with Council policy for hire for Council facilities and to ensure that the safety and security are implemented in the consideration of the proposal for use and to adopt the entirety of the independent report.
 - 2 To ensure that only controlled access is permitted to the sports field, the gates to the fields are to be locked when not in use by the Parramatta NRL or other approved user .
- (b) **That** it be noted that a large investment has gone into this facility via upgrading of the fields and Council must ensure that this investment in this city is protected and maintained for long term use.
- (c) **Further, that** all objectors be notified of councils decision.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw and A A Wilson.

NOES Councillor L E Wearne.

NOTE: Councillor L E Wearne requested that her name be recorded as having voted against this decision.

7.9 SUBJECT 48 Marion Street, Harris Park
(Lot A DP 377229) (Elizabeth Macarthur Ward)

DESCRIPTION Additions and alterations to an approved restaurant including demolition of an existing detached garage and construction of a new triple garage, addition of an awning to the front and a proposed outdoor (semi-enclosed) dining area at the rear, addition of a male and female WC and internal changes.

REFERENCE DA/637/2014 - Submitted 22 September 2014

APPLICANT/S Jaipur Maharaja Pty. Ltd

OWNERS Mr Joseph Michael Boulous and Mrs Barbara Bernadette Boulous

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is being referred to Council for determination as the application seeks approval for structural works to a heritage item.

RESOLVED (Hugh/Issa)

15310 **That** Development Application DA/637/2014 for Alterations and additions to an approved restaurant including demolition of an existing detached garage and construction of a new triple garage, addition of an awning to the front and the proposed outdoor (semi-covered) dining area at the rear, addition of a male and female WC and internal changes at 48 Marion Street, Harris Park be approved subject to conditions of consent in Attachment 1 of this report.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

NOTE: Councillor J P Abood had previously declared an interest in relation to this item as the owner is a relative, and temporarily retired from the Chamber during consideration of this matter.

7.10 SUBJECT Draft Auto Alley Planning Framework - Outcome of Public Exhibition

REFERENCE F2011/02749 - D03408107

REPORT OF Snr Project Officer

RESOLVED (Wilson/Chedid)

- 15311
- (a) **That** Council receive and note the key issues raised in submissions on the Draft Auto Alley Planning Framework.
 - (b) **That** the draft Auto Alley Planning Framework be incorporated into the Parramatta City Centre Planning Framework, to ensure that there is a consistent approach to planning across the entire City Centre.
 - (c) **That** the issue of traffic and pedestrian access and connectivity be addressed in the next stage.
 - (d) **Further, that** detailed consideration of the submissions be undertaken and reported to Council in early 2015, together with a plan for further action (eg. further analysis, finalisation).

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

7.11 SUBJECT Developing a Structure Plan for the Camellia Precinct

REFERENCE F2012/02348 - D03408970

REPORT OF Manager City Strategy

RESOLVED (Chedid/Hugh)

- 15312
- (a) **That** Council acknowledges the opportunity for growth in the Camellia precinct.
 - (b) **That** Council acknowledges the support of the NSW government for the growth of the Camellia precinct and its importance to Council's and the State Government's vision for Parramatta City.
 - (c) **That** Council supports the development of a structure plan for the Camellia precinct based on merit based planning principles.
 - (d) **That** Council defer the endorsement of the Heads of Agreement (at Attachment 2) and this particular issue be dealt with at an appropriate delegated authority meeting.
 - (e) **That** the CEO prepares a report for the next meeting of Council that proposes a new Camellia Growth Committee charged with the function to promote the expedited yet structured merit growth of the Camellia precinct to drive opportunities for employment and residential outcomes.
 - (f) **Further, that** the report provide investigations and

recommendations on:

- 1 The structure of the Committee, consisting, but not limited to: the Lord Mayor, CEO, ward Councillors and other councillors, and a representative from the Department of Planning and Environment.
- 2 Appropriate governance processes to promote transparent decision making processes and infrastructure funding opportunities for the Camellia precinct.
- 3 The option of providing delegated authority of the Council to the Committee where appropriate to ensure expedited decisions for the growth of the Camellia precinct.
- 4 Appropriate mechanism to ensure productive engagement with various landholder, stakeholders and the community.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

SUSPENSION OF STANDING ORDERS

15313 MOTION (Shaw)

That Standing Orders be suspended to enable consideration to be given to an urgent motion regarding accommodation for the Shakti Migrant and Refugee Women's Support Group NSW Inc.

The Lord Mayor ruled that the matter was not one of urgency.

7.12 SUBJECT Parramatta North Urban Renewal - Public Exhibition
REFERENCE F2014/00735 - D03414679
REPORT OF Team Leader Strategy
RESOLVED (Chedid/Makari)

- 15314 (a) **That** Council delegate authority to the CEO to make a submission to the Department of Planning and Environment in relation to the proposal for Parramatta North Urban Renewal precinct.
- (b) **That** the submission raise any technical issues as identified by Council officers in a detailed review, as well the following broad, 'high-level' strategic issues:

1. Heritage – It is not clear how heritage buildings to be retained will be restored, including staging.
 2. Public Domain – It is not clear how upgrades to the public domain, including access along the river foreshore, will be delivered, including staging.
 3. Recreational, Cultural and Social Needs – Further analysis of the recreational, educational, cultural and social needs of the new community, including any impact on the provision of supporting infrastructure and public facilities is needed.
 4. Transport Infrastructure – The precinct should be supported by Light Rail given the introduction of 4,100 dwellings and the new village centre.
 5. Sports Precinct – Greater certainty should be provided to ensure compatible and complementary uses are located within the sports precinct as well as to safeguard visual prominence of the sports precinct from O’Connell Street. There is concern that the proposed B4 Mixed Use zone along O’Connell Street will set an expectation for residential development, which is considered to be an inappropriate and incompatible land use in close proximity to the stadium.
 6. Education – The proposal has not identified any new school infrastructure, despite the introduction of 4,100 dwellings.
 7. Prioritisation – The proposal should help to facilitate Council’s planning proposals in the Parramatta CBD area, which together with the UrbanGrowth NSW proposal will help to facilitate growth of the wider CBD area.
- (c) **Further, that** Council request in its submission that the central public space area identified as “O/S 3” in the Indicative Layout Plan be dedicated to Council free-of-cost, including no reduction in section 94A contributions payable for future development in the precinct, and that it be zoned RE1 Public Recreation accordingly, subject to the removal of any legislative requirement to acquire the land.

NOTE: Councillor P Esber left the meeting at 8.50 pm, returned at 8.51 pm, left the meeting at 8.54 pm and returned at 8.55 pm during consideration of this matter.

7.13 SUBJECT Amendment to Parramatta Section 94A Development Contributions Plan

REFERENCE F2008/03205 - D03414973

REPORT OF Project Officer, Land Use Planning. Also Project Officer Land Use Planning Memorandum dated 10 December 2014.

RESOLVED (Chedid/Makari)

15315 (a) **That** Council endorse draft s94A Development Contribution Plan (Amendment No. 4), provided under separate cover, to include a housekeeping amendment and an updated works schedule

applying to the whole LGA (excluding Civic Improvement Plan Area).

- (b) **That** draft s94A Development Contributions Plan (Amendment No. 4), provided under separate cover, be placed on public exhibition for a minimum period of 28 days.
- (c) **Further, that** a report be put to Council on the outcome of the public exhibition.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES None.

7.14 SUBJECT Draft Parramatta City Centre Planning Framework Review - Outcome of Public Exhibition

REFERENCE F2013/02004 - D03417866

REPORT OF Team Leader Strategy

RESOLVED (Chedid/Wilson)

- 15316
- (a) **That** Council receive and note the key issues raised in submissions on the Draft Parramatta City Centre Planning Framework review.
 - (b) **That** the CEO arranges for the draft exhibition maps contained in the consultant's report to be withdrawn and revised to correctly display the various change of land use policy made by Council in the Parramatta CBD and the LGA.
 - (c) **That** copies of all submissions be provided to Councillors.
 - (d) **That** the CEO arranges a workshop for Councillors that invites relevant stakeholders to present and answer questions regarding submissions to assist in the development of a robust policy that supports the growth of Parramatta in line with Council's vision.
 - (e) **Further, that** post the workshop, a detailed consideration of the submissions and presentations be undertaken and reported to Council in early 2015, together with a plan for further action (eg further analysis, finalisation).

7.15 SUBJECT Review of Three Preliminary Concept Proposals on Macquarie Street, Parramatta

REFERENCE RZ/6/2014 - D03421468

REPORT OF Service Manager Land Use Planning ; Manager City Strategy. Also correspondence from Willana Associates dated 15 December 2014.

MOTION (Garrard/Esber)

- (a) **That** Council accept building proposal (a), (b) and (c) and request a further report.
- (b) **That** Council seek an opportunity to create an A Grade building in the CBD by encouraging the developer to submit an innovative plan/proposal for the key site which would then be assessed on its merits.
- (c) **Further, that** each application for (a), (b) and (c) be assessed on its merits individually with a 10:1 FSR as stipulated in Council's draft planning framework.

AMENDMENT (Finn/Elmore)

- (a) **That** Council consider a planning proposal that seeks to increase the permissible floor space ratio and building height on each site whilst maintaining solar access to 50% of the public domain in Parramatta Square ie the solar access protection zone.
- (b) **That** Council notes that the floor space ratio and building height controls referred to in this option within this report are indicative and require further testing.
- (c) **Further, that** Council advises the applicants of its decision and the requirements for a planning proposal submission.

The amendment was put and lost.

15317 The motion was put and carried.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, R Dwyer, P Esber, P J Garrard, J A Hugh, S A Issa and B Makari.

NOES Councillors S H Chowdhury, G J Elmore, J D Finn, J L Shaw, L E Wearne and A A Wilson.

NOTE: Councillor J A Hugh left the meeting at 9.10 pm and returned at 9.11 pm during consideration of this matter.

7.16 SUBJECT Planning Proposal for Land at 171 - 189 Parramatta Road, Granville
REFERENCE RZ/10/2013 - D03421472
REPORT OF Project Officer - Land Use Planning
MOTION (Hugh/Esber)

- (a) **That** Council endorse the planning proposal provided at Attachment 2 for 171-189 Parramatta Road, Granville allowing for a maximum FSR of 6:1 excluding bonuses for design excellence and forward it to the Department of Planning and Environment for Gateway determination.
- (b) **That** Council endorse the draft site specific DCP at Attachment 3 for 171-189 Parramatta Road, Granville as an amendment to the Parramatta DCP 2011 for public exhibition allowing residential towers to a height of greater than 105m (approx 38 storeys) where the site is greater than 1100sqm for residential buildings, and that it be on exhibition concurrently with the planning proposal upon receipt of gateway determination.
- (c) **That** Council proceed with negotiations for a Voluntary Planning Agreement (VPA) with the owners in relation to the planning proposal, noting that any uplift in land value resulting from increases in FSR is in accordance with Urban Growth's strategy for Parramatta Road and therefore deemed in the public interest.
- (d) **That** delegated authority be given to the CEO to negotiate the VPA on behalf of Council and that the outcome of negotiations be reported back to Council prior to its public exhibition.
- (e) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this planning proposal as authorised by Council on 26 November 2012.
- (f) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan- amendment process.

AMENDMENT (Elmore/Shaw)

- (a) **That** Council endorse the planning proposal provided at **Attachment 2** for 171-189 Parramatta Road, Granville and forward it to the Department of Planning and Environment for Gateway determination.
- (b) **That** Council endorse the draft site specific Development Control Plan provided at **Attachment 3** for 171-189 Parramatta Road, Granville as an amendment to the Parramatta DCP 2011 for public exhibition and that it be exhibited concurrently with the Planning Proposal upon receipt of Gateway determination.
- (c) **That** Council proceed with negotiations for a Voluntary Planning Agreement (VPA) with the landowner in relation to the planning proposal.
- (d) **That** delegated authority be given to the CEO to negotiate the VPA on behalf of Council and that the outcome of negotiations be reported back to Council prior to its public exhibition.

- (e) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this planning proposal as authorised by Council on 26 November 2012.
- (f) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan- amendment process.

The amendment was put and lost.

15318 The motion was put and carried.

DIVISION The result being:

AYES The Lord Mayor, Councillor S D Lloyd and Councillors J Chedid, S H Chowdhury, R Dwyer, P Esber, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw, L E Wearne and A A Wilson.

NOES Councillors G J Elmore and J D Finn.

NOTE: Councillor J P Abood had previously declared an interest in relation to this item as the owner of the site is a friend, and temporarily retired from the Chamber prior to consideration and voting on this matter.

ADJOURNMENT OF MEETING

In accordance with Council's decision of 23 October 2000 (Minute No 5712) the meeting adjourned at 9.39 pm for a period of 16 minutes.

RESUMPTION OF MEETING

The meeting resumed in the Council Chamber at 9.55 pm, there being in attendance The Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S A Issa, B Makari, J L Shaw and A A Wilson.

7.17 SUBJECT Draft Parramatta City River Strategy
REFERENCE F2013/02635 - D03417769
REPORT OF Project Officer Urban Design

RESOLVED (Issa/Esber)

- 15319 (a) **That** Council receive and note the key issues raised by submissions on the draft Parramatta City River Strategy.
- (b) **Further, that** detailed consideration of the submissions be undertaken and reported to Council in early 2015, together with an implementation program.

7.18 SUBJECT Provision of an easement to drain stormwater for the impending disposal of 4A Vairys Crescent, Merrylands.

REFERENCE F2013/00778 - D03417856

REPORT OF Property Development Manager

RESOLVED (Issa/Esber)

- 15320 (a) **That** Council approve the granting of an easement over Council land known as Lot 203 in Deposited Plan 611110 which will benefit Lot 7 in Deposited Plan 29953.
- (b) **That** Council approve the affixation of the Common Seal to the documents according to Section 400 of the Local Government Regulations.
- (c) **Further, that** a memorandum be circulated to inform Council of the result of the disposal.

7.19 SUBJECT Lease of 12 Rangihou Crescent Parramatta

REFERENCE F2008/02904 - D03392110

REPORT OF Property Development Manager

RESOLVED (Esber/Garrard)

- 15321 (a) **That** Council note the offer as presented in this report under paragraph 5.
- (b) **That** Council delegate the Chief Executive Officer to complete the negotiations for a lease of the Premises at 12 Rangihou Crescent, Parramatta, more formally known as Lot 14 in Deposited Plan 27317.
- (c) **That** Council affix the Common Seal to the lease documents in accordance with Section 400 of the Local Government Regulations.
- (d) **Further, that** a report be submitted to Council after termination or vacation of the Premises which will report on an analysis of the future uses and consider the disposal and lease options of the Premises.

NOTE: Councillor L E Wearne returned to the meeting at 9.56 pm during consideration of this matter.

7.20 SUBJECT 'Activate Parramatta' Submission for Retail License for Council owned site Shop 2, 162-172 Church Street, Parramatta 'Connection Arcade'.
REFERENCE F2014/01847 - D03421298
REPORT OF Manager Place Services
RESOLVED (Issa/Makari)

- 15322 (a) **That** Council approve the grant of an occupancy licence to 'Prospector Store' in respect of Shop 2, 162-172 Church St Parramatta 'Connection Arcade' on the terms described in confidential attachment 'A'.
(b) **That** the Chief Executive Officer is authorised to conduct negotiations in order to finalise the terms and conditions of legally binding documents for the occupancy of the premises known as Shop 2, 162-172 Church St Parramatta 'Connection Arcade' described in the confidential attachment 'A'.
(c) **Further, that** the common seal of Council be affixed to a fit out deed or licence agreement or both (as the case requires) for the premises known as Shop 2, 162-172 Church St Parramatta 'Connection Arcade' on the terms described in confidential attachment 'A' in the presence of the Lord Mayor and the Chief Executive Officer or otherwise in accordance with clause 400 of the Local Government (General) Regulation.

7.21 SUBJECT Draft Policy for the removal of election posters and similar materials affixed to public assets
REFERENCE F2014/03264 - D03422299
REPORT OF Director Strategic Outcomes and Development
RESOLVED (Issa/Garrard)

15323 **That** consideration of this matter be deferred.

NOTE: Councillor J L Shaw left the meeting at 9.57 pm during consideration of this matter.

7.22 SUBJECT Foundation Day
REFERENCE F2013/00663 - D03421072
REPORT OF SM Cultural Heritage & Tourism
RESOLVED (Dwyer/Esber)

- 15324
- (a) **That** Council receive and note the evaluation report of the 2014 Foundations Festival.
 - (b) **That** a Councillor workshop be held in February 2015 to confirm the context and delivery of Foundation Day celebrations in 2015, covering points such as:
 - 1 The key objectives of the celebration;
 - 2 The target audience;
 - 3 Strategic direction on the format ie event, activities of the future event or product.
 - (c) **That** suitable partners be identified to assist Parramatta to celebrate this festival.
 - (d) **Further, that** Council Staff be engaged to bring forward preliminary plans for Foundation Day for 2015.

NOTE 1 Councillor J L Shaw returned to the meeting at 9.58 pm during consideration of this matter.

2 Councillor P Esber left the meeting at 10.06 pm and returned at 10.08 pm during consideration of this matter.

7.23 SUBJECT Brand Parramatta Campaign
REFERENCE F2011/00133 - D03432460
REPORT OF Director Marketing and City Identity. Also Director Marketing and City Identity Memorandum dated 5 December 2014.
RESOLVED (Issa/Garrard)

- 15325
- (a) **That** Council endorse the Brand Parramatta Campaign tagline “We are *Building* Australia’s Next Great City”, with an “interchangeable verb” concept.
 - (b) **That** Council endorse the creative concepts developed to support the tagline.
 - (c) **That** Council authorise staff to develop the creative concepts to support the tagline and Brand Parramatta Campaign.
 - (d) **That** Council authorise staff to develop an internal and external engagement strategy to promote the Brand Parramatta Campaign.
 - (e) **That** Council authorise staff to develop and enact an implementation plan for Brand Parramatta.
 - (f) **That** a baseline perception survey be undertaken to enable the effectiveness of the Brand Parramatta Campaign to be measured.
 - (g) **That** a report be presented to Council in 12 months-time on “perception change” of Parramatta as an entity, and as a result of the Brand Parramatta Campaign.
 - (h) **Further, that** appropriate funding to enable the implementation of the Brand Parramatta Campaign and consequent strategy and

tactical execution plan be allocated in Council's budget process.

SUSPENSION OF STANDING ORDERS

15326 RESOLVED (Abood/Chowdhury)

That following further recent discussions with the Shakti Migrant and Refugee Women's Support Group NSW Inc and noting the organisation's need for urgent accommodation, Council suspend Standing Orders to consider an urgent motion seeking further investigation of this matter.

The Lord Mayor ruled that the matter was one of urgency.

1 SUBJECT Shakti Migrant and Refugee Women's Support Group
NSW Inc - Accommodation
REFERENCE F2004/06174
FROM Councillor J P Abood
RESOLVED (Abood/Chedid)

15327 (a) **That** Council liaise with the Shakti Migrant and Refugee Women's Support Group NSW Inc with a view to finding a place for the organisation's use.
(b) **Further, that** delegated authority be given to the Lord Mayor and CEO to further this matter should a suitable property be located.

NOTE: Councillor S A Issa left the meeting at 10.13 pm and returned at 10.15 pm during consideration of this matter.

RESUMPTION OF STANDING ORDERS

15328 RESOLVED (Esber/Elmore)

That Standing Orders be resumed

ENVIRONMENT AND INFRASTRUCTURE

8.1 SUBJECT Minutes of the Parramatta Traffic Committee meeting

held on 27 November 2014

REFERENCE F2014/00136 - D03419932

REPORT OF Traffic & Transport Support Officer. Traffic and Transport

RESOLVED (Garrard/Chedid)

- 15329
- (a) **That** the Minutes of the Parramatta Traffic Committee Meeting held on 27 November 2014 be adopted with the exception of Item 1411 A1 – Alma Street and Rosehill Street, Parramatta.
 - (b) **That** in relation to Item 1411 A1 – Alma Street and Rosehill Street, Parramatta, this matter be referred back to the Parramatta Traffic Committee with a request that the Council's Traffic Engineer meet with the principal petitioner, Mr Henry Green, on site.
 - (c) **Further**, that Council write to Hornsby Council expressing its concerns with proposed traffic improvements in Carlingford – Keeler Street precinct including :-
 1. The level of consultation on traffic works in Keeler and other streets in the Parramatta LGA.
 2. Confirmation that Parramatta City Council has already resolved its objections to the works which are on Parramatta roads.
 3. The lack of any consideration of the knock on effects of the proposed works on local roads.

8.2 SUBJECT Minutes of the Traffic Engineering Advisory Group meeting held on 27 November 2014

REFERENCE F2014/00135 - D03420066

REPORT OF Traffic & Transport Support Officer. Traffic and Transport

RESOLVED (Esber/Garrard)

15330 **That** the Minutes of the Traffic Engineering Advisory Group Meeting held on 27 November 2014 be adopted.

COMMUNITY AND NEIGHBOURHOOD

9.1 SUBJECT Riverside Advisory Board Meeting held 20 November 2014

REFERENCE F2007/00388 - D03410095

REPORT OF Director City Services

RESOLVED (Esber/Wilson)

- 15331
- (a) **That** Council receives and notes the draft minutes of the Riverside Theatres Advisory Board meeting held on 20 November 2014.
 - (b) **That** Council notes the key findings of the Deloitte market analysis report for Riverside Theatres including that there is a case for Council to pursue development of a larger multi-venue facility based on demand and market opportunities.
 - (c) **That** Council prepares a cultural plan for the community that provides a strategic framework for the development of venues and facilities and the programming of activities including live performance, major events, festivals, exhibitions and other arts activities across the city while also recognising other community and recreational needs and facilities.
 - (d) **That** Council adopts a precinct approach to planning the infrastructure requirements to support such a plan including cultural production, performance and exhibition spaces which could include the redevelopment of existing facilities and creation of complementary new resources.
 - (e) **That** Council adopts in principle the redevelopment of Riverside Theatres including:
 - i. Provision of a larger capacity theatre (1200 – 1600 seats);
 - ii. Retention of complementary performance spaces – differentiated by facilities and seating capacity;
 - iii. Expanded multipurpose spaces for hospitality, exhibitions and other cultural activities;
 - iv. Accommodation for a new resident production company, rehearsal spaces and other facilities to support related creative industries.
 - (f) **That** Council urgently revises its 2013 promotional document for a world-class cultural and entertainment precinct in Parramatta to reflect the key findings of the market analysis and more recent planning for the City.
 - (g) **That** Council:
 - i. expedites application to the current NSW Government for financial support for the further development of cultural infrastructure plans and studies for Parramatta including master plans for precinct development and further business modelling;
 - ii. seeks the support of the Member for Parramatta, Dr Geoff Lee, with respect to the Riverside redevelopment and specifically the request for financial support from the State Government for further masterplanning and modelling as set out in 6 (a);
 - iii. further requests the Member for Parramatta to arrange for a small delegation (comprising the Member, the Lord Mayor, and representatives from the Riverside Advisory Board and the business community) to meet with the Deputy Premier and Minister for the Arts, The Hon Troy Grant, to brief him on the proposed Riverside redevelopment and precinct renewal.
 - (h) **Further, that** the current 2010 -14 Strategic Plan for Riverside Theatres be revised and updated to reflect new priorities and

opportunities and reported to Council for consideration following consultation with relevant stakeholders.

9.2 SUBJECT Aboriginal and Torres Strait Islander Advisory
 Committee Meeting 28 October 2014
REFERENCE F2014/01121 - D03417337
REPORT OF Community Capacity Building Officer
RESOLVED (Esber/Makari)

15332 **That** Council note that a capacity building workshop was held for ATSI Advisory Committee Members at its meeting of 28th October 2014 on the topic of Providing Quality Consultation and Council's Code of Conduct, and normal business was held over to the meeting of 25 November 2014.

GOVERNANCE AND CORPORATE

10.1 SUBJECT Investments Report for October 2014
REFERENCE F2009/00971 - D03390530
REPORT OF Chief Financial Officer
RESOLVED (Esber/Elmore)

15333 **That** Council receives and note the investments report for October 2014.

10.2 SUBJECT 2015 LGSA Tourism Conference - Bathurst - 2nd - 4th
 March 2015
REFERENCE F2014/00316 - D03414664
REPORT OF Manager, Lord Mayor & Councillor Support
RESOLVED (Esber/Wearne)

15334 **That** interested Councillors advise the Office of the Lord Mayor of their desire to attend the 2015 LGSA Tourism Conference being held from 2nd – 4th March 2015 in Bathurst.

10.3 SUBJECT Audit and Risk Committee Minutes
REFERENCE F2014/02356 - D03427307
REPORT OF Co-ordinator Audit & Risk
RESOLVED (Esber/Makari)

15335 **That** Council adopt the Minutes of the Audit and Risk Committee Meeting held on 2 October 2014.

10.4 SUBJECT Membership of Joint Regional Planning Panel
REFERENCE F2005/01801 - D03419891
REPORT OF Director Strategic Outcomes and Development
RESOLVED (Issa/Wilson)

15336 **That** Council clarify the membership of the Joint Regional Planning Panel as follows:-
Delegates - Councillors A A Wilson and J P Abood;
Alternate Delegates - Councillors J Chedid, J D Finn and P J Garrard.

CLOSED SESSION

RESOLVED (Esber/Elmore)

15337 Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-

11.1a *Classifying PS3 as Operational Land - This Lord Mayoral Minute is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

11.1b *Tender 27/2014 Parramatta War Memorial, Prince Alfred Square, Parramatta – Landscape Upgrade. (D03383178) - This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who*

supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

- 11.2 Tender No 22/2014 Wentworth Avenue Pendle Hill - Kerb & Gutter, Drainage, Road Widening, Carpark and Associated Work. (D03391137) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 11.3 Tender 4/2014 Parramatta Riverside Theatres – Building Services Upgrade for Energy Efficiency Improvements. (D03419872) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 11.4 54 Eastwood Avenue, Eastwood - proposed land acquisition. (D03361461) - *This report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- 11.5 Parramatta Square 2 (PS2) - Aspire Tower - Tender Process. (D03417983) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 11.6 Activation of Central Energy Plant for Parramatta Square. (D03419871) - *This report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- 11.7 Lease of Interim Accommodation for Parramatta City Council . (D03420925) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 11.8 Riverbank Development Options. (D03418767) - *This report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

- 11.9 Parramatta Square Precinct Project Management Services. (D03410890) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 11.10 Progress Report in relation to Chief Executive Officer's (CEO) Key Performance Indicators (KPIs). (D03432772) - *This report is confidential in accordance with section 10A (2) (a) of the Local Government Act 1993 as the report contains personnel matters concerning particular individuals.*
- 11.11 Late Legal Matters - *These memoranda are confidential in accordance with section 10A (2) (g) of the Local Government Act 1993 as the memoranda contain advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
- 11.12 Verbal Update on Parramatta Square - *This verbal report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

11.1a SUBJECT Classifying PS3 as Operational Land
 REFERENCE F2012/02390
 FROM The Lord Mayor, Councillor Scott Lloyd
 RESOLVED (Lloyd/Wearne)

15338 **That** Council, in accordance with the Local Government Act 1993 Chpt 6, Pt 2, Div 1 Section 31(2) resolve that the property to be purchased by Council, known as 153 Macquarie Street, Parramatta (Lot1/DP863571) be classified as operational land.

11.1b SUBJECT Tender 27/2014 Parramatta War Memorial, Prince Alfred Square, Parramatta – Landscape Upgrade
 REFERENCE F2014/02343 - D03383178
 REPORT OF Project Manager
 RESOLVED (Issa/Chedid)

15339 (a) **That** the tender submitted by Sam the Paving Man Pty Ltd for the upgrade of pavements, stone works and landscaping at the Parramatta War Memorial in Prince Alfred Square, Parramatta for the sum of \$153,020 (excluding GST) be accepted.
 (b) **That** all unsuccessful tenderers be advised of Council's decision

in this matter.

- (c) **Further, that** the Lord Mayor and Chief Executive Officer be given delegated authority to execute and affix the Common Seal of Council to the necessary documents.

NOTE: Councillor P J Garrard left the meeting at 10.36 pm during consideration of this matter.

11.2 SUBJECT Tender No 22/2014 Wentworth Avenue Pendle Hill - Kerb & Gutter, Drainage, Road Widening, Carpark and Associated Work

REFERENCE F2014/02094 - D03391137

REPORT OF Project Manager

RESOLVED (Esber/Wilson)

15340 (a) **That** the tender submitted by Statewide Civil Pty Ltd for the construction of kerb & gutter, drainage, road widening, carpark and associated works at Wentworth Avenue, Pendle Hill for the sum of \$1,009,040 (excluding GST) be accepted.

(b) **That** all unsuccessful tenderers be advised of Council's decision in this matter.

(c) **Further, that** the Lord Mayor and Chief Executive Officer be given delegated authority to execute and affix the Common Seal of Council to the necessary documents.

NOTE: Councillor J P Abood had previously declared an interest in relation to this item as a tenderer is a relative of his wife and left the meeting at 10.37 pm prior to consideration of this matter.

Councillor Abood did not return to the meeting.

11.3 SUBJECT Tender 4/2014 Parramatta Riverside Theatres – Building Services Upgrade for Energy Efficiency Improvements

REFERENCE F2014/00795 - D03419872

REPORT OF Project Manager. Also Project Manager Supplementary Report.

RESOLVED (Wilson/Issa)

15341 (a) **That** the tender submitted by AG Coombs (NSW) Pty Ltd for the Building Services Upgrade for energy efficiency improvements to the Parramatta Riverside Theatres for the sum of \$2,497,660 (excluding GST) be accepted.

(b) **That** all unsuccessful tenderers be advised of Council's decision

- in this matter.
- (c) **Further, that** the Lord Mayor and Chief Executive Officer be given delegated authority to execute and affix the Common Seal of Council to the necessary documents.

11.4 SUBJECT 54 Eastwood Avenue, Eastwood - proposed land acquisition
REFERENCE F2013/02573 - D03361461
REPORT OF Property Services Officer
RESOLVED (Issa/Shaw)

15342 **That** consideration of this matter be deferred.

11.5 SUBJECT Parramatta Square 2 (PS2) - Aspire Tower - Tender Process
REFERENCE F2014/02333 - D03417983
REPORT OF Director Property and Significant Assets
RESOLVED (Esber/Finn)

- 15343 (a) **That** Council approve the list of tenderers for PS2 as the proponents noted in paragraph 9 of the report.
(b) **That** Council agree the form of the development is as outlined in paragraph 11 of the report.
(c) **Further, that** Council endorse the timeframe for the tender as noted in paragraph 15 of the report.

11.6 SUBJECT Activation of Central Energy Plant for Parramatta Square
REFERENCE F2012/03517 - D03419871
REPORT OF Director Property and Significant Assets
RESOLVED (Wearne/Issa)

- 15344 (a) **That** Council commit to use of the Central Energy Plant services for Council buildings in accordance with the paragraphs 9 and 10 in the report.
(b) **Further, that** Council commit to the use of rating tools as noted in paragraph 13 of the report.

11.7 SUBJECT Lease of Interim Accommodation for Parramatta City Council
REFERENCE F2013/02617 - D03420925
REPORT OF Senior Development Manager
RESOLVED (Esber/Shaw)

- 15345 (a) **That** Council give approval for the Director of Property and Significant Assets to research, investigate and identify potential options for interim space to accommodate Council's functions during demolition and construction of the various stages of Parramatta Square.
- (b) **Further, that** a report be presented to Council detailing the options available, indicative timing and total costs of accommodation and relocation for each option.

11.8 SUBJECT Riverbank Development Options
REFERENCE F2014/00712 - D03418767
REPORT OF Director Property and Significant Assets. Also Director Property and Significant Assets Report circulated on 15 December 2014.
RESOLVED (Issa/Chedid)

15346 **That** Council adopt the recommendation contained in paragraph 27 of Director Property and Significant Assets Report circulated on 15 December 2014 together with an additional clause regarding the possible future purchase of properties.

11.9 SUBJECT Parramatta Square Precinct Project Management Services
REFERENCE F2014/02763 - D03410890
REPORT OF Development Manager Assistant. Also Development Manager Assistant Report circulated 15 December 2014.

15347 RESOLVED (Wearne/Wilson)

That consideration of this matter be deferred to the first meeting in the New Year pending the provision of further information.

NOTE: Councillor P J Garrard returned to the meeting at 10.42 pm during consideration of this matter.

11.10 SUBJECT Progress Report in relation to Chief Executive Officer's (CEO) Key Performance Indicators (KPIs)
REFERENCE F2011/03465 - D03432772
REPORT OF Manager. Human Resources. Also Chief Executive Officer's Memorandum dated 11 December 2014.
RESOLVED (Issa/Elmore)

15348 **That** this matter be deferred and be further considered by the KPI Committee.

EXTENSION OF TIME

15349 RESOLVED (Esber/Wilson)

That the time nearing 11.00 pm, the meeting be extended to 11.30pm to enable completion of the remaining Agenda items.

11.11 SUBJECT Legal Matters - Removal of a Caveat on 195 Briens Road, Northmead, 49 Rosebery Road, Guildford and 3 Ferndell Street, South Granville
REFERENCE DA/852/2007
FROM Manager Asset Strategy and Property Management (Memo dated 12 December 2014), Director Strategic Outcomes and Development (Memos dated 11 December and 8 December 2014).
RESOLVED (Issa/Elmore)

15350 (a) **That** in relation to the removal of a caveat on 195 Briens Road, Northmead (Lot 44 DP 1041964), Council remove the caveat subject to the Deed of Surrender attached to Manager Asset Strategy and Property Management Memorandum dated 11 December 2014 being signed by the owner.
(b) **Further, that** the Lord Mayor and the Chief Executive Officer be authorised to sign under seal the Deed of Surrender of Development Consent and Withdrawal of Caveat.

RESOLVED(Elmore/Wilson)

15351 **That** in relation to 49 Rosebery Road, Guildford, that Council undertake the recommendation as contained in Director Strategic Outcomes and Development Memorandum dated 12 December 2014.

RESOLVED (Garrard/Hugh)

15352 **That** in relation to 3 Ferndell Street, South Granville, Council undertake the recommendation as contained in Director Strategic Outcomes and Development Memorandum dated 8 December 2014.

NOTE: Councillor A A Wilson retired from the meeting at 11.01 pm during consideration of this matter.

11.12 SUBJECT Verbal Update - Parramatta Square
REFERENCE F2008/04592
FROM Director Property and Significant Assets.

NOTE: A brief update was given on the Parramatta Square project by Mr Barry Mann, Director Property and Significant Assets.

MERRY CHRISTMAS

SUBJECT Merry Christmas
REFERENCE F2008/04592
FROM Councillor Pierre Esber
RESOLVED (Esber/Garrard)

15353 **That** Council Staff be wished a Merry Christmas and a safe New Year.

The meeting terminated at 11.10pm.

THIS PAGE AND THE PRECEDING 37 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 15 DECEMBER 2014 AND CONFIRMED ON MONDAY, 9 FEBRUARY 2015.

Lord Mayor