

MINUTES OF THE MEETING OF PARRAMATTA CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC PLACE, PARRAMATTA ON MONDAY, 27 JULY 2015 AT 6.54PM

The Lord Mayor, Councillor S D Lloyd in the Chair and Councillors J P Abood, J Chedid, S H Chowdhury (retired 9.30pm), R Dwyer (retired 11.29pm), G J Elmore, P Esber, J D Finn, P J Garrard, J A Hugh, S T Issa (Deputy Lord Mayor), B Makari, J L Shaw and A A Wilson (retired 11.11pm).

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor S D Lloyd acknowledged the Burramattagal 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.

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 13 July 2015
15795	RESOLVED	(Makari/Elmore)

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

APOLOGIES

An apology was received and accepted for the absence of Councillor L E Wearne.

DECLARATIONS OF INTEREST

1. Councillor J P Abood declared a non-pecuniary interest in relation to Item 1 of Public Forum (as listed on the Council agenda) regarding Various Issues - 171 Parramatta Road, Granville as the owner of a related site is a friend. This particular public forum submission was, however, withdrawn from the meeting as the applicant was ill.
2. Councillor J Chedid declared a non - pecuniary interest in relation to Item 1 of Lord Mayoral Minutes regarding an Ambassador Program and Item 10.2 of Culture and Sport regarding Parramatta Eels Annual Partnership and Activity Report as the company he works with partner with the Eels.
3. Councillor P J Garrard declared a non – pecuniary interest in relation to Item 1 of Lord Mayoral Minutes regarding an Ambassador Program and Item 10.2 of Culture and Sport regarding Parramatta Eels Annual Partnership and Activity Report as Councillor Garrard is a Director on the Parramatta Leagues Club Board.
4. Councillor S Issa declared a non – significant, non – pecuniary interest in relation to Item 1 of Lord Mayoral Minutes regarding an Ambassador Program and Item 10.2 of Culture and Sport regarding Parramatta Eels Annual Partnership and Activity Report as his father’s cousin is on the Board of the Parramatta Leagues Club.
5. Councillor S Issa declared a non – pecuniary interest in relation to Item 13.3 of Closed Session regarding Outcome of negotiations regarding a proposed ‘café-type’ structure in Centenary Square as he knows the applicant associated with this matter.

MINUTES OF THE LORD MAYOR

1 SUBJECT Ambassador Program
 REFERENCE F2013/00592
 FROM The Lord Mayor, Councillor Scott Lloyd
 RESOLVED (Lloyd/Esber)

15796 **That** Council cease further exploration into the establishment of an Ambassador Program that involves direct payments to Parramatta Eels National Rugby League players.

NOTE:

1. **Councillor J Chedid declared a non - pecuniary interest in relation to this item as the company he works with partner with the Eels. Councillor J Chedid remained in the Chamber to make a statement on this issue and then retired from the**

meeting during the remainder of debate and voting on this issue.

2. **Councillor P J Garrard declared a non - pecuniary interest in relation to this item as he is a Director on the Parramatta Leagues Club Board. Councillor Garrard remained in the Chamber to make a statement on this issue and then retired from the meeting during the remainder of debate and voting on this issue.**
3. **Councillor S Issa declared a non – significant, non – pecuniary interest in relation to this matter as his father’s cousin is on the Board of the Parramatta Leagues Club. Councillor Issa remained in the Chamber during discussion and voting on this issue.**

2 SUBJECT Council owned CBD car parks be referred to by identifiable landmarks, precincts or geographical location

REFERENCE F2015/00435

FROM The Lord Mayor, Councillor Scott Lloyd

RESOLVED (Lloyd/Issa).

- 15797
- (a) **That** the nominated Council owned multi-story car parks within the Parramatta CBD be also referred to by identifiable landmarks, precincts or geographical locations:-
 - Erby Place be referred to as ‘Eat Street Car Park (Erby Place)’
 - Horwood Place be referred to as ‘City Centre Car Park (Horwood Place)’
 - Wentworth Street be referred to as ‘Parramatta Station Car Park (Wentworth Street)’
 - Hunter Street be referred to as ‘Justice Precinct Car Park (Hunter Street)’.
 - (b) **That** the Macquarie Street car park currently under re-development be considered closer to completion.
 - (c) **That** the Riverbank/Brandsmart car park only be referred to as the ‘Riverbank Car Park (on a lane way soon to be named)’ as this name already indicates its location. All references to the name ‘Brandsmart’, ‘David Jones’, etc are to be removed to avoid confusion.
 - (d) **That** Council include this proposal with respect to the capital elements as part of its digital signage strategy.
 - (e) **Further that**, this proposal be appropriately promoted by Council through its marketing and communication channels, in addition to the current Secure Parking car park contract.

3 SUBJECT Promoting and reviewing the City Centre Car Parking
 LEP amendment that allows public parking in private car
 parks
 REFERENCE F2015/00435
 FROM The Lord Mayor, Councillor Scott Lloyd
 RESOLVED (Lloyd/Issa)

- 15798 (a) **That** Councillors note the forthcoming amendment to the Parramatta Local Environmental Plan 2011 (Amendment No 10) which allows for public parking in private premises via a development application process.
- (b) **That** Council identifies and works with interested private land owners to develop initial case studies which will assist private car park owners understand how this LEP amendment can be adopted in practice.
- (c) **That** a review of this LEP amendment be undertaken over a twelve month period including the matters discussed in this Minute.
- (d) **Further, that** the review of this LEP amendment and associated findings from case studies be reported to Council.

PUBLIC FORUM

1 SUBJECT Various Issues - 171 Parramatta Road, Granville
 REFERENCE RZ/10/2013
 FROM Kerrie Poyner

NOTE:

Ms Poyner was unable to attend tonight's meeting due to illness.

2 SUBJECT Development Application - 18 Fallon St, Rydalmere
 REFERENCE DA/40/2015
 FROM Jonathon Wood

15799 "The officers report recommending refusal is not supported.

We are local town planners who work on many projects in the area and we rarely approach Council seeking variations to the lot size requirement for dual occupancies as we understand the intention is to maintain the low density character of different localities. We respect and

understand that intention.

We also understand and respect the concerns about 'opening the flood gates' in terms of dual occupancy developments in low density areas.

However the circumstances of this site are very different and is the reason we are seeking a variation to the lot size control and why we believe it will not set a precedent.

The site is opposite no less than 6 dual occupancies which have changed the character of this part of Fallon Street substantially as shown in the map and photograph attached (distributed to all Councillors).

The images clearly show the character in this part of Fallon Street has changed significantly from the traditional single storey dwellings found elsewhere in Rydalmere.

Approving a dual occupancy on the current site will not impact on the character of this part of Fallon Street.

We respect any concerns that Councillors may have about setting precedents for any future applications. However we believe given the unique circumstances of this proposal and the nature of this part of the street, we believe that no such precedent is set. Please see the attached photos.

We would request that the application be approved.”

3 SUBJECT Various Environmental Issues
REFERENCE F2004/06174
FROM Louise Zaslowski

15800 “Thank you for giving me this opportunity to talk. My name is Louise Zaslowski and I have lived most of my life with my husband of 31 years around the area of Parramatta. We have raised 2 children in our place of residence at Rydalmere. We have grown to love the area in which we live and appreciate all diverse facets of our environment and it is with great concern and heart felt empathy and frustration that I come to present my views to council this evening.

Over the last few months there has been nothing but sawing down of trees in my area. To me this is like nails scrapping down on a chalk board. This mindless act of destruction on our natural environment has affected my health and well-being. I have become stressed and constantly worrying about the environment in which I live.

This is an important time to consider about what trees are being removed from our residential urban areas. We have abundance of sulphur crested cockatoos', galahs, rainbow lorikeets , kookaburras, currawongs, magpies, butcher birds, pee wees, plummets, native noisy

minors, swallows and other birds and creatures that come and go with the weather. We also had once Willy Wagtails but in councils wisdom they took all the Weeping Willows out of our creeks which not only dried up our creek beds but took the only family of Willy Wagtails in the area. A few years ago we had other exotic birds but developers came into our area and cut down their home to put town houses. They cut down over 15 trees on these two properties but were only supposed to cut down three. No environmental study was done prior to these trees being lopped and no fines were paid on the extra trees the developers cut down. It was a very sad time as there was a deadly silence that followed the stripping of these two properties by the developers. As you can imagine these were really old houses with several well established trees. There was so much bird life from these two properties it was an awakening silence of what councils can allow to happen. The said trees could have been kept and built around and added wealth and not caused the destruction that followed.

I do feel there is a conspiracy, all to do with land and money and easy accessibility and nothing to do with wildlife, tree preservation and people's well-being. Councils view trees as problems, they get in the way of development. BUT Trees not only give us oxygen, reduce noise pollution, give us protection from the sun but research has proven that they make us feel good. The feel good vibes we get from trees reduce stress and give us a feeling of well-being. They are aesthetically pleasing to look at and even make the environment we live in more valuable. Let councils take into consideration the people that are living in the areas in which they are stripping to put high rise density.

At present there is a development on Kissingpoint Road opposite the start of Silverwater Road which is about to take place. For many years the side of the road was lined with trees. These trees would have made not only a better outlook than Silverwater Road for the new residence but a sound barrier to all the traffic. After speaking to council workers they informed me of which trees were going to be cut down for accessibility. The trees had already been marked with their painted dots so it was easy to go along and see which ones were going to be removed. Weeks later most of these trees have been removed even the ones that were supposed to remain.

I take photos and keep logs of all the trees being chopped down around my area and make a record of the reason. I believe the excuse of trees being diseased is too often used as the excuse for lopping down trees and I would like for a law to be introduced where by the said tree being chopped down that are thought to be diseased is photographed for proof.

I understand that we have to allow for growth and development in our area. However, there needs to be more of a judicious decision based on the accurate state of trees and the environmental issues instead of a shotgun approach by developers and tree loppers who have a financial interest in chopping down as many trees possible who don't live in our area and know and appreciate the diversity of our environment in Telopea, Rydalmere.

Due to the impact of high rise accommodation housing and developing

DESCRIPTION Section 82A review of determination for tree removal and construction of an attached two storey dual occupancy.

REFERENCE DA/40/2015 - 22 May 2015

APPLICANT/S Sekisui House Services (NSW) Pty Ltd

OWNERS J Petrosian and R Petrosian

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council as it involves a Review of Determination pursuant to Section 82A of the Environmental Planning and Assessment Act 1979. The review of the original determination relates to the refusal of the Development Application that was made under delegated authority.

MOTION (Chedid/Makari)

15802 **That** consideration of this matter be deferred for 4 weeks pending an update on Council's proposed policy in relation to dual occupancies together with advice on similar policies adopted by surrounding Councils (such as The Hills and Holroyd Councils) as previously circulated.

AMENDMENT (Esber/Chowdhury)

- (a) **That** the application be approved subject to appropriate conditions of consent as devised by Manager Development and Traffic.
- (b) **Further, that** advice on similar policies adopted by surrounding Councils such as The Hills and Holroyd Councils be provided to Councillors as previously circulated.

The amendment was put and lost.

The motion was put and 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 and A A Wilson

NOES: Councillors S H Chowdhury and P Esber

7.2 SUBJECT 65 Marion Street, Harris Park
(Lot 12 DP 2114) (Elizabeth Macarthur Ward)

DESCRIPTION Section 96(AA) modification to an approved drug and alcohol rehabilitation centre (medical centre). The modification seeks permanent operating hours on Saturdays between 9:30am and 4:00pm.

REFERENCE DA/591/2009/B - Submitted 14 May 2015
APPLICANT/S R Brindley
OWNERS Wayback Committee Limited
REPORT OF Manager Development and Traffic Services
REASON FOR REFERRAL TO COUNCIL

The application is made under Section 96(AA) which is a modification that relates to a modified consent approved by the Land and Environment Court.

15803 MOTION (Chedid/Issa)

- (a) **That** the Section 96(AA) application be refused.
- (b) **Further, that** in instances where no response is received from the NSW Police on similar matters, the issue be followed up via phone call.

FORESHADOWED MOTION (Shaw/Elmore)

That Council as the consent authority grant approval for a Section 96(AA) DA/591/2009/B modification to an approved drug and alcohol rehabilitation centre (medical centre) to include changes to Condition 26 by extending the hours of operation to Saturdays between 9:30am and 4:00pm on a permanent basis.

The motion was put and carried.

NOTE:

As the motion was successful, there was no need to consider the Foreshadowed Motion.

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, B Makari and A A Wilson

NOES: Councillors S H Chowdhury, G J Elmore, J D Finn and J L Shaw

NOTE:

- 1. Councillors J P Abood and P Esber left the meeting at 7.44pm and returned at 7.45pm during consideration of this matter.**
- 2. Councillor A A Wilson left the meeting at 7.50pm and returned at 7.58pm during consideration of this matter.**

7.3 SUBJECT 5 Unwin Street, Rosehill (Lot 202 DP870298) (Elizabeth Macarthur Ward)

DESCRIPTION Construction of an awning adjacent to the existing workshop building.

REFERENCE DA/120/2015 - 9 March 2015
APPLICANT/S Granville Pty Limited
OWNERS Granville No 3 Pty Ltd
REPORT OF Manager Development and Traffic Services
REASON FOR REFERRAL TO COUNCIL

This development application is referred for Council's consideration as the application relates to a site which contains a heritage item.

RESOLVED (Chedid/Finn)

15804 **That** Council grant development consent to DA/120/2015 comprising the construction of an awning on a site which contains heritage listed buildings subject to 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 and A A Wilson

NOES: Nil

7.4 SUBJECT 72 Prospect Street Rosehill (Lot 3, Section D DP 1249)(Elizabeth Macarthur Ward)
DESCRIPTION Section 96 (1a) modification to an approved 4 storey residential flat building containing 18 apartments under the Affordable Rental Housing SEPP including the addition of two units (total 20), changes to the internal layout, conversion of a roof area to a balcony at the front of the building and roof height.

REFERENCE DA/379/2013/A - 1 May 2015
APPLICANT/S Satin Construction Pty. Ltd
OWNERS Mr S Mohebbaty, Mr S Mohebbaty, Ms S Mohebbaty, and Ms A Mohebbaty
REPORT OF Manager Development and Traffic Services
REASON FOR REFERRAL TO COUNCIL

The application is referred to Council as it relates to a development application that approved an in-fill affordable rental housing development under SEPP Affordable Rental Housing 2009.

15805 RESOLVED (Chedid/Issa)

(a) **That** Council as the consent authority, modify development consent DA/379/2013 to include modifications comprising the addition of two units (total 20), changes to the internal layout,

conversion of a roof area to a balcony at the front of the building and roof height on land at 72 Prospect Street ROSEHILL as shown on the plans submitted with the modification of determination, for a period of five (5) years from the date on the original Notice of Determination in accordance with the recommendation contained in Attachment 1.

(b) **Further, that** the objector be notified of the decision of Council.

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 and A A Wilson

NOES: Nil

7.5 SUBJECT Planning Proposal - 7 Charles Street & 116 Macquarie Street Parramatta
REFERENCE RZ/3/2013 - D03731493
REPORT OF Team Leader - Land Use Planning
RESOLVED (Issa/Shaw)

15806 **That** consideration of this matter be deferred for 2 weeks.

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 and A A Wilson

NOES: Nil

7.6 SUBJECT Planning Proposal - 135 George Street and 118 Harris Street, Parramatta
REFERENCE RZ/7/2015 - D03743002
REPORT OF Snr Project Officer
RESOLVED (Issa/Abood)

15807 (a1) **That** Council endorses the planning proposal at Attachment 1 which seeks to amend the following controls in Parramatta City Centre LEP 2007 for land at 135 George Street and 118 Harris Street, Parramatta:
a. increase the height from 54 metres to 102 metres; and
b. increase the floor space ratio from 4:1 to 7:1,

subject to the amendment in (a2) below.

- (a2) **That** the planning proposal in Attachment 1 be amended to insert a clause (as detailed in the email (D03795224) forwarded to Councillors on this matter) as follows:-

“135 George Street and 118 Harris Street, Parramatta

(1) This clause applies to land at 135 George Street and 118 Harris Street, Parramatta comprising:

(a) Lot 4 in DP 388895; and

(b) Lot 135 in DP 748984.

(2) Despite clause 22, development consent may be granted to the erection of a building on land subject to this clause with a maximum floor space ratio of 7.47:1 (excluding any design excellence bonus granted pursuant to clause 22B).

(3) Development consent must not be granted under this clause unless the consent authority is satisfied that the development will include a standalone pub.”

noting that when design excellence is taken account, the site would potentially be permitted to developed at an FSR of 8.47:1.

- (a3) **That** the planning proposal included in Attachment 1 as amended above be forwarded to the Department of Planning and Environment for Gateway Determination.
- (b) **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.
- (c) **That** a site specific DCP be reported to Council prior to formal exhibition of the planning proposal.
- (d) **That** Council proceed with negotiations on a Voluntary Planning Agreement (VPA) with the applicant in relation to the planning proposal on the basis that any contribution in a VPA would be in addition to Section 94A contributions payable for the development.
- (e) **That** delegated authority be given to the CEO to negotiate the VPA on behalf of Council and that the outcome of the negotiations be reported back to Council.
- (f) **Further, that** the VPA and site specific DCP be exhibited in conjunction with the planning proposal or soon thereafter.

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 and A A Wilson

NOES: Nil

NOTE:

1. **Councillor P J Garrard left the meeting at 8.04pm and returned at 8.06pm during consideration of this matter.**
2. **Councillor P Esber left the meeting at 8.07pm and returned at 8.10pm during consideration of this matter.**

7.7 SUBJECT Planning Proposal - 163-165 George Street, Parramatta
- Results of the public exhibition

REFERENCE RZ/12/2014 - D03756226

REPORT OF Project Officer-Land Use Planning

RESOLVED (Chedid/Hugh)

- 15808
- (a) **That** Council note the outcomes of the consultation process and consideration of submissions in relation to the Planning Proposal and draft DCP amendment for land at 163-165 George Street, Parramatta, as detailed in this report.
 - (b) **That** Council finalise the Planning Proposal for proposed amendments to the Parramatta Local Environmental Plan 2011 using the delegation provided to the CEO on 26 November 2012.
 - (c) **That** Council adopt the draft amendment to Parramatta Development Control Plan 2011 as described in this report and place a notice in the local newspapers advising of Council's decision as required by the Environmental Planning and Assessment Regulation 2000.
 - (d) **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.
 - (e) **Further, that** Council provide the proponent with advice regarding the submission from the Office of Environment and Heritage relating to conservation of (historical) archaeological as well as indigenous heritage significance to ensure that appropriate studies are conducted prior to the preparation of any future development application(s) for the site.

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 and A A Wilson

NOES: Nil

7.8 SUBJECT Parramatta Civic Improvement Plan (Amendment No. 4)
REFERENCE F2008/03205 - D03745274
REPORT OF Project Officer, Land Use Planning
RESOLVED (Makari/Hugh)

- 15809
- (a) **That** Council note that no public submissions were received during the public exhibition process.
 - (b) **That** Council adopt *Parramatta Civic Improvement Plan (Amendment No. 4)*, as provided at Attachment 1.
 - (c) **That** delegated authority be granted to the CEO to make minor administrative amendments to *Parramatta Civic Improvement Plan (Amendment No. 4)* of a non-policy nature before the Plan takes effect.
 - (d) **That** a notice be placed in the local newspapers and the Parramatta City Council website advising of the adoption of *Parramatta Civic Improvement Plan (Amendment No. 4)*.
 - (e) **That** a copy of the adopted *Parramatta Civic Improvement Plan (Amendment No. 4)* be forwarded to the Minister for Planning as required by the Environmental Planning and Assessment Act.
 - (f) **Further, that** an advisory letter be sent to private certifiers, which have issued either a construction certificate or complying development certificate in the Parramatta LGA in the last 12 months, detailing the application of *Parramatta Civic Improvement Plan (Amendment No. 4)*.

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 and A A Wilson

NOES: Nil

7.9 SUBJECT Outcome of Voluntary Planning Agreement negotiations for 5 – 7 Parkes Street, Parramatta
REFERENCE RZ/2/2014 - D03758747
REPORT OF Project Officer- Land Use Planning
RESOLVED (Chedid/Hugh)

- 15810
- (a) **That** Council endorse the matters for inclusion in a draft Voluntary Planning Agreement (VPA) as detailed in this report, in relation to a planning proposal to increase the maximum floor space ratio

and maximum building height for the site.

- (b) **That** the draft VPA be publicly exhibited concurrently with the planning proposal, in accordance with Council's Planning Agreements Policy.
- (c) **That** the outcomes of the public exhibition of the draft VPA be reported back to Council.
- (d) **Further, that** delegated authority be given to the CEO of Council to prepare the draft VPA on behalf of Council.

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 and A A Wilson

NOES: Nil

7.10 SUBJECT Draft Voluntary Planning Agreement - 125-129 Arthur Street Parramatta
REFERENCE DA/776/2014 - D03757055
REPORT OF Director Strategic Outcomes and Development
RESOLVED (Chedid/Makari)

- 15811
- (a) **That** Council endorse the contents of the VPA offer (contained at Attachment 1), in relation to a development application for the site.
 - (b) **That** a draft VPA document be prepared by Council's legal representative and publicly exhibited in accordance with Council's Planning Agreements Policy.
 - (c) **That** the outcomes of the public exhibition be reported back to Council.
 - (d) **Further, that** delegated authority be given to the CEO of Council to finalise the detailed legal terms of the draft VPA on behalf of Council.

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 and A A Wilson

NOES: J L Shaw

7.11 SUBJECT Draft Amendment to Parramatta Development Control Plan 2011 (Preservation of Trees and Vegetation) and Draft Public Tree Assessment and Procedural Guidelines 2015
REFERENCE F2011/00837 - D03758239
REPORT OF Project Officer, Land Use Planning
RESOLVED (Esber/Chowdhury)

- 15812
- (a) **That** Council endorse the draft amendments to Part 5 of Parramatta DCP 2011 '5.4 - Preservation of Trees and Vegetation' contained in Attachment 1 to this report.
 - (b) **That** delegated authority be granted to the CEO to make any administrative changes to the draft DCP of a non-policy nature, prior to the coming into effect of DCP controls.
 - (c) **That** an advertisement be placed in local newspapers detailing the coming into effect of the amendments to Parramatta DCP 2011.
 - (d) **Further, that** Council receives and notes the Public Tree Assessment and Procedural Guidelines 2015, contained in Attachment 2 to this report, as an internal Council document.

DIVISION The result being:-

AYES: 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, J L Shaw and A A Wilson

NOES: Nil

NOTE:

Councillor P J Garrard left the meeting at 8.16pm during consideration of this matter.

7.12 SUBJECT Heritage Advisory Committee minutes for June 2010
REFERENCE F2013/00235 - D03748002
REPORT OF Project Officer- Land Use Planning
RESOLVED (Esber/Issa)

- 15813
- (a) **That** the minutes of the Heritage Advisory Committee meeting of 17 June 2015 be received and noted.
 - (b) **Further, that** Council endorse the recommendations of the Heritage Advisory Committee, as included in Item 50/15 of the minutes, for the payment of grants from Council's Local Heritage Fund.

7.13 SUBJECT Stormwater Disposal Policy
REFERENCE F2014/02621 - D03730934
REPORT OF Manager Development and Traffic Services
RESOLVED (Garrard/Hugh)

- 15814
- (a) **That** the Council adopt the draft Stormwater Disposal Policy (Attachment 2) to update and facilitate common understanding, consistency and certainty in the provision and design of On-site Detention systems for private development.
 - (b) **That** Council not support the use of pump out systems in lieu of on-site detention or to drain on-site detention systems, however, pump out systems may be an alternative option when an easement cannot be obtained due to physical constraints on downstream properties. This remains an option on a case by case basis with delegation by Council.
 - (c) **That** Council acknowledge that s88K of the Conveyancing Act 1919 can be used by an applicant to create an easement via Court action where a downstream property owner initially refuses to give their consent.
 - (d) **That** Council not accept lodgement of Development Applications unless an interallotment easement where required has been registered or consented to by affected property owners.
 - (e) **That** Council include the provisions of any adopted Stormwater Disposal Policy in future amendments to the citywide Development Control Plan.
 - (f) **That** Council engage suitably qualified and experienced engineering consultants to prepare a report on the advantages and disadvantages of implementing On-site Retention stormwater management in lieu of, or in conjunction with On-site Detention, particularly in respect of dual occupancy and townhouse development.
 - (g) **That** Council engage suitably qualified and experienced engineering consultants to prepare standardised design options for On-Site Detention on various site profiles to assist/be used by applicants.
 - (h) **Further, that** Council engage suitably qualified and experienced engineering consultants to investigate and potentially identify where in the catchments On-site Detention may be excluded or otherwise modified to accommodate flood conditions.

NOTE:

This matter was initially held over and considered after Item 8.1 of

Connectivity.

CONNECTIVITY

8.1 SUBJECT Parking Conditions near Winston Hills Mall
REFERENCE F2015/00117 - D03753614
REPORT OF Traffic & Transport Support Officer. Traffic and Transport. Also Service Manager – Traffic and Transport Memorandum dated 21 July 2015.
RESOLVED (Dwyer/Chowdhury)

- 15815
- (a) **That** Council note the 7 day vehicle number plate count survey results carried out from 13 -19 July 2015 (between 10am and 2pm each day) on streets near Winston Hills Shopping Centre.
- (b) **That** the current 1 hour parking restriction on both sides of Olympus Street Winston Hills remain.
- (c) **That** Council's Traffic & Transport Department undertake an extensive consultation process by direct mail with Winston Hills residents in the streets listed hereunder seeking their views and general feedback regarding the potential for possible 1 and / or 2 hour parking restrictions in Winston Hills in Olympus St, Remus Place, Bellona St, Langdon Rd, Romulus St, Junction Rd between Caroline Chisholm Drive and Latona St as well as from Caroline Chisholm Drive to Latona St Winston Hills:
Residents to be consulted are in the following streets:-
- Olympus St, Rema Place, Bellona St and Romulus St
 - Junction Rd (from Caroline Chisholm Drive to Cnr Ixion St)
 - Caroline Chisholm Drive (from Langdon Rd to Cnr Ixion St)
 - Caroline Chisholm Drive (from Cnr Hilary St to Langdon Rd)
 - Gibbon Rd (from Cnr Hilary St to Langdon Rd)
 - Langdon Rd (from Cnr Gibbon Rd to Cnr Buckleys Rd)
 - Buckleys Rd (from Cnr Langdon Rd up to and including Yargo St)
- (d) **That** a further report on the outcome of consultations with these residents of Winston Hills be brought to Council for consideration in due course.
- (e) **Further, that** in view of the fact that current parking spaces for shoppers within the Winston Hills Shopping Centre are reaching peak levels and additionally in light of the ever increasing numbers of Sydney CBD bus commuters parking all day in residential streets in Winston Hills in close proximity to this Shopping Centre that Council write to the NSW State Transport Minister and the State Member for Seven Hills seeking their support for consideration to be given to the purchase of land alongside the M2 roadway and also at the rear of the Winston Hills Shopping Centre with a view to making available dedicated long stay parking facilities for these Sydney CBD bus commuters to enable residential amenity to be

restored to local Winston Hills residents.

NOTE:

Councillor P J Garrard returned to the meeting at 8.18pm during consideration of this matter.

ADJOURNMENT OF MEETING

In accordance with Council's decision of 23 October 2000 (Minute No 5712) the meeting adjourned at 8.26pm for a period of 25 minutes.

RESUMPTION OF MEETING

The meeting resumed in the Council Chamber at 8.51pm, there being in attendance The Lord Mayor, Councillor S D Lloyd in the Chair 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 T Issa (Deputy Lord Mayor), B Makari, J L Shaw and A A Wilson.

PEOPLE AND NEIGHBOURHOODS

9.1 SUBJECT Prioritised Program for Public Toilets in Neighbourhoods and Town Centres
REFERENCE F2013/02905 - D03645580
REPORT OF Place Manager
RESOLVED (Shaw/Finn)

15816 (a) **That** the fully funded ongoing annual Neighbourhood and Town Centre Public Toilet Construction Priority List included as Table 1 be endorsed.

 (b) **Further, that** the proposed Harris Park toilet be deferred for 4 weeks pending information on the content of the state budget.

9.2 SUBJECT Aboriginal and Torres Strait islander Advisory Committee Meeting 23 June 2015
REFERENCE F2014/01121 - D03736659
REPORT OF Community Capacity Building Officer
RESOLVED (Issa/Elmore)

- 15817
- (a) **That** the minutes of the Aboriginal and Torres Strait Islander Advisory Committee of 23 June 2015 be received and noted.
 - (b) **That** Council note the Committee's request that the unnamed bushland reserve between Kirby Street, Kissing Point and Park Roads in Dundas/Rydalmere be called Marri Badoo Reserve.
 - (c) **Further, that** the name Marri Badoo be included in a report on options for naming this reserve for Council to consider prior to making a recommendation to the Geographical Names Board.

9.3 SUBJECT Request for 2015/2016 Fee Subsidy for the use of Council's Public Halls, Community Centres and Meeting Rooms

REFERENCE F2004/07903 - D03747835

REPORT OF Manager Social and Community Services

RESOLVED (Esber/Elmore)

- 15818
- (a) **That** the report on Requests for Fee Subsidies for the use of Council's Public Halls, Community Centres and Meeting Rooms by annual hirers for 2015/2016 be received and noted.
 - (b) **That** Council approves the annual fee subsidies to be granted as recommended in the 2015/2016 Fee Subsidy Assessment Sheet.
 - (c) **That** the applicants who have been unsuccessful in receiving a full exemption be contacted to negotiate a payment program.
 - (d) **Further, that** the invoices be issued to those groups who are required to pay fees for their use of Public Halls, Community Centres and Meeting Rooms.

9.4 SUBJECT User Pays Policing

REFERENCE F2006/01279 - D03756582

REPORT OF Community Crime Prevention Officer

RESOLVED (Esber/Elmore)

- 15819
- (a) **That** Council receive and note this report.
 - (b) **That** Council endorse User Pays Policing in Parramatta CBD between 1 October 2015 and 30 April 2016.
 - (c) **Further, that** staff conduct a full evaluation of the program and provide an evidence based report by the end of the Financial Year with recommendations as to whether the program should continue beyond 2015/16.

CULTURE AND SPORT

10.1 SUBJECT Western Sydney Wanderers Annual Partnership and Activity Report
REFERENCE F2013/02599 - D03716061
REPORT OF Strategic Partnerships Coordinator; Manager Marketing & Development
MOTION (Dwyer/Abood)

- 15820 (a) **That** Council endorse the resigning of the Memorandum of Understanding between the Western Sydney Wanderers and Parramatta City Council and Annual Implementation Plan.
- (b) **Further, that** in relation to the purchase of a Wanderers Corporate Hospitality Package for the 2015/2016 A-League season, this matter be deferred pending a further report on other options that might be more palatable and which will provide the benefits that Council is attempting to achieve.

AMENDMENT (Esber)

- (a) **That** Council endorse the resigning of the Memorandum of Understanding between the Western Sydney Wanderers and Parramatta City Council and Annual Implementation Plan.
- (b) **Further, that** Council decline the purchase of a Wanderers Corporate Hospitality Package for the 2015/2016 A-League season should the strategic opportunity arise and appropriate hospitality be considered on a case by case basis.

The amendment was put and lost.

The motion was put and carried.

10.2 SUBJECT Parramatta Eels Annual Partnership and Activity Report
REFERENCE F2013/00592 - D03727192
REPORT OF Strategic Partnerships Coordinator; Manager Marketing & Development
RESOLVED (Abood/Finn)

15821 **That** Council endorse the re-signing of the Memorandum of Understanding between the Parramatta Eels and Parramatta City Council and the development of the annual Implementation Plan.

NOTE:

1. **Councillor J Chedid declared a non - pecuniary interest in relation to this item as the company he works with partner with the Eels and left the meeting at 9.30pm prior to**

discussion and voting on this issue.

2. **Councillor P J Garrard declared a non - pecuniary interest in relation to this item as he is a Director on the Parramatta Leagues Club Board and left the meeting at 9.30pm prior to discussion and voting on this issue.**
3. **Councillor S Issa declared a non – significant, non – pecuniary interest in relation to this matter as his father’s cousin is on the Board of the Parramatta Leagues Club. Councillor Issa remained in the Chamber during discussion and voting on this issue.**
4. **Councillor S Chowdhury retired from the meeting at 9.30pm during consideration of this matter.**

10.3 SUBJECT Commemorating Richie Benaud
REFERENCE F2014/02487 - D03712316
REPORT OF Manager-City Activation
RESOLVED (Esber/Elmore)

- 15822
- (a) **That** Council consider the alternative opportunities for the commemoration of Richie Benaud in Parramatta as detailed in this report.
 - (b) **That** Council support further exploration into a Richie Benaud memorabilia room incorporated into an upgraded cricket facility in Parramatta.
 - (c) **That** Council support further exploration of the Richie Benaud story incorporated into a future Sports Hall of Fame at the future Parramatta Sports Precinct.
 - (d) **That** Council support further exploration of a Richie Benaud journalism scholarship jointly funded by Council and the University of Western Sydney.
 - (e) **That** Council establish a “Richie Benaud Award” that supports young people’s sporting achievement through Council’s community grants program.
 - (f) **Further, that** Council not support further exploration into a dedicated museum commemorating the Richie Benaud story.

SUSPENSION OF STANDING ORDERS

15823 RESOLVED (Shaw/Chedid)

That Standing Orders be suspended to enable Councillor R Dwyer to speak on item 10.3 pertaining to the commemoration of Richie Benaud.

NOTE:

Councillors J Chedid and P J Garrard returned to the meeting at 9.32pm at the commencement of consideration of this matter.

SUBJECT Commemorating Richie Benaud

REFERENCE F2014/02487

FROM Councillor Paul Garrard

RESOLVED (Garrard/Dwyer)

15824 **That** Council approach the owners of the site of the former "Benaud" home with the view to creating a collaborative approach to installing some physical recognition reflecting the contribution of Richie Benaud.

RESUMPTION OF STANDING ORDERS

15825 RESOLVED (Esber/Shaw)

That Standing Orders be resumed.

10.4 SUBJECT Opportunities for Development of Cricket Facilities in Parramatta City

REFERENCE F2009/02899 - D03759276

REPORT OF Manager Social and Community Services

RESOLVED (Dwyer/Wilson)

- 15826
- (a) **That** Council actively supports the Parramatta District Cricket Club's intent to develop improved cricket facilities at Old Kings Oval as part of the Stadium and Sports-Entertainment Precinct to cater for First Grade games and potentially attract occasional First Class and other professional cricket events.
 - (b) **That** Council supports in-principle the establishment of a turf wicket at one of its community sporting fields for Lower Grade competition and receives a further report following further investigations and community consultation on location and funding options.
 - (c) **Further, that** advice be sought from the Parramatta Park Trust on the cost to the Parramatta District Cricket Club to use the Trust's facilities.

LEADERSHIP AND GOVERNANCE

11.1 SUBJECT 2015 Aboriginal Local Government (LGAN) Network
Conference - Port Macquarie - 5 - 7 August 2015
REFERENCE F2015/00236 - D03743292
REPORT OF Business Support Manager
MOTION (Shaw/Elmore)

- 15827 (a) **That** interested Councillors advise the Office of the Lord Mayor of their desire to attend the 2015 Aboriginal Local Government (LGAN) Network Conference no later than 5.00pm on 31 July 2015.
- (b) **Further, that** in the event 3 Councillors do not express an interest in attending, representatives of the Aboriginal and Torres Strait Islander Advisory Committee be invited to attend utilising the remaining spots.

AMENDMENT (Issa/Wilson)

That interested Councillors advise the Office of the Lord Mayor of their desire to attend the 2015 Aboriginal Local Government (LGAN) Network Conference no later than 5.00pm on 31 July 2015.

The amendment was put and lost.
The motion was put and carried.

11.2 SUBJECT LGNSW Water Management Conference - Bowral - 24 -
26 August 2015
REFERENCE F2015/00238 - D03724458
REPORT OF Business Support Manager
RESOLVED (Garrard/Chedid)

15828 **That** interested Councillors advise the Office of the Lord Mayor of their desire to attend the LGNSW Water Management Conference being held in Bowral from 24th – 26th August 2015.

11.3 SUBJECT 18th International Riversymposium 2015 - 21 -24
September 2015 - Brisbane
REFERENCE F2015/00240 - D03752005
REPORT OF Business Support Manager
RESOLVED (Chedid/Hugh)

15829 **That** interested Councillors advise the Office of the Lord Mayor of their desire to attend the 18th International Riversymposium 2015 being held in Brisbane from 21 – 24 September 2015.

11.4 SUBJECT Local Government Australia (LGA) 2015 Conference -
Rosehill - 11 - 13 October 2015
REFERENCE F2015/00241 - D03743226
REPORT OF Business Support Manager
RESOLVED (Issa/Chedid)

15830 **That** the Lord Mayor, Councillor S D Lloyd and Councillors J P Abood, J Chedid, R Dwyer, P J Garrard, S T Issa, B Makari, J L Shaw, A A Wilson and L E Wearne be nominated as voting delegates to attend the Local Government Australia (LGA) 2015 Conference being held in Rosehill from 11 to 13 October 2015.

NOTE:

Councillor A A Wilson left the meeting at 9.56pm following consideration of this matter.

11.5 SUBJECT Schedule of Council Meetings for 2015 - Change to
Proposed Meeting Date of 12 October 2015
REFERENCE F2004/08629 - D03760734
REPORT OF Manager Governance & Risk
RESOLVED (Elmore/Chedid)

15831 (a) **That** the Council Meeting currently scheduled for Monday 12 October 2015 be rescheduled to Monday 19 October 2015 to accommodate Councillor attendances at the *Local Government NSW Annual Conference 2015* being staged at Rosehill Gardens Racecourse.

(b) **Further, that** any alteration to the schedule of Council meetings for October 2015 be widely publicised via normal communication channels used by Council.

11.6 SUBJECT Investments Report for June 2015
REFERENCE F2009/00971 - D03755451
REPORT OF Manager Finance
RESOLVED (Makari/Hugh)

15832 **That** Council receives and notes the investments report for June 2015.

NOTICES OF MOTION

12.1 SUBJECT Naming Dundas Water Park after the Hon Philip Ruddock, MP
REFERENCE F2015/00747 - D03760417
REPORT OF Councillor J P Abood and J Chedid
RESOLVED (Abood/Chedid)

- 15833
- (a) **That** Council recognises the contribution to our city of the Hon Philip Ruddock, MP, by naming the water playground soon to be built in Dundas Park, Dundas, in his honour.
 - (b) **That** Council liaise with the Federal Members' office to arrange a day of opening after the completion of the water park.
 - (c) **That** on the day of opening, a family fun day be held and a plaque or monument be unveiled in honour of The Hon. Phillip Ruddock.
 - (d) **Further, that** the water playground in Granville Park be named after The Hon. Laurie Ferguson MHR in recognition of his 26 years' service to the local area as a State and Federal MP and his continuing association with the local area and its communities and an appropriate ceremony and unveiling of plaque as mentioned in (c) above also be undertaken.

12.2 SUBJECT All planning proposals in Park Edge Highly Sensitive Area to be referred to Council Chamber
REFERENCE F2013/02004 - D03761040
REPORT OF Councillor John Hugh
RESOLVED (Abood/Issa)

- 15834
- (a) **That** all planning proposals in the Park Edge Highly Sensitive Area adjacent to the World Heritage-listed Old Government House and Domain (OGHD) be referred to Council Chamber for determination and/or recommendation.
 - (b) **Further, that** applicant may seek Council's recommendation in concurrent or before consult with relevant Federal and State authorities.

12.3 SUBJECT A study tour visit North Parramatta Heritage Precinct
REFERENCE F2014/00735 - D03761049
REPORT OF Councillor
RESOLVED (Abood/Esber)

- 15835
- (a) **That** Council organise a study tour to North Parramatta Heritage

Precinct visiting historical sites, such as Female Factory, the orphanage, Parramatta Gaol, and other relevant sites for the purpose of:

- (i) Having a better understanding of the sites' history and their current status;
 - (ii) Identifying issues and challenges the sites may have.
- (b) **That** the study tour shall invite people with extensive knowledge to these sites to give the group in depth briefing of the sites.
- (c) **Further, that** the study tour invite all interested Councillors, relevant staff members and selected members of concerned communities to participate.

NOTE:

Councillor A A Wilson returned to the meeting at 10.08pm during consideration of this matter.

12.4 SUBJECT Naming Parramatta Library after Former Prime Minister John Winston Howard

REFERENCE F2015/00747 - D03761410

REPORT OF Councillors J Chedid and J P Abood

MOTION (Chedid/Abood)

- 15836
- (a) **That** Council name the soon to be built Library in Parramatta Square in honour of Former Prime Minister John Winston Howard OAM and AC.
 - (b) **That** a ceremony be held of the tilling of the soil of the proposed library ground.
 - (c) **That** Council liaise with the former PM's office to organise a date for the tilling of the soil and to also organise a day of opening after the library is complete.
 - (d) **That** upon setting an appropriate opening date, an opening ceremony and formal function be held.
 - (e) **That** at the entry to the library, a plaque or monument be unveiled in honour of the former PM, The Hon. John Winston Howard and the plaque or monument be discussed with Mr Howard's former office.
 - (f) **Further, that** Council investigate other opportunities to name a suitable built form after the Anzac Centenary.

AMENDMENT (Elmore/Shaw)

That Council name the soon to be built Library in Parramatta Square as Anzac Centenary Library.

The amendment was put and lost.

The motion was put and carried.

NOTE:

Councillor P Esber left the meeting at 10.09pm and returned at 10.16pm during consideration of this matter.

SUSPENSION OF STANDING ORDERS

15837 RESOLVED (Shaw/Chedid)

That Standing Orders be suspended to enable consideration to be given to an urgent motion altering the date for the upcoming Lord Mayoral Election.

SUBJECT Change of Date for Conduct of Lord Mayoral Election
REFERENCE F2004/08629
FROM Councillor Pierre Esber
RESOLVED (Esber/Shaw)

15838 **That** the Special Meeting to conduct the Lord Mayoral Election previously scheduled for Wednesday, 30 September 2015 be brought forward and held on Tuesday, 29 September 2015.

RESUMPTION OF STANDING ORDERS

15839 RESOLVED (Esber/Shaw)

That Standing Orders be resumed.

CLOSED SESSION

15840 RESOLVED (Esber/Finn)

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 Tender 27/2015 Dundas Park Landscaping Works Only (Associated to the Overall Water Play Project). (D03733427) - *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 Horwood Place Car Park, Shop 1, 71 George Street, Parramatta - Review of use and proposed occupation of Council's property in accordance with the Property Lease and Licence Policy and Procedure. (D03743834) - *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.*
 - 3 Outcome of negotiations regarding a proposed 'café-type' structure in Centenary Square. (D03757896) - *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.*
 - 4 Tender for PS2. (D03755600) - *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.*
 - 5 Parramatta Square 2 and 5&6 - update on the progress to provide vacant possession. (D03747367) - *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.*
 - 6 ITT29/2015 Parramatta Square and Riverbank Precincts - Communication and Stakeholder Engagement Services. (D03758314) - *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.*
 - 7 Legal Matter - 28 Lydbrook Street, Westmead - *This report is confidential in accordance with section 10A (2) (g) of the Local Government Act 1993 as the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
 - 8 Relocation of Community Services from Council Chambers - *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.*

13.1 SUBJECT Tender 27/2015 Dundas Park Landscaping Works Only

(Associated to the Overall Water Play Project)

REFERENCE F2015/01531 - D03733427

REPORT OF Project Manager

RESOLVED (Esber/Elmore)

- 15841
- (a) **That** the tender submitted by Sterling Group Services Pty Ltd for the construction of landscape works at Dundas Park for the sum of \$160,284.71 (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.

13.2 SUBJECT Horwood Place Car Park, Shop 1, 71 George Street, Parramatta - Review of use and proposed occupation of Council's property in accordance with the Property Lease and Licence Policy and Procedure

REFERENCE F2004/09929 - D03743834

REPORT OF Space Management Officer

MOTION (Wilson/Esber)

- 15842
- (a) **That** Council lease Horwood Place Car Park, Shop 1, 71 George Street, Parramatta and approve Lease Proposal 1 as outlined in paragraph 8 of this report.
 - (b) **Further, that** Council authorises the Chief Executive Officer to prepare, negotiate and finalise the lease and associated documents that formally records the legally binding arrangement to lease the Premises.

AMENDMENT (Issa/Elmore)

- (a) **That** Council lease Horwood Place Car Park, Shop 1, 71 George Street, Parramatta and approve Lease Proposal 2 as outlined in paragraph 8 of this report.
- (b) **Further, that** Council authorises the Chief Executive Officer to prepare, negotiate and finalise the lease and associated documents that formally records the legally binding arrangement to lease the Premises.

The amendment was put and lost.

The motion was put and carried.

13.3 SUBJECT Outcome of negotiations regarding a proposed 'café-type' structure in Centenary Square.
REFERENCE F2011/02393 - D03757896
REPORT OF Director Strategic Outcomes and Development
RESOLVED (Garrard/Makari)

- 15843
- (a) **That** Council does not endorse the proposal from the proponent as discussed in this report as the 15 year licence sought cannot be granted as the land is Crown Land and a 15 year licence may restrict future activation options for the square;
 - (b) **That** the CEO be authorised to offer the proponent a 3 year licence term (1+1+1) with a one year rent free period to support activation of the square
 - (c) **Further, that** if the proponent does not accept this offer, the CEO calls for new applications for a 'kiosk structure' within Centenary Square on a 'no cost to Council' basis.

NOTE:

Councillor S Issa declared a non – pecuniary interest in relation this matter as he knows the applicant and temporarily retired from the meeting during consideration and voting on this issue.

13.4 SUBJECT Tender for PS2
REFERENCE F2015/00178 - D03755600
REPORT OF Commercial Manager. Also Director Property and Significant Assets Supplementary Report.
RESOLVED (Garrard/Elmore)

15844 **That** Council adopt the recommendations contained in paragraph 15 of Director Property and Significant Assets Supplementary Report.

NOTE:

Councillor J P Abood left the meeting at 11.00pm and returned at 11.01pm during consideration of this matter.

EXTENSION OF TIME

15845 RESOLVED (Garrard/Makari)

That the time having reached 11.00pm, the meeting be extended for half an hour to enable consideration of the remaining items on the agenda.

13.5 SUBJECT Parramatta Square 2 and 5 & 6 - Update on the

progress to provide vacant possession

REFERENCE F2015/00178 - D03747367

REPORT OF Service Manager-Property Services & Space Management

RESOLVED (Dwyer/Esber)

15846 **That** Council notes the progress of tenant vacation from the Parramatta Square 2 and 5&6 sites as outlined in the report.

13.6 SUBJECT ITT29/2015 Parramatta Square and Riverbank Precincts - Communication and Stakeholder Engagement Services

REFERENCE F2015/00178 - D03758314

REPORT OF Senior Development Manager

RESOLVED (Abood/Dwyer)

15847 (a) **That** Council reject all tenders and negotiate with one or more of the proponents in accordance with Clause 178 (3) (e) of the Regulation, as detailed in paragraph 21 and 22 of the report.

(b) **That** the Chief Executive Officer be given delegated authority to finalise the terms of the tender with the nominated proponent and execute contracts.

(c) **That** the tender negotiations are on the basis of monthly rates for services and confirmed time commitments.

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

(e) **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.

13.7 SUBJECT Legal Matter - 28 Lydbrook Street, Westmead

REFERENCE F2015/00960

FROM Legal Services Manager

RESOLVED (Abood/Chedid)

15848 (a) **That** an informal meeting be arranged with the Design Review Panel with a view to seeking input in relation to this application.

(b) **Further, that** the results of the informal meeting be reported to the Council Meeting to be held on 10 August 2015.

NOTE

Councillor A A Wilson (11.11pm) and Councillor R Dwyer (11.29pm) retired from the meeting during consideration of this matter.

EXTENSION OF TIME

15849 RESOLVED (Garrard/Makari)

That the time having reached 11.30pm, the meeting be extended for 15 minutes to enable consideration of the remaining items on the agenda.

13.8 SUBJECT Relocation of Community Services from Council Chambers

REFERENCE F2015/00178

FROM Manager Social and Community Services

RESOLVED (Esber/Elmore)

15850 (a) **That** Council approve the relocation of community services facilities and functions from the Chambers Building to Suite 103-4, 30 Cowper Street, Parramatta.

(b) **Further, that** Council delegate to the CEO the authority to enter into a lease for the property known as Suite 103-4, 30 Cowper Street, Parramatta.

The meeting terminated at 11.32pm.

THIS PAGE AND THE PRECEDING 32 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 27 JULY 2015 AND CONFIRMED ON MONDAY, 10 AUGUST 2015.

Lord Mayor