

MINUTES OF THE MEETING OF PARRAMATTA CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC PLACE, PARRAMATTA ON MONDAY, 23 NOVEMBER 2015 AT 6.53PM

PRESENT

The Lord Mayor, Councillor P J Garrard in the Chair and Councillors J P Abood, J Chedid, S H Chowdhury (retired 11.24pm), R Dwyer, G J Elmore, P Esber, J D Finn (arrived 6.58pm and retired 10.38pm), J A Hugh, S T Issa (retired 11.24pm), S D Lloyd, B Makari (Deputy Lord Mayor), J L Shaw, L E Wearne and A A Wilson.

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

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

MINUTES

SUBJECT Minutes of the Council (Development) Meeting held on 9 November 2015

16162 RESOLVED (Issa/Lloyd)

That the minutes be taken as read and be accepted as a true record of the Meeting.

APOLOGIES

16163 RESOLVED (Issa/Chowdhury)

That an apology be received and accepted for the late arrival of Councillor J D Finn.

DECLARATIONS OF INTEREST

1. Councillor G Elmore declared a non-pecuniary, non-significant interest in relation to Item 7.13 of Economy in relation to the Draft Woodville Road Planning Strategy as an associate of Councillor Elmore lives on Woodville Road and had submitted a development application for the property.
2. Councillor S Issa declared a non-pecuniary, non-significant interest in relation to Item 7.13 of Economy in relation to the Draft Woodville Road Planning Strategy as his uncle's house (which was previously owned by his grandfather and father) is located on Woodville Road. Councillor Issa did not intend to retire from the meeting during consideration of this matter.

for the site as follows:

- An appropriate FSR (our architect and planner are recommending 16.5:1)
- An appropriate height (our architect and planner are recommending 250m)

We understand that a report on our Planning Proposal is to be provided by Council Officers for the 7 December 2015 Council Meeting.

3. In its email to us on 19 December 2014, Council advised us to “lodge a Planning Proposal seeking the height and FSR that your urban design analysis suggests would be appropriate for this site [197 Church Street]”. This is what we have done. The Urban Design Analysis clearly concluded that any building to be developed at 197 Church Street should be tall and slender and will therefore inevitably overshadow Parramatta Square but for only brief times in the day.
4. Paragraph (b) of the Recommendation on Page 378 requests Council to endorse provisions for the DCP which “do not allow any overshadowing to occur within the identified solar protection zone.....within Parramatta Square”. If Council endorses this Recommendation this means that overshadowing of the solar protection zone will NEVER be permitted - 24 hours per day, 365 days per year. Clearly, that is not the strategy of a City which is seeking to become one of the great cities of the world.
5. Council took a very considered decision at its meeting on 9 June 2015 to encourage world-class development by amending the DCP control for Parramatta Square as follows: “*overshadowing is to be minimised within the area outlined in red [solar protection zone]*”. This was a very strategic and astute decision as it permits Council to assess each proposal on its individual merits and therefore gives Council complete control to encourage developments which it believes will add value to the city and help to create “Australia’s Next Great City”. We fervently believe that our proposal for 197 Church Street is such a development.

I most sincerely hope that the foregoing provides a compelling explanation as to why the Recommendation on page 378 of the Business Papers should be rejected and, instead, support should be given to the position of the 9 June 2015 Council resolution to minimise the overshadowing of the solar protection zone within Parramatta Square.

Thank you for the opportunity to put my views forward.”

Response from Sue Weatherley – Director Strategic Outcomes and Development: –

“In relation to the statement made by the presenter that the controls

recommended in the report will mean that Parramatta Square will never be permitted to be overshadowed and that this is not consistent with the approach taken by other great cities the following points of clarification are offered;

- 1) The solar protection zone forms only 31.5% of Parramatta Square, the remaining 69.5% of Parramatta Square will likely be in shadow most days between April and September. A small portion is to be protected to ensure at lunch time people have the option to escape their apartments or offices and sit in the sun in the middle of the day.
- 2) The controls proposed seek to protect the solar protection zone from overshadowing between 12 noon and 2pm. The analysis presented in Attachment 3 of the report shows that building forms proposed for some sites north of the square that overshadow the square between 12 noon and 2pm mid-winter also overshadow the square to a significant degree from March until September which indicates the level of overshadowing would occur for a period of 6 months every year. However, the controls do not seek to limit the overshadowing prior to 12 noon or after 2pm. The intention is protect this key public space for people to use during the traditional lunchtime hours.
- 3) The recommended controls seek to protect this critical part of the public domain for the benefit of the community. Planning controls that protect solar access to key public spaces are common in many cities and the report cites the example of the City of Sydney Council which uses solar access planes to protect solar access to
 - Wynyard Park. Similarly no overshadowing can occur:
 - In Pitt Street Mall between 10 and 2
 - Town Hall Steps between 10:30 and 4

In Melbourne heights of buildings adjoining the Royal Botanic Gardens, Yarra Park and Yarra River have solar access controls that seek to protect these key public spaces.

In relation to the statement which indicates that Council advised the applicant in an email *“to lodge a Planning Proposal seeking the height and FSR that your urban design analysis suggests would be appropriate for the site”* this statement has failed to include other parts of the email and so the statement taken without the wider context could be considered to be potentially misleading. The email in question also advises that the Draft CBD Planning Framework is an important consideration and that any urban design analysis they lodge would need to be assessed against all the relevant criteria including the Draft Framework and its recommendations.”

Note

1. **Councillor J D Finn arrived at the meeting at 6.58pm during consideration of this matter.**
2. **Councillor J Chedid left the meeting at 7.00pm and returned to the meeting at 7.02pm during consideration of this matter.**

2 SUBJECT Development Application - 16 Milton Avenue, Eastwood
REFERENCE DA/156/2015
FROM Mr Dave McIntosh

As tabled.

16168 “Dear Lord Mayor and Councillors,

This DA is located in the Lachlan Macquarie Ward and we are the owners and residents of 25 years for the adjacent heritage listed house.

We know our property and its context within the street extremely well. Our house is a small weatherboard cottage and is part of the heritage listed "Milton Avenue Group".

There are two main issues to do with this proposal:

1. Assessment of the impact on Public views of the heritage item from the street is flawed.

The assessment has been based on an incorrect and misleading "Photo Montage".

The heritage advisor requested a streetscape plan which showed the proposal is 45 degrees to the Milton Avenue Group street frontage on a bend in the road. This means that its south west elevation, because of the bend in the road, would be clearly visible from the street and potentially impact on the public view of our heritage item. So to assist in the assessment a 3D Image was requested of the applicant by the heritage advisor and council. The first image in the Sect 79C report (page 62 in the business papers) attempts to relate this proposal to the heritage item and is plainly wrong. It has been stretched horizontally which reduces appearance of bulk, some trees shown in the photo are in the wrong place and on the wrong property. One large screening bush shown in our front yard does not exist and a tree shown between our house and the proposal is actually not there. Our front gate has been reduced in size and there are five panels, not four in our front fence between the driveway and the adjacent proposal.

Of fundamental concern, however, is that the 45 degree "montage" image shows the proposal incorrectly setback on the block. The plans show it forward of the existing dwelling and the montage shows it back

from the existing dwelling. This is clearly proved by comparing the plans and unaltered photos taken from the same location in the street. This plainly incorrect "photo montage" has been used by the heritage advisor on which to base his assessment.

I quote from heritage advisor's report "The results of the submitted photomontages clearly indicate that the impact on views of significant items from the public domain will be within acceptable limits." "Based on the above, I have no further objection to this proposal from heritage perspective".

Of public concern is that the heritage impact assessment has been based on incorrect and misleading information, namely the "photo montage". A professionally done, properly scaled 3D street view should be provided and a new, properly informed heritage impact assessment should be made.

2. Privacy is our major concern.

The assessment has missed our point about privacy. In addition to daylight hours, we are also concerned about internal privacy particularly at night. Our living room has eight sash windows along the 8 metre north side facing this development allowing light into the rest of an open plan house. It is impractical and counterproductive to receiving morning light for us to daily draw blinds across this room. This means the internals of our house will be clearly visible at night. The first floor of this development is level with our sunroom and at its closest 7.5 metres away. It will provide loss of privacy into our main living area and thoroughfare between bedrooms and the bathroom, during the day and especially in the evenings when the house is internally lit.

Despite none of the development assessment team having been inside our house the Section 79C report concludes privacy is not an issue. Facing windows of the development WILL have a severe impact on our privacy.

We note in the Sect 79C report a number of departures from various controls in the DCP have been afforded to the applicant. We ask that council defer consideration of this matter subject to re-assessment with a view to installation of highlight windows on the adjoining side which would mitigate this issue."

Response from Mark Leotta – Manager Development and Traffic Services: –

"Views to the Heritage Item

The photomontage was not accepted or viewed in isolation from other submitted documents, but in coordination with these. Allowing for a degree of inaccuracy in 3D modelling, available documents clearly indicated that ridge and gutter heights of the proposed development and the heritage item will be closely similar.

It is noted that in this case the heritage item is a group of three houses of which one (No.18) is across the road from the other two (Nos. 27 and 29A Milton Avenue). The impact on other elements of the significant group is lesser, due to separation between sites and given the siting across the road, it is deemed that significant views of these two houses will not be impacted. It is also fair to note that the proposal has been modified from its initial form, in order to mitigate the impact on the adjoining property.

In any case, it is the Heritage Advisor's opinion the adverse impact of the proposed development at 16 Milton Street on the heritage values of Milton Street group, including the immediately adjoining house at 18 Milton Street, is within acceptable limits.

Privacy Concerns

It is noted that the first floor elevation of the proposed development (specifically, Unit B) closest to the objector's property features 5 windows. These windows service bedroom and bathrooms. Bathrooms are not considered to be habitable rooms and have been proposed with obscured glazing, whilst bedrooms are considered to be rooms of low intensity/frequency usage – generally later into the night rather than early evening; and are set back appropriately from the subject site's side boundary. The application does not seek to provide upper floor living areas or elevated balconies and terraces; which would impact on the privacy of adjoining properties.

The proposed separation distances and use of rooms are ample in addressing concerns regarding visual and acoustic privacy and the application is considered to meet the relevant controls for privacy and separation between dwellings.”

Note

Councillor R Dwyer left the meeting at 7.11pm and returned at 7.12pm during consideration of this matter.

3 SUBJECT Development Application - 5 Calaby Street, Toongabbie
REFERENCE DA/386/2015
FROM Daya Thayanathan

16169 “Lord Mayor and Councillors

I am here to raise concerns about the proposed dual occupancy development at 5 Calaby Street, Toongabbie

As you may be aware, Calaby Street is a quiet residential street. This development in the current form will negatively change the streetscape forever.

We also understand that Calaby Street exhibits a distinct residential

streetscape of stepped setbacks. According to the Council DCP these types of roads are called rectilinear streets.

When measured in accordance with the Council DCP, other neighbouring properties in Calaby Street has 9m street setback. The developer has proposed a 5.5m street setback for this development. This is about 40% variations to the Council DCP requirements.

During the site meetings, the residents have raised the following noncompliance issues.

Street setback, overshadowing, side setback & rear setback.

These issues have been overlooked in the Officers report.

We also understand this lot (5 Calaby Street) has an irregular shape. A maximum 0.5:1 floor space ratio is allowed for this land. However a maximum floor space ratio cannot be achieved on an irregular shape lot due to other controls in the DCP.

I have a copy of Parramatta Council FSR document. It states that "The maximum FSR may not always be reached due to other building controls such as height limits or minimum setback requirements."

Therefore maximum floor space ratio is not a controlling factor for this development.

The developer is trying to achieve a maximum floor ratio by compromising other DCP controls.

We understand that it is not always possible to meet all the DCP controls. However our main concern is the street setback. If such large variation (40%) to the street setback is allowed, this will change the character of this street forever.

This proposed variation to the street setback has not in the interest of public and will give precedence to similar development.

We request the Council that developer be requested to modify the street setback in consistent with the prevailing setback in the street and to comply with the Council DCP."

4 SUBJECT Planning Proposal - 122 Wigram St, Harris Park
REFERENCE RZ/22/2014
FROM Aras Labutis

16170 "Good evening Lord Mayor and Councillors,

My name is Aras Labutis, from Mecone Planning, and I represent the applicant, Soho Parramatta, for the Planning Proposal at 122 Wigram Street, Harris Park that is recommended to proceed to Gateway

determination this evening.

The recommendation of support for the planning proposal is the result of ongoing collaboration with Council officers over the past year. It is founded on robust urban design analysis and is consistent with the draft City Centre Framework.

The applicant is committed to delivering a high quality development on the site and will be commencing a design competition process to ensure design excellence is achieved.

We would like to thank Council for working with us in the process to date and we look forward to continuing to work with Council to ensure a good outcome for the site and for the area is achieved.

We respectfully request that Council support the recommendation before it this evening and I am available to answer any questions should they arise.

Thank you.”

SUSPENSION OF STANDING ORDERS

16171 RESOLVED (Chedid/Issa)

That Standing Orders be suspended to enable consideration of an urgent motion pertaining to the possible sale of the Parramatta PCYC Club.

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

1. SUBJECT Sale of Parramatta PCYC
REFERENCE F2012/01041
FROM Councillor John Chedid

16172 RESOLVED (Chedid/Hugh)

(a) **That** the Lord Mayor contact the Minister for Police and Justice Services, as a voice for the City, in relation to the sale of the Parramatta PCYC and seek advice addressing:-

1. Where the Club is to be relocated;
2. Why is the Club to be moved;
3. What analysis was undertaken to support any sale;
4. Ownership of the site, how the site was initially acquired and whether the proposed sale is legal;
5. Why the Club has to be moved from the CBD.

(b) **Further, that** the Lord Mayor also write to the CEO of the Parramatta PCYC with a view to ascertaining his intentions in relation to the sale and the responses be reported back to the Council by 14 December 2015.

Note

Councillor A A Wilson left the meeting at 7.38pm and returned at 7.44pm during consideration of this matter.

FURTHER SUSPENSION OF STANDING ORDERS

16173 RESOLVED (Lloyd/Chedid)

That Standing Orders continue to be suspended to enable consideration of an urgent motion pertaining to the closure of Commonwealth Bank of Australia branches in Western Sydney.

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

2 SUBJECT Closure of Commonwealth Bank of Australia Branches
in Western Sydney
REFERENCE F2014/02380
FROM Scott Lloyd

16174 RESOLVED (Lloyd/Chedid)

- (a) **That** the CEO and CFO investigate the closure of all loan and saving/investment accounts held with the Commonwealth Bank of Australia.
- (b) **That** a report be tabled to Council recommending alternate banking options that reflect financial institutions that demonstrate a commitment to Western Sydney.
- (c) **That** the CEO and Lord Mayor write to WSROC member councils and other Western Sydney Councils so too encourage them to join with PCC to investigate the closure of all their accounts with the Commonwealth Bank of Australia.
- (d) **Further, that** a report be provided to Council outlining the circumstances in which the Commonwealth Bank of Australia decided against being part of Parramatta Square.

Note

Councillor A Issa left the meeting at 7.47pm and returned at 7.51pm during consideration of this matter.

RESUMPTION OF STANDING ORDERS

16175 RESOLVED (Wearne/Elmore)

That Standing Orders be resumed.

ECONOMY

7.1 SUBJECT 16 Milton Avenue, Eastwood (Lot 81 DP 7004) (Lachlan Macquarie Ward)

DESCRIPTION Demolition, tree removal and construction of a two storey attached dual occupancy.

REFERENCE DA/156/2015 - Lodged 18 March 2015

APPLICANT/S Quinn Building Design

OWNERS X Lin and G Zhang

REPORT OF Manager Development and Traffic Services. Also correspondence from David Modra dated 20 November 2015.

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council for determination as the application received 10 submissions in response to the public notification period.

16176 RESOLVED (Abood/Wearne)

(a) **That** Council grant development consent to DA/156/2015 for demolition, removal of 4 trees and construction of a two storey attached dual occupancy development 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 contained in attachment 1 and the following 2 additional conditions:-

1. The proposed upper floor windows W33, W34 and W37 to Dwelling B on the south-western elevation shall be provided with sill heights to 1.5m above the finished first floor level. Alternatively, these windows can be provided with external louvers fixed to an upward angle of 45 degrees to mitigate overlooking into the adjoining property at 18 Milton Avenue. These changes are to be to the satisfaction of the PCA prior to issue of the construction certificate.

Reason: to ensure an appropriate level of privacy for the adjoining property retaining walls.

2. Any retaining walls shall be constructed wholly within the property boundaries of the subject site. Details of any proposed retaining structures shall be clearly indicated on construction certificate plans and designed and constructed in a manner that ensures their structural integrity mindful of any surcharge that may be applied from land and/or structures on adjoining lots.

Should the retaining walls undermine existing fences, the applicant to replace effected fences at his cost.

Reason: To ensure the structural integrity of land and buildings on adjoining sites

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

DIVISION The result being:-

AYES: 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 T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

7.2 SUBJECT 6 Sorrell Street, Parramatta NSW 2150 - Ebbeck House (SP 11722) (Arthur Phillip Ward)

DESCRIPTION Section 96(2) modification to an existing approval for demolition, tree removal, and construction of an 8 storey mixed use development containing 24 apartments and 2 commercial tenancies over 4 levels of basement car parking, and strata subdivision. The modifications include the addition of 2 x 1 bedroom units on the top (7th) floor.

REFERENCE DA/198/2009/E - Submitted 23 September 2015

APPLICANT/S Better Buildings Pty Ltd

OWNERS The Owners Strata Plan 11722

REPORT OF Manager Development and Traffic Services. REASON FOR REFERRAL TO COUNCIL

The subject Section 96(2) application is referred to Council for determination as the original development application was approved by Council.

16177 RESOLVED (Esber/Makari)

That Council grant development consent to DA/198/2009 for Section 96(2) modification comprising the addition of 2x1 bedroom units on the 7th Floor to an existing approval for demolition, tree removal, and construction of an 8 storey mixed use development containing 24 apartments and 2 commercial tenancies over 4 levels of basement car parking, and strata subdivision 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 contained in Attachment 1.

DIVISION The result being:-

AYES: 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 T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

- 7.3 SUBJECT 18 Louis Street, Granville NSW 2142
(Lots 31 and 32 DP 432052) (Woodville Ward)
- DESCRIPTION Demolition of existing structures and construction of a 4 storey shop top housing development containing 33 apartments, 1 retail premises on the ground floor with basement and at grade car parking for 61 car spaces.
- REFERENCE DA/65/2015 - 12 February 2015
- APPLICANT/S Mr S Chedid
- OWNERS Mr S.C Chedid, Mr C Chedid, Mr R Chedid, Mr P Chedid and Mr A Chedid
- REPORT OF Manager Development and Traffic Services
- REASON FOR REFERRAL TO COUNCIL

The application was originally referred to Council as the proposal seeks to vary the maximum permissible building height by 44% due to flood affection. The building height departure relates to the lift overrun, access to the communal roof space and half of the fifth floor of residential units. These details are provided in Figure 1 below.

The original assessment of this DA recommended that the rear portion of the building be reduced to improve solar access to the adjoining site. A deferred commencement condition was recommended to achieve this.

The deferred commencement condition recommended by Council's Assessment Officer read as follows: -

"Amended architectural plans shall be provided to the written satisfaction of the Council, clearly demonstrating that at least 50% of the private open spaces of the dwellings at 21, 23, 25 and 27 Thomas Street to the rear of the proposed development will receive 3 hours of direct sunlight on 22 June as per clause 3.3.5 of PDGP2011."

Council at its meeting of 24 August 2015 resolved:-

"That the consideration of the application be deferred to enable consideration of an amended plan by the applicant."

Subsequently, the applicant submitted amended plans and elevation shadow diagrams demonstrating compliance with Council's solar access requirements. These plans were assessed and endorsed by Council's Assessing Officer as detailed in Attachment 5.

The application was subsequently referred to Council at its meeting of 28 September 2015 where discussion was held in relation to solar access impacts to the adjoining site to the rear. Council resolved: -

"That the matter be referred back to the Design Excellence Advisory Panel."

DEAP comments and further detailed assessment has now been finalised and incorporated into the executive summary and Attachment 5.

16178 RESOLVED (Esber/Wearne)

That consideration of this matter be deferred until after the mid-meeting adjournment (see minute no. 16182).

DIVISION The result being:-

AYES: 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 T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

7.4 SUBJECT 18 Weston Street, ROSEHILL
(Lot 4 DP 6518) (Elizabeth Macarthur Ward)

DESCRIPTION Demolition of the existing dwelling house, removal of trees and ancillary structures and construction of a five (5) storey residential flat building comprising 18 dwellings and two (2) levels of basement car parking

REFERENCE DA/857/2014 - 16 December 2014

APPLICANT/S Archi-build International

OWNERS C & M Ibrahim

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council for determination as it involves a Clause 4.6 variation to Clause 4.3 Height of Buildings of the Parramatta Local Environmental Plan 2011 (PLEP 2011) which is greater than 10% of the

development standard.

16179 RESOLVED (Wearne/Elmore)

That the application be re – referred to the Design Review Panel.

DIVISION The result being:-

AYES: 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 D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: S T Issa

7.5 SUBJECT 5 Calaby Street, TOONGABBIE
(Lot 135 DP 218344) (Caroline Chisholm Ward)

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

REFERENCE DA/386/2015 - 29 June 2015

APPLICANT/S Ho's Australia Pty Ltd

OWNERS Ho's Australia Pty Ltd

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

More than seven (7) submissions have been received in response to the application therefore the matter is referred to Council for determination.

MOTION (Chowdhury/Shaw)

That the application be refused for the following reasons:-

1. The proposal does not comply with minimum required front setback.
2. The proposal does not comply with minimum side setbacks.
3. The proposed does not comply with minimum rear setback.
4. The proposed does not comply with required deep soil zone.
5. Dwelling A does not comply with private open space requirements.
6. The proposal is not in the public interest.

FORESHADOWED MOTION (Issa/Abood)

That Council, as the consent authority, grant development consent to Development Application No. DA/386/2015 for demolition, tree removal and construction of an attached two storey dual occupancy development with associated Torrens title subdivision at 5 Calaby Street,

TOONGABBIE NSW 2146, subject to conditions.

The motion was put and lost.

16180 The foreshadowed motion became the motion and was put and carried.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, R Dwyer, P Esber, P J Garrard, J A Hugh, S T Issa, S D Lloyd and B Makari

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

7.6 SUBJECT Draft Parramatta Employment Lands Strategy 2015

REFERENCE F2012/02143 - D03972318

REPORT OF Team Leader LUP

16181 RESOLVED (Issa/Elmore)

- (a) **That** Council receive and note the recommendations of the Draft Parramatta Employment Lands Strategy 2015.
- (b) **That** the Draft Parramatta Employment Lands Strategy 2015 at Attachment 1 be placed on public exhibition for a period of no less than twenty eight (28) days from the day it is advertised in the local newspaper
- (c) **That** a report be submitted to Council post public exhibition detailing the results of the public exhibition.
- (d) **Further, that** Council endorse the Draft Strategy recommendation for the southern portion of Precinct 18 – Guildford (Railway Terrace) which seeks to rezone the subject sites to R4 with a Floor Space Ratio of 2:1 with appropriate transition to adjoining areas and that the applicant/owners be advised of Council’s position.

DIVISION The result being:-

AYES: 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 T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

Note

A notice of motion to rescind the above decision was tabled prior to the conclusion of the meeting and subsequently considered as a

matter of urgency under minute no.s 16208 and 16209.

ADJOURNMENT OF MEETING

In accordance with Council's decision of 23 October 2000 (Minute No 5712), the meeting adjourned at 8.30pm for a period of 14 minutes.

RESUMPTION OF MEETING

The meeting resumed in the Council Chamber at 8.44pm, there being in attendance The Lord Mayor, Councillor P J Garrard in the Chair and Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, J A Hugh, S T Issa, S D Lloyd, B Makari (Deputy Lord Mayor), J L Shaw and A A Wilson.

ITEM 7.3 OF ECONOMY

7.3 SUBJECT 18 Louis Street, Granville NSW 2142 (Lots 31 and 32 DP 432052) - Demolition of existing structures and construction of a 4 storey shop top housing development containing 33 apartments, 1 retail premises on the ground floor with basement and at grade parking for 61 car spaces.

REFERENCE DA/65/2015

APPLICANT/S Mr S Chedid

OWNERS Mr S.C Chedid, Mr C Chedid, Mr R Chedid, Mr P Chedid and Mr A Chedid

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application was originally referred to Council as the proposal seeks to vary the maximum permissible building height by 44% due to flood affection. The building height departure relates to the lift overrun, access to the communal roof space and half of the fifth floor of residential units. These details are provided in Figure 1 below.

The original assessment of this DA recommended that the rear portion of the building be reduced to improve solar access to the adjoining site. A deferred commencement condition was recommended to achieve this.

The deferred commencement condition recommended by Council's Assessment Officer read as follows: -

“Amended architectural plans shall be provided to the written satisfaction of the Council, clearly demonstrating that at least 50% of the private open spaces of the dwellings at 21, 23, 25 and 27 Thomas Street to the rear of the proposed development will receive 3 hours of direct sunlight on 22 June as per clause 3.3.5 of PDGP2011.”

Council at its meeting of 24 August 2015 resolved:-

“That the consideration of the application be deferred to enable consideration of an amended plan by the applicant.”

Subsequently, the applicant submitted amended plans and elevation shadow diagrams demonstrating compliance with Council’s solar access requirements. These plans were assessed and endorsed by Council’s Assessing Officer as detailed in Attachment 5.

The application was subsequently referred to Council at its meeting of 28 September 2015 where discussion was held in relation to solar access impacts to the adjoining site to the rear. Council resolved: -

“That the matter be referred back to the Design Excellence Advisory Panel.”

DEAP comments and further detailed assessment has now been finalised and incorporated into the executive summary and Attachment 5.

16182 RESOLVED (Issa/Abood)

- (a) **That** Council support the variation to Clause 4.3 of the PLEP 2011 under the provisions of Clause 4.6.
- (b) **That** Council as the consent authority grant development consent to Development Application No. DA/65/2015 for demolition of existing structures and construction of a 4 storey shop-top housing development containing 33 residential units and 1 retail premises on the ground floor with basement and at grade car parking for 61 car spaces at 18 Louis Street , Granville NSW 2142 for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions in Attachment 1 and Attachment 5.
- (c) **Further, that** the objectors and head petitioners be notified of the outcome.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, R Dwyer, P Esber, J D Finn, J A Hugh, S T Issa, S D Lloyd, B Makari and J L Shaw

NOES: Councillors S H Chowdhury, G J Elmore, P J Garrard and A A Wilson

Note

1. **Councillor J Chedid had previously advised that he is not related to the owner or applicant associated with this application.**
2. **This matter had been deferred from earlier in the meeting (see minute no. 16178).**

7.7 SUBJECT Amendment to Parramatta Development Control Plan 2011 - Parramatta Square - Outcome of Public Exhibition

REFERENCE F2012/01980 - D03972276

REPORT OF Team Leader - Land Use Planning. Also correspondence from Matthew Norman/Keith Hamilton received on 20 November 2015. Also correspondence from Michael Coombes received on 20 November 2015.

MOTION (Esber/Issa)

- (a) **That** Council receive and note the submissions made during the exhibition of the amendment to Parramatta Development Control Plan 2011 - Parramatta Square contained at Attachment 1.
- (b) **That** building form C7 overshadowing is to be minimised within the area outline in red in figure 4.3.3.7.3 so that no single point of the area is in shadow for a period greater than 60 minutes between 12pm – 2pm mid-winter, subject to the merits of each application.
- (c) **That** Council endorse the exhibited amendments relating to desired design and facade responses to building elevations facing Parramatta Square within the Parramatta Development Control Plan 2011 contained at Attachment 2 (shown blue).
- (d) **That** Council grant delegated authority to the CEO to make any minor amendments and corrections of an administrative and non-policy nature that may arise during the DCP finalisation process.
- (e) **That** Council take the necessary steps to implement the endorsed amendments and that a notice be published in the local newspaper to put into effect the endorsed draft amendment to Parramatta Development Control Plan 2011.
- (f) **Further, that** applicants for any relevant planning proposals and development applications be advised of the retention of Council's DCP provisions and be invited to revise current applications to demonstrate compliance with the solar access provisions.

AMENDMENT (Wearne/Wilson)

- (a) **That** Council receive and note the submissions made during the exhibition of the amendment to Parramatta Development Control Plan 2011 - Parramatta Square contained at Attachment 1.
- (b) **That** Council return to the provisions in place within Section 4.3.3.7 of Parramatta Development Control Plan 2011 immediately prior to 9 June 2015 that do not allow any overshadowing to occur within the identified solar protection zone (being 31.5%) of the public domain within Parramatta Square included in Attachment 2 (shown red).
- (c) **That** Council endorse the exhibited amendments relating to desired design and facade responses to building elevations facing Parramatta Square within the Parramatta Development Control Plan 2011 contained at Attachment 2 (shown blue).
- (d) **That** Council grant delegated authority to the CEO to make any minor amendments and corrections of an administrative and non-policy nature that may arise during the DCP finalisation process.
- (e) **That** Council take the necessary steps to implement the endorsed amendments and that a notice be published in the local newspaper to put into effect the endorsed draft amendment to Parramatta Development Control Plan 2011.
- (f) **Further, that** applicants for any relevant planning proposals and development applications be advised of the retention of Council's DCP provisions and be invited to revise current applications to demonstrate compliance with the solar access provisions.

FORESHADOWED AMENDMENT (Chedid/Dwyer)

- (a) **That** Council receive and note the submissions made during the exhibition of the amendment to Parramatta Development Control Plan 2011 - Parramatta Square contained at Attachment 1.
- (b) **That** Council endorse the exhibited amendments to the Parramatta DCP 2011 relating to solar access to Parramatta Square subject to the following amendment:-

Building form c7 overshadowing is to be minimised within the area outline in red in figure 4.3.3.7.3 . Individual buildings shall be designed so that no single point of the area outlined in red is in shadow for a period greater than 45 minutes between 12pm – 2pm mid-winter.

- (c) **That** Council endorse the exhibited amendments relating to desired design and facade responses to building elevations facing Parramatta Square within the Parramatta Development Control

Plan 2011 contained at Attachment 2 (shown blue).

- (d) **That** Council grant delegated authority to the CEO to make any minor amendments and corrections of an administrative and non-policy nature that may arise during the DCP finalisation process.
- (e) **That** Council take the necessary steps to implement the endorsed amendments and that a notice be published in the local newspaper to put into effect the endorsed draft amendment to Parramatta Development Control Plan 2011.
- (f) **Further, that** applicants for any relevant planning proposals and development applications be advised of the retention of Council's DCP provisions and be invited to revise current applications to demonstrate compliance with the solar access provisions.

The amendment was put and lost.

16183

The foreshadowed amendment became the amendment, was put and carried and on being put as the motion was again carried.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, R Dwyer, G J Elmore, J D Finn, P J Garrard, J A Hugh, S T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Councillors S H Chowdhury and P Esber

Note

Councillor L E Wearne returned to the meeting at 8.46pm during consideration of this matter.

7.8 SUBJECT Planning proposal for land at 48 Macquarie Street and 220-230 Church Street, Parramatta

REFERENCE RZ/10/2015 - D03972231

REPORT OF Project Officer Land Use. Also correspondence from Michael Coombes received on 20 November 2015.

16184

RESOLVED (Issa/Esber)

- (a) **That** Council endorse the planning proposal at Attachment 1 for 48 Macquarie Street & 220-230 Church Street, Parramatta subject to permit an FSR of 10:1 and remove Clause 22(4A) (and associated provisions contained on the Special Provisions Area Map) from Parramatta City Centre Local Environmental Plan 2007.
- (b) **That** the applicant provide a reference design providing an FSR

within the range of 8-10.5:1, demonstrating compliance with the sun access provisions (Clause 29E of PCCLEP 2007) and the SEPP 65 Apartment Design Guide (ADG). That the CEO be delegated responsibility to consider the reference design provided by the applicant and determine the exact FSR that will be included in the Planning Proposal prior to it being forwarded to the Department of Planning and Environment seeking a Gateway determination.

- (c) **That** Council not support the applicant's proposed exemption from Clause 29E of Parramatta City Centre Local Environmental Plan 2007.
- (d) **That** Council advises the NSW 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.
- (e) **That** Council invite the proponent to make an offer of a Voluntary Planning Agreement (VPA) in relation to the planning proposal to deliver a public benefit.
- (f) **That** delegated authority be given to the CEO to negotiate an FSR uplift from 8 to 10 with an appropriate cash component uplift in the VPA on behalf of Council and that the outcome of negotiations be reported back to Council prior to its public exhibition.
- (g) **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.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, R Dwyer, P Esber, J D Finn, P J Garrard, J A Hugh, S T Issa, S D Lloyd, B Makari and J L Shaw

NOES: Councillors S H Chowdhury, G J Elmore and L E Wearne

Note

1. **Councillor J Shaw left the meeting at 9.42pm and returned at 9.44pm during consideration of this matter.**
2. **Councillor A A Wilson left the meeting at 9.43pm during consideration of this matter and returned at 9.48pm following consideration of this matter.**

7.9 SUBJECT Planning Proposal for 150 Rawson Road, Guildford - Exhibition Outcomes

REFERENCE RZ/1/2015 - D03944949
REPORT OF Project Officer Land Use. Also correspondence from
Lisa Bella Esposito dated 23 November 2015.

16185 RESOLVED (Elmore/Abood)

- (a) **That** Council note the outcomes of the consultation process and consideration of submissions in relation to the Planning Proposal for land at 150 Rawson Road, Guildford.
- (b) **That** Council finalise the Planning Proposal for proposed amendments to Schedule 1 of the Parramatta Local Environment Plan 2011 to allow *“hotel / motel accommodation”* and *“packaged liquor outlets with a maximum GFA of 1350m²”* as additional permitted uses using the delegation provided to the CEO on 26 November 2012.
- (c) **That** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan making process.
- (d) **Further, that** Council include the following as a condition of consent on any development consent relating to a packaged liquor outlet on the site:
 - i) A direct contact person at Dan Murphy’s be specified who can be consulted should any issues arise.

DIVISION The result being:-

AYES: 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 T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

7.10 SUBJECT Planning proposal for land at 122 Wigram Street, Harris Park

REFERENCE RZ/22/2014 - D03971303

REPORT OF Project Officer- Land Use Planning

16186 RESOLVED (Abood/Hugh)

- (a) **That** Council endorse the planning proposal contained in attachment 1 subject to it being amended to:-
 1. Provide a base FSR of 8:1 plus design excellence; and
 2. Provide a maximum FSR of 10:1 plus design excellence.

- (b) **That** maximum FSR may be achieved if the applicant voluntarily participates in a density bonus scheme which reflects an appropriate showing of the land value uplift of approximately 25 % of that value uplift and provided the additional floor space has no adverse impact on the amenity of the adjoining area.
- (c) **That** the applicant provide an amended version of the planning proposal including all relevant attachments contained in attachment 1 consistent with part (a) and (b) of the resolution prior to forwarding it to the Department of Planning and Environment for gateway determination.
- (d) **That** Council endorse the planning proposal contained at Attachment 1, subject to it being amended to provide a maximum FSR of 8:1 plus design excellence (FSR – 9.2:1) at 122 Wigram Street, Harris Park, and forward it to the Department of Planning and Environment for Gateway determination.
- (e) **That** the applicant provides an amended version of the planning proposal (including all relevant attachments) contained at Attachment 1, consistent with an FSR as per (a) above prior to forwarding it to the Department of Planning and Environment for Gateway determination.
- (f) **That** subject to Gateway determination the Planning Proposal be publicly exhibited for 28 days.
- (g) **That** Council advise the NSW 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.
- (h) **That** Council grant delegated authority to the CEO to negotiate a Voluntary Planning Agreement (VPA) with preference for a cash component to be reinvested in the river foreshores with this project. The negotiations are to be on the basis that any VPA would be in addition to applicable S94A contributions.
- (i) **That** the outcome of the VPA negotiations be reported back to Council.
- (j) **Further, that** Council grant delegated authority to the CEO to make any minor amendments and corrections of an administrative and non-policy nature that may arise during the plan making process.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, P Esber, J D Finn, P J Garrard, J A Hugh, S T Issa, S D Lloyd, B Makari, J L Shaw and A A Wilson

NOES: Councillor G J Elmore and L E Wearne.

7.11 SUBJECT Planning Proposal for land at 14-20 Parkes Street,
Harris Park

REFERENCE RZ/9/2015 - D03972321

REPORT OF Project Officer- Land Use Planning. Also
correspondence from Allan Caladine received on 20
November 2015.

16187 RESOLVED (Abood/Makari)

- (a) **That** Council endorse the planning proposal contained in attachment 1 subject to it being amended to:-
 - 1. Provide a base FSR of 8:1 plus design excellence and
 - 2. Provide a maximum FSR of 10:1 plus design excellence.
- (b) **That** maximum FSR may be achieved if the applicant voluntarily participates in a density bonus scheme which reflects an appropriate showing of the land value uplift of approximately 25 % of that value uplift and provided the additional floor space has no adverse impact on the amenity of the adjoining area.
- (c) **That** subject to gateway determination the Planning Proposal be publicly exhibited for 28 days.
- (d) **That** Council advise the NSW Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this planning proposal as authorized by Council on
26 November 2012.
- (e) **That** Council grant delegated authority to the CEO to negotiate a Voluntary Planning Agreement (VPA) with preference for a cash component for the delivery of public benefit.
- (f) **That** the outcome of the VPA negotiations be reported back to Council.
- (g) **Further, that** Council grant delegated authority to the CEO to make any minor amendments and corrections of an administrative and non-policy nature that may arise during the plan making process.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, R Dwyer, P Esber, J D

Finn, P J Garrard, J A Hugh, S T Issa, S D Lloyd, B Makari and A A Wilson

NOES: Councillors S H Chowdhury, G J Elmore, J L Shaw and L E Wearne

7.12 SUBJECT Submission on Auburn City Council Draft Planning Proposal - 300 Manchester Road, Auburn

REFERENCE F2004/08777 - D03960445

REPORT OF Snr Project Officer

16188 RESOLVED (Makari/Esber)

That the report be received and noted.

7.13 SUBJECT Draft Woodville Road Planning Strategy

REFERENCE F2014/01083 - D03971085

REPORT OF Project Officer - Land Use Planning

16189 RESOLVED (Chedid/Makari)

(a) **That** Council endorse the Draft Woodville Road Planning Strategy in Attachment 1 for public exhibition incorporating Option 1 as identified in Attachment 2 subject to the John Cootes Furniture Warehouse site at 264 Woodville Road, Guildford being an FSR of 2.25 instead of 2.1.

(b) **That** the Draft Strategy in accordance with recommendation (a) above be placed on public exhibition as part of a non-statutory community consultation process for a period of no less than twenty eight (28) days from the day it is advertised in the local newspaper.

(c) **Further, that** a report be submitted to Council post public exhibition detailing the results of the community consultation period before a decision is made on the preparation of a Planning Proposal to amend the planning controls within the PLEP 2011.

Note

- 1. Councillor G Elmore had previously declared a non-pecuniary, non-significant interest in relation to this matter as an associate of Councillor Elmore lives on Woodville Road and had submitted a development application for the property. Councillor Elmore left the meeting at 10.11pm prior to consideration of this matter.**
- 2. Councillor P Esber left the meeting at 10.11pm prior to consideration of this matter.**

3. **Councillor S Issa had previously declared a non-pecuniary, non-significant interest as his uncle's house (which was previously owned by his grandfather and father) is located on Woodville Road. Councillor Issa left the meeting at 10.11pm prior to consideration of this matter.**
4. **Councillor A A Wilson left the meeting at 10.14pm during consideration of this matter.**

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, J D Finn, P J Garrard, J A Hugh, S D Lloyd, B Makari, J L Shaw and L E Wearne

NOES: Nil

7.14 SUBJECT Classification of the Council property from the Voluntary Planning Agreement for 109-113 George Street, Parramatta

REFERENCE F2015/02898 - D03950032

REPORT OF Service Manager Property Plan & Program

16190 RESOLVED (Abood/Makari)

That Council classify Unit 197 and Car Space 197 at 109-113 George Street, Parramatta to Operational, in accordance with clause 31(2) of the Local Government Act, 1993.

DIVISION The result being:-

AYES: Councillors J P Abood, J Chedid, S H Chowdhury, R Dwyer, J D Finn, P J Garrard, J A Hugh, S T Issa, S D Lloyd, B Makari, J L Shaw and L E Wearne

NOES: Nil

Note

Councillor S Issa returned to the meeting at 10.16pm during consideration of this matter.

CONNECTIVITY

8.1 SUBJECT Western Sydney Airport – Draft EIS Submission

REFERENCE F2004/06612 - D03972307

REPORT OF Manager City Strategy

MOTION (Shaw/Finn)

- (a) **That** Council authorise the CEO to make a submission to the Federal Department of Infrastructure and Regional Development in relation to the draft EIS for the proposed Western Sydney Airport.
- (b) **That** the submission raise any technical issues as they relate to the Parramatta LGA and immediate surrounds as identified by Council officers, as well the following broad, 'high-level' strategic issues:
1. Fast Rail – That the airport be connected to Sydney CBD through Parramatta CBD with fast rail, to support Parramatta as Sydney's Western CBD and drive growth in Western Sydney.
 2. Building Heights – That the operation of the Western Sydney Airport will not limit heights of buildings within the Parramatta CBD.
 3. Aircraft Noise – During the operation of the Airport, residents of the Parramatta LGA are not subjected to adverse noise and amenity impacts, especially during the night and from older aircraft.
 4. Traffic and Transport – That investment is made into public transport and roads in Western Sydney, including the Parramatta Interchange, and roads around and through Parramatta.
 5. Employment – That localised (Western Sydney) employment opportunities be provided for the construction and operation of the airport.
- (c) **Further, that** Council seek a curfew for the proposed Western Sydney Airport that is consistent with the curfew at Kingsford Smith Airport.

16191 AMENDMENT (Issa/Lloyd)

- (a) **That** Council authorise the CEO to make a submission to the Federal Department of Infrastructure and Regional Development in relation to the draft EIS for the proposed Western Sydney Airport.
- (b) **That** the submission raise any technical issues as they relate to the Parramatta LGA and immediate surrounds as identified by Council officers, as well the following broad, 'high-level' strategic issues:
1. Fast Rail – That the airport be connected to Sydney CBD through Parramatta CBD with fast rail, to support Parramatta as Sydney's Western CBD and drive growth in Western Sydney.
 2. Building Heights – That the operation of the Western Sydney Airport will not limit heights of buildings within the Parramatta CBD.

3. Aircraft Noise – During the operation of the Airport, residents of the Parramatta LGA are not subjected to adverse noise and amenity impacts, especially during the night and from older aircraft.
 4. Traffic and Transport – That investment is made into public transport and roads in Western Sydney, including the Parramatta Interchange, and roads around and through Parramatta.
 5. Employment – That localised (Western Sydney) employment opportunities be provided for the construction and operation of the airport.
- (c) **That** Council supports a Western Sydney airport that runs 24 hours and Council lobby the government with a view to Kingsford Smith Airport also operating on a 24 hour basis.
- (b) **Further, that** a copy of this decision be forwarded to the Member for Grayndler.

The amendment was put and carried and on being put as the motion was again carried.

Note

1. **Councillor A A Wilson returned to the meeting at 10.18pm during consideration of this matter.**
2. **Councillor P Esber returned to the meeting at 10.22pm during consideration of this matter.**
3. **Councillor A A Wilson requested that his name be recorded as having voted against this decision.**

PEOPLE AND NEIGHBOURHOODS

9.1 SUBJECT Adoption of Community Facilities Hiring Policy
 REFERENCE F2010/00520 - D03969966
 REPORT OF Manager Social and Community Services
 16192 RESOLVED (Makari/Issa)

- (a) **That** Council adopts the draft Community Facilities Hiring Policy attached.
- (b) **That** Council defers the implementation of the Landmark venues category for the Parramatta Town Hall until decisions have been made about the future use of the PTH in conjunction with the proposed PS4 building as part of the Parramatta Square redevelopment.
- (c) **Further, that** Council notifies all Community Hirers of Council's Public Halls & Community Centres of the adoption of this Policy.

9.2 SUBJECT Report on investigation into the provision of mobile broadband lending from Parramatta Library
REFERENCE F2013/00039 - D03970103
REPORT OF Business Coordinator Social & Community Services
16193 RESOLVED (Issa/Lloyd)

- (a) **That** MTC Australia be endorsed as the suitable partner for delivering a program in partnership with Parramatta Library.
- (b) **That** a launch of the program be held in Parramatta Library at a convenient time in the presence of the Lord Mayor and CEO.
- (c) **That** a report on the outcomes of the program be provided to Council after a 12 month period.
- (d) **Further, that** efforts be undertaken with the Smart City Project Officer to garner more support from the business community.

Note

- 1. **Councillor R Dwyer left the meeting at 10.32pm during consideration of this matter.**
- 2. **Councillor G Elmore returned to the meeting at 10.32pm during consideration of this matter.**

CULTURE AND SPORT

10.1 SUBJECT 8 Everley Road, Chester Hill (Melita Stadium) Land Owners Consent for Granville District Soccer Football Association to lodge a Building Certificate Application for an existing scoreboard.
REFERENCE F2014/02715 - D03961669
REPORT OF Property Programmer
16194 RESOLVED (Issa/Wilson)

- (a) **That** the Chief Executive Officer be authorised to grant Land Owners Consent to Granville District Soccer Football Association to lodge a Building Certificate Application for the newly erected electronic scoreboard at 8 Everley Road, Chester Hill (Melita Stadium).
- (b) **That** Council write to Granville District Soccer Football Association and reiterate the lease obligations under Clause 8 which requires land owner's consent for any alterations and additions to the premises.
- (c) **That** an update on the status of the lease be provided to Councillors including advice on who is responsible for the lease.
- (d) **Further, that** a site visit be arranged for interested Councillors.

Note

Councillor R Dwyer returned to the meeting at 10.33pm during consideration of this matter.

LEADERSHIP AND GOVERNANCE

- 11.1 SUBJECT To present the 2014/15 Financial Report and Auditor's Report to the public.
REFERENCE F2008/01460 - D03929592
REPORT OF Chief Financial Officer
16195 RESOLVED (Makari/Elmore)

That the 2014/15 Financial Reports and the Auditor's Reports be received and presented to the public.

- 11.2 SUBJECT Quarterly Report on Corporate Plan and Quarterly Budget Review Statement
REFERENCE F2014/02603 - D03963574
REPORT OF Chief Financial Officer; Manager Governance & Risk
16196 RESOLVED (Makari/Issa)

- (a) **That** Council adopts the September 2015 Quarterly Review of the 2013 - 2017 Corporate Plan's Major Priorities.
(b) **Further, that** Council adopts the September 2015 Quarterly Budget Review Statement and the Responsible Accounting Officer's report on the financial position of the Council.

- 11.3 SUBJECT Investments Report for September 2015
REFERENCE F2009/00971 - D03950935
REPORT OF Manager Finance
16197 RESOLVED (Makari/Lloyd)

That Council receives and notes the investments report for September 2015.

Note

Councillor J Shaw left the meeting at 10.37pm following consideration of this matter.

11.4 SUBJECT Code of Conduct Complaints Report - 2015
 REFERENCE F2013/02450 - D03950143
 REPORT OF Coordinator Investigations and Probity
 16198 RESOLVED (Issa/Elmore)

That Council receive and note the statistics provided in the attached report titled "Code of Conduct Complaints Report"

11.5 SUBJECT Update on Notices of Motions Raised by Councillors
 REFERENCE F2004/06182 - D03969512
 REPORT OF Service Manager Governance Infrastructure. Also Council Secretariat and Policy Officer Memorandum dated 20 November 2015.
 16199 RESOLVED (Esber/Wilson)

That the information be noted.

Note

Councillor J D Finn retired from the meeting at 10.38pm during consideration of this matter.

11.6 SUBJECT Confirmation of Lord Mayor's Public Domain Activation Committee Meeting Minutes 21st September 2015
 REFERENCE F2013/02437 - D03967914
 REPORT OF Manager Place Services
 16200 RESOLVED (Esber/Makari)

(a) **That** Council receives and notes the 'Summary of Matters Discussed' at the Lord Mayor's Activation Committee meeting held on 21st September 2015 and the resulting actions.

(b) **Further, that** the CEO be authorised to:

Action	Projected Cost	Funding
i. Proceed with investigating infrastructure which would enable automated road closure and traffic diversions for the Church Street section of the 'Eat Street' precinct at Phillip Street and in the vicinity of Lennox Bridge, to enable council to facilitate temporary road closures for events and street activity.	TBC	TBC

ii. Barrack Lane Shared Zone Upgrade - Proceed with Barrack Lane upgrade works in accordance with the concepts included in <i>Attachment 1</i> .	\$1.25M	CIP (S94)
iii. Proceed with the Lonely Light Artwork installations at Eat Street Carpark (Erby Place) in the vicinity of the Erby Place pocket park, and underneath the Barry Wilde Bridge in accordance with the concepts included in <i>Attachment 2</i> .	\$162K	CBD Inf. Rate
iv. Proceed with the following CBD enhancement projects for 2015/16 a. Enhancing 'Eat Street' Vibrancy Program - Stage 1 b. Prince Alfred Square Major Events Upgrade - Stage 1 c. CBD Footpath Completion Program - Stage 1 d. CBD Carpark Branding Enhancement e. Restore and enhance CBD People-Counters f. Upgrade to Marsden Street Intersection	\$350K \$230K \$350K \$85K \$50K \$100K	CBD Inf. Rate CBD Inf. Rate CBD Inf. Rate Car Park Reserve CBD Inf. Rate CBD Inf. Rate
v. Proceed with the following CBD enhancement projects for 2016/17 a. Enhancing 'Eat Street' Vibrancy Program - Stage 2 b. Construct Parramatta Quay Precinct - Stage 1 c. Prince Alfred Square Major Events Upgrade - Stage 2 d. CBD Footpath Completion Program - Stage 2	\$650K \$650K \$300K \$350K	CBD Inf. Rate CBD Inf. Rate CBD Inf. Rate CBD Inf. Rate
vi. Proceed with the following CBD enhancement projects for 2017/18 a. Enhancing 'Eat Street' Vibrancy Program - Stage 3 b. Construct Parramatta Quay Precinct - Stage 2 c. CBD Footpath Completion Program - Stage 3	\$650K \$650K \$300K	CBD Inf. Rate CBD Inf. Rate CBD Inf. Rate

NOTICES OF MOTION

12.1 SUBJECT Resourcing and advocacy priorities of the Westmead Alliance
REFERENCE F2012/00702 - D03972205
REPORT OF Councillor A A Wilson

16201 RESOLVED (Wilson/Chedid)

That a report come to Council considering the future resourcing and advocacy priorities of the Westmead Alliance with a view to lifting the profile of the Westmead precinct on the state and federal government's infrastructure funding agenda.

Note

Councillor J Shaw returned to the meeting at 10.41pm during consideration of this matter.

12.2 SUBJECT Land Owner's Consent for Council Land
REFERENCE F2014/02715 - D03973688
REPORT OF Councillor R Dwyer

16202 RESOLVED (Dwyer/Chowdhury)

That Council receive a report on the opportunity to increase the CEO delegation for land owner's consent to facilitate a more timely and effective procedure for low risk and low impact use or development on Council land. This report include advice on the viability of withholding land owners' consent for electricity providers.

12.3 SUBJECT Possible Heritage significance of Our Lady of Lebanon Cathedral
REFERENCE F2015/00561 - D03975617
REPORT OF Councillor J Hugh

16203 RESOLVED (Hugh/Wearne)

That an investigation to be undertaken to determine if the Our Lady of Lebanon Cathedral in Alice Street , Harris Park, has heritage significance and that the outcome of that investigation be reported to the Council.

CLOSED SESSION

Note

Prior to moving into Closed Session, the Lord Mayor asked the public gallery if any attendee wished to make representations in relation to any matter to be discussed in Closed Session.

No member of the gallery wished to make representations.

16204 RESOLVED (Makari/Elmore)

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:-

- 1 Shop 3 and Suite 8 , 70 Macquarie Street Parramatta - Expression of Interest. (D03952994) - *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.*
- 2 Chief Executive Officer's Performance Review. (D03971356) - *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.*

13.1 SUBJECT Shop 3 and Suite 8 , 70 Macquarie Street Parramatta -
Expression of Interest

REFERENCE F2015/02548 - D03952994

REPORT OF Space Management Officer

16205 RESOLVED (Elmore/Makari)

- (a) **That** the Council agrees to offer Shop 3, 70 Macquarie Street Parramatta to the Preferred Applicant outlined in the report
- (b) **That** Council authorise the Chief Executive Officer to prepare, negotiate and finalise the lease and associated documents with the Preferred Tenant at Shop 3, 70 Macquarie Street Parramatta on the terms outlined in this report subject to a rent free incentive period for a term as discussed at the meeting.
- (c) **That** Council continue to market Suite 8 to secure a tenant on the terms outlined in this report.
- (d) **Further, that** Council authorise the Chief Executive Officer to,

negotiate and offer a lease to a potential tenant for Suite 8, 70 Macquarie Street Parramatta in accordance with the terms outlined in this report, and to sign necessary documents.

EXTENSION OF TIME

16206 RESOLVED (Lloyd/Chedid)

That the meeting be extended to 11.30pm to enable consideration of the remaining agenda items.

13.2 SUBJECT Chief Executive Officer's Performance Review

REFERENCE F2011/03465 - D03971356

REPORT OF Manager LM and Councillor Support

16207 RESOLVED (Elmore/Wearne)

(a) **That** Council note the first 6 month assessment for 2014/2015;

(b) **Further, that** recommendations (b) and (c) of the report be referred back to the CEO's KPI Committee for further consideration.

Note

Councillor S Chowdhury and S Issa retired from the meeting at 11.24pm during consideration of this matter.

RESCISSION MOTION

A notice of motion to rescind Item 7.6 of Economy regarding the Draft Parramatta Employment Strategy was submitted prior to the conclusion of the meeting by Councillors J P Abood, S Lloyd and J Chedid.

The Lord Mayor ruled that the rescission motion should be heard as a matter of urgency.

MATTER OF URGENCY – RESCISSION MOTION

SUBJECT Draft Employment Lands Strategy 2015

REFERENCE F2012/02143

FROM Councillors J P Abood, S Lloyd and J Chedid

16208 RESOLVED (Abood/Chedid)

That the resolution of the Ordinary Council Meeting held on 23 November 2015 in relation to item 7.6 of Economy regarding the Draft Employment Lands Strategy 2015, namely:-

- “(a) **That** Council receive and note the recommendations of the Draft Parramatta Employment Lands Strategy 2015.*
- (b) **That** the Draft Parramatta Employment Lands Strategy 2015 at Attachment 1 be placed on public exhibition for a period of no less than twenty eight (28) days from the day it is advertised in the local newspaper*
- (c) **That** a report be submitted to Council post public exhibition detailing the results of the public exhibition.*
- (d) **Further, that** Council endorse the Draft Strategy recommendation for the southern portion of Precinct 18 – Guildford (Railway Terrace) which seeks to rezone the subject sites to R4 with a Floor Space Ratio of 2:1 with appropriate transition to adjoining areas and that the applicant/owners be advised of Council’s position.”*

be and is hereby rescinded.

16209 RESOLVED (Abood/Chedid)

- (a) **That** Council receive and note the recommendations of the Draft Parramatta Employment Lands Strategy 2015.
- (b) **That** the Draft Parramatta Employment Lands Strategy 2015 at Attachment 1 be placed on public exhibition for a period of no less than twenty eight (28) days from the day it is advertised in the local newspaper subject to the deferral of the Mitsubishi site on Parramatta Road, Granville.
- (c) **That** a report be submitted to Council post public exhibition detailing the results of the public exhibition.
- (d) **Further, that** Council endorse the Draft Strategy recommendation for the southern portion of Precinct 18 – Guildford (Railway Terrace) which seeks to rezone the subject sites to R4 with a Floor Space Ratio of 2:1 with appropriate transition to adjoining areas and that the applicant/owners be advised of Council’s position.

The meeting terminated at 11.31pm.

THIS PAGE AND THE PRECEDING 36 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 23 NOVEMBER 2015 AND CONFIRMED ON MONDAY, 7 DECEMBER 2015.

Lord Mayor