

MINUTES OF THE MEETING OF PARRAMATTA CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC PLACE, PARRAMATTA ON MONDAY, 12 OCTOBER 2015 AT 6.45PM

PRESENT

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, S T Issa, S D Lloyd, B Makari (Deputy Lord Mayor), J L Shaw, L E Wearne (arrived 6.57pm) and A A Wilson (retired 8.37pm).

PRESENTATION

The Lord Mayor, Councillor P J Garrard issued a certificate of congratulations to Ms Kristy Pond in recognition of her performance at the Nottingham 2015 CPISRA World Games.

Ms Pond suitably responded and also presented a gratitude of thanks to the Lord Mayor.

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 (Ordinary) Meeting held on 28 September 2015

16026 RESOLVED (Makari/Abood)

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

SUBJECT Minutes of the Special Council Meeting held on 29 September 2015

16027 RESOLVED (Makari/Abood)

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 (subsequently arrived at 6.57pm) and leave of absence was granted for the non-attendance of Councillor J A Hugh (see also Minute No. 16050).

DECLARATIONS OF INTEREST

There were no declarations of interest at this Council (Development) Meeting.

MINUTES OF THE LORD MAYOR

1 SUBJECT Condolences for Curtis Cheng
 REFERENCE F2013/01387
 FROM The Lord Mayor, Councillor Paul Garrard
 RESOLVED (Garrard/Wilson)

- 16028 (a) **That** Council acknowledges the passing of Curtis Cheng, by observing one minute's silence.
- (b) **That** the condolences of the Chamber and the community of Parramatta be extended to the Cheng family by way of a letter, wreath and condolence book presentation to the family.
- (c) **Further, that** \$1000 be donated to the "Remembering Curtis Cheng" Appeal as a Lord Mayor's donation.

Note

Councillor L E Wearne arrived at the meeting at 6.57pm during consideration of this matter.

2 SUBJECT Update of the City-Wide Security Arrangements
 REFERENCE F2013/01387
 FROM The Lord Mayor, Councillor Paul Garrard
 RESOLVED (Garrard/Chedid)

- 16029 (a) **That** Council continue to liaise with senior local Police officers in relation to any changes to security arrangements which may be

required across the LGA generally or in relation to Council's offices, facilities, events and meetings more specifically, with particular reference to the tragic events of Friday 2 October, 2015.

- (b) **That** Council officers continually assess and provide regular updates on the security needs of the city and any alterations to the ongoing upgrade of CCTV, Community Policing arrangements, meeting and facility security arrangements which may be appropriate given Parramatta's growth and increasing status as Sydney's dual CBD.

- (c) **Further, that** the updates include a report on the status of the proposed implementation of CCTV cameras in Telopea and Ermington and other opportunities available to deter anti-social behaviour.

PUBLIC FORUM

1 SUBJECT Planning Proposal - 295 Church Street, Parramatta
 REFERENCE RZ/14/2014
 FROM Ben Hendricks

16030

Note

Mr Hendricks did not attend the meeting.

2 SUBJECT Amendment to Parramatta Development Control Plan
 2011 – Parramatta Square – Outcome of Public
 Exhibition
 REFERENCE F2012/01980
 FROM Matthew Crews

16031

RESOLVED (Lloyd/Issa)

As tabled.

“Introduction - Good evening Mr Mayor and Councillors. Thank you for the opportunity to present to you tonight.

Bluestone work collaboratively with the Parramatta Mission on their site at 99-119 Macquarie Street, Parramatta to enable the redevelopment of the site and the ongoing work of the Mission within Parramatta.

As an investor in Parramatta, I support the rescission motion and request that Council returns the control to the 'minimise overshadowing' provision

Overshadowing of public spaces

The proposed 45 minute control will encourage shorter, squatter building forms that cast slow moving shadows over Parramatta Square in mid-winter.

Council has made clear its intention to turn Parramatta into Sydney's premier regional CBD. Notwithstanding this, the proposed 45 minute control restricting overshadowing will significantly impact on some of the City's most important sites and restrict opportunities for great buildings and great public domain outcomes, such as that provided by the Mission site.

The suggested 30 minute control will further worsen the built form outcome on the site preclude any form of high quality built form outcome from the site.

The control to the 'minimise overshadowing' will allow taller & slender tower forms that will cast slimmer and faster moving shadows

Additionally, this will allow the development on the Parramatta Mission site to open up the ground plane and create a high quality public domain entrance to Parramatta Square.

Parramatta Square's east-west alignment makes it difficult to protect solar access to this space in the middle of the day during mid-winter. There are other existing and planned public spaces in the Parramatta CBD that are easier to protect because of their north-south alignment, such as Church Street Mall and Jubilee Park.

We believe that the provision to 'minimise' overshadowing provides sufficient certainty for the maintenance of solar access to the square, whilst ensuring that good design solutions can be explored that contribute to the overall amenity of Parramatta Square. The '45-minute rule' takes a narrow focus that could inhibit otherwise positive development activity to the north of Parramatta Square, whereas the 'minimise' control will allow Council to contemplate individual developments on all of their merits."

For these reasons, I support the rescission motion and request that Council returns the control to the 'minimise overshadowing' provision."

3 SUBJECT Amendment to Parramatta Development Control Plan
2011 – Parramatta Square – Outcome of Public
Exhibition

REFERENCE F2012/01980

FROM Keith Hamilton

As tabled.

"Introduction - Good evening Mr Mayor and Councillors. Thank you for the opportunity to present to you tonight.

Keith Hamilton role in the Parramatta Mission

As a landowner and investor in Parramatta, I support the rescission motion and request that Council returns the control to the 'minimise overshadowing' provision

BACKGROUND

The Parramatta Mission owns the site at 99 to 119 Macquarie Street, on the corner of Civic place and Macquarie Street and Leigh place.

The Parramatta Mission is a significant charitable and cultural organisation delivering community outreach and support services in Parramatta and Western Sydney. The Mission forms part of the Uniting Church in Australia, and has a long history in providing community services and religious functions on the current site, with over 40 years of service in its current format and a history on the site going back nearly 200 years.

The Parramatta mission wish to retain a strong presence and support role within the Parramatta Community

The Parramatta Mission wish to redevelop the site to maintain a presence in the community within Parramatta Square. The redevelopment of the site will enable the mission to relocate within Parramatta and continue to provide their services to the community.

CLARITY OF COUNCIL'S INTENTION

The various amendments to the DCP have caused confusion and uncertainty for the Mission. This uncertainty impacts significantly on our investment opportunity and future opportunities for the site.

We request that Council provide clarity in their decision moving forward so that there is a level of certainty for the Mission with regard to the future of the site.

REDEVELOPMENT OF PARRAMATTA MISSION SITE

Existing facilities are run-down and the Mission has outgrown its existing buildings. The review of Parramatta's planning controls, including potential development uplifts, provides the Mission with the opportunity to retain its linkages to the Site as part of a broader mixed use development that contributes to the financial sustainability of ongoing operations.

A preferred scheme has been prepared that would provide for a mixed use development comprising visitor accommodation, residential apartments and premises for the Parramatta Mission and Uniting Church, as well as the refurbishment of the Leigh Memorial Church.

The preferred scheme would deliver significant benefits to Parramatta Square, particularly through the improvement of the ground plane and opening up pedestrian movements within Leigh Place, Macquarie Street and in a new laneway between the Mission site and Council's PS4 development site.

Council has previously expressed a desire to facilitate taller building forms through the removal of the overshadowing control in Parramatta Square. The control to minimise overshadowing of the Parramatta square will enable the mission to develop the site and provide significant ongoing community benefits as well as an elegant and slender tower that is able to minimise overshadowing.

We believe that the provision to 'minimise' overshadowing provides sufficient certainty for the maintenance of solar access to the square, whilst ensuring that good design solutions can be explored that contribute to the overall amenity of Parramatta Square. The '45-minute rule' takes a narrow focus that could inhibit otherwise positive development activity to the north of Parramatta Square, whereas the 'minimise' control will allow Council to contemplate individual developments on all of their merits."

The Mission would not be able to redevelop the site appropriately under the proposed 45 minute overshadowing control. We request that Council returns the control to the 'minimise overshadowing' provision."

16032

Response for Public Forum Numbers 2 & 3 from Sue Weatherley - Director Strategic Outcomes and Development:-

"Removing the solar access controls from the DCP as requested in the submissions will not mean that the consent authority does not need to give consideration to the issue of overshadowing associated with a development immediately north of Parramatta Square. Clause 29E Sun Access in the Parramatta City Centre LEP 2007 will still need to be addressed as part of the assessment of future development applications. The consent authority would also be required to address overshadowing as part of the environmental considerations under Section 79C. Given this, the removal of the controls from the DCP will reduce the level of certainty about the level of shadowing that is considered appropriate in order to comply with this clause.

The 45 minute time period was calculated based on Council's internal modelling and will allow the redevelopment of sites to the north of the square to overshadow however, will ensure where a tower element is provided it will not require lower bulkier forms but instead will promote a tall more slender built form. The controls will still allow significant overshadowing of Parramatta Square when the cumulative impacts in mid-winter but the intention is to promote taller slender forms that maximise solar access during other parts of the year particularly the autumn and spring equinox."

RESCISSION MOTIONS

7.1 SUBJECT Amendment to Parramatta Development Control Plan 2011 – Parramatta Square – Outcome of Public

Exhibition

REFERENCE F2012/01980 - D03921913
FROM Councillors S Chowdhury, J Shaw and A A Wilson
16033 RESOLVED (Chowdhury/Elmore)

That the resolution of the Council Meeting held on 28 September 2015, regarding Amendment to Parramatta Development Control Plan 2011 – Parramatta Square – Outcome of Public Exhibition namely:-

- “(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 amendments as exhibited to the Parramatta Development Control Plan 2011 contained at Attachment 2, subject to a minor wording change to clarify the intended application of controls.*
- (c) 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 amendment process.*
- (d) Further, that Council take the necessary steps to implement these amendments and that a notice be published in the local newspaper to put into effect the draft amendment to Parramatta Development Control Plan 2011.”*

be and is hereby rescinded.

16034 RESOLVED (Chowdhury/Wilson)

- (a) **That** consideration of this matter be deferred pending the holding of a workshop to explore the impact of overshadowing.
- (b) **Further, that** half hour overshadowing be modelled and the results be available at the proposed workshop.

Note

Councillor J Chedid left the meeting at 7.37pm and returned at 7.38pm during consideration of this matter.

REPORTS - DOMESTIC APPLICATIONS

9.1 SUBJECT 18 Fallon Street Rydalmere (Lot 63 DP 36565)
(Elizabeth Macarthur Ward)
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.

16035 RESOLVED (Esber/Finn)

That the application be approved and appropriate consent conditions be left in the hands of the CEO.

DIVISION The result being:-

AYES: Councillors J P Abood, R Dwyer, P Esber, J D Finn, P J Garrard, S T Issa and B Makari

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

The Lord Mayor declared the decision carried on his casting vote.

REPORTS - MAJOR APPLICATIONS

10.1 SUBJECT 21 Hassall Street, PARRAMATTA NSW 2150
(Lot 12 DP 654190) (Elizabeth Macarthur Ward)

DESCRIPTION Section 96(2) modification to an approved development for the construction of a 10 storey mixed use development containing 1 retail tenancy and 30 dwellings over basement car parking. The modification includes removal of one level to create a 9 storey building, changes to the internal layout to increase the number of units to 32, changes to setbacks and the external facade.

REFERENCE DA/87/2013/A - 17 April 2015
APPLICANT/S Think Planners
OWNERS Imperia Capital Pty Ltd
REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The subject Section 96(2) modification application is referred to Council as the parent application was determined at the Council Meeting of 11 November 2013.

16036 RESOLVED (Chedid/Issa)

That Council as the consent authority modify development consent 87/2013 for an approved 10 storey mixed use development containing 1 retail tenancy and 30 dwellings over basement car parking. The modification includes removal of one level to create a 9 storey building, changes to the internal layout to increase the number of units to 32, changes to setbacks and the external façade on land at 21 Hassall Street, Parramatta 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 subject to the modifications 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, S T Issa, S D Lloyd, B Makari, J L Shaw and A A Wilson

NOES: Councillor L E Wearne

10.2 SUBJECT 1 Yates Avenue, DUNDAS VALLEY NSW 2117
(Lot 603 DP 36700) (Lachlan Macquarie Ward)

DESCRIPTION Demolition and construction of a 2 storey attached dual occupancy with basement and Torrens title subdivision.

REFERENCE DA/886/2014 - 24 December 2014

APPLICANT/S Mr L Du

OWNERS Mr L Du and Ms L Li

REPORT OF Manager Development and Traffic Services. Also email from Apex Intelligent Design dated 12 October 2015.+

REASON FOR REFERRAL TO COUNCIL

The report is referred to Council as the subject application proposes a dual occupancy development on site that is between 590m2 and 594m2. The site has an area of 590m2.

16037 RESOLVED (Esber/Abood)

(a) **That** Council support the variation to Clause 6.11 – Dual Occupancies on land in Zones R2, R3 and R4 under the provisions of clause 4.6 of the PLEP 2011.

- (b) **Further, that** Council as the consent authority approve Development Application 886/2014 at 1 Yates Avenue, Dundas for the demolition of a dwelling and construction of a 2 storey attached dual occupancy with basement and Torrens title subdivision for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions contained in Attachment 1.

DIVISION The result being:-

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

NOES: Councillors G J Elmore and L E Wearne

10.3 SUBJECT 355 Blaxcell Street, South Granville (Lot 35 DP35007)
(Woodville Ward)

DESCRIPTION Additions to a heritage listed dwelling comprising the construction of a neighbourhood shop.

REFERENCE DA/75/2015 - submitted 18 February 2015

APPLICANT/S Baini Design

OWNERS Mr M K Alameddine and Ms C Haddad

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

This development application is referred to Council for consideration as the application relates to a heritage item.

16038 RESOLVED (Issa/Chowdhury)

- (a) **That** Council as the consent authority refuse development consent to DA/75/2015 for additions to a heritage listed dwelling comprising the construction of a neighbourhood shop.

- (b) **Further, that** all submitters 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, S T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

ECONOMY

11.1 SUBJECT Voluntary Planning Agreement Offer - 2- 8 River Road West
REFERENCE RZ/6/2010 - D03923548
REPORT OF Director Strategic Outcomes and Development. Also Service Manager Land Use and Planning Memorandum dated 9 October 2015.

16039 RESOLVED (Issa/Abood)

- (a) **That** Council endorse the draft VPA offer dated 9 October 2015 in lieu of the draft VPA dated 22 July 2015.
- (b) **That** delegated authority be granted to the CEO to prepare a draft VPA consistent with the VPA offer of 9 October 2015 for public exhibition purposes.
- (c) **That** the draft VPA be publicly exhibited for 28 days.
- (d) **Further, that** the outcomes of the public exhibition of the draft VPA be detailed in a further report to Council.

DIVISION The result being:-

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

NOES: Councillors G J Elmore, L E Wearne and A A Wilson

11.2 SUBJECT 2 River Road West, PARRAMATTA
(Lot 1 DP 1204213) (Elizabeth Macarthur Ward)
DESCRIPTION Alterations and additions to an approved mixed used development comprising of an additional 3 storeys to Building A and an additional 1 storey on Building B (a total increase in the number of units by 34) and an additional level of basement parking to accommodate 54 parking spaces.
REFERENCE DA/30/2015 - 22 January 2015
APPLICANT/S Krikis Tayler Architects
OWNERS Parariver Pty Ltd
REPORT OF Manager Development and Traffic Services. Also Service Manager Land Use Planning Memorandum dated 9 October 2015
REASON FOR REFERRAL TO COUNCIL

The proposal seeks approval for a variation to the FSR and height standards under PLEP 2011 exceeding 10%.

- 16040 RESOLVED (Chedid/Esber)
- (a) **That** Council support the variation to Clause 4.3 – Height and Clause 4.4 – FSR under the provisions of clause 4.6 of PLEP 2011.
- (b) **That** Council as the consent authority determine Development Application 30/2015 at 2 River Road West, Parramatta for the alterations and additions to an approved mixed used development comprising of an additional 3 storeys to Building A, an additional 1 storey on Building B (an increase in the number of units by 34 units) and a third level of basement parking by granting a consent under Section 80(3) of the Environmental Planning and Assessment Act 1979.
- (c) **That** appropriate conditions be added to the development consent as outlined in Attachment 2 of Service Manager Land Use Planning Memorandum dated 9 October 2015.
- (d) **Further, that** Council staff ensure that any development applications that have an impact on heritage in the area of Elizabeth Farm and Hambledon Cottage be tested and an appropriate workshop briefing be held.

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, S T Issa, S D Lloyd, B Makari, J L Shaw and A A Wilson

NOES: Councillor L E Wearne

11.3 SUBJECT Planning proposal for land at 295 Church Street Parramatta

REFERENCE RZ/14/2014 - D03919244

REPORT OF Team Leader - Land Use Planning. Also Service Manager Land Use and Planning Memorandum dated 12 October 2015.

- 16041 RESOLVED (Makari/Abood)
- (a) **That** Council endorses the revised planning proposal contained at Attachment 2 subject to the planning proposal being modified to;
- permit a maximum floor space ratio of 10:1 (plus design

excellence bonus)

- modify the proposed height of building map to provide a maximum building height of 12m for the front 10m of the site (fronting Church Street) and a maximum building height of 150m for the remainder of the site.

- (b) **That** the planning proposal as amended be forwarded to the Department of Planning and Environment for Gateway determination.
- (c) **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.
- (d) **That** the relevant section of the DCP with respect to street and building heights be amended to ensure consistency with the planning proposal.
- (e) **That** Council grant delegated authority to the CEO to negotiate a Voluntary Planning Agreement (VPA) for the delivery of public benefit, which fully recognises the value uplift of the planning proposal.
- (f) **That** the outcome of the VPA negotiations be reported to Council prior to exhibition of the draft VPA.
- (g) **Further, that** Council grant delegated authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment 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, S T Issa, S D Lloyd, B Makari and J L Shaw

NOES: Councillors G J Elmore, L E Wearne and A A Wilson

11.4 SUBJECT Planning Proposal for land at 4-6 Barden Street, Northmead

REFERENCE RZ/15/2015 - D03897187

REPORT OF Project Officer Land Use

16042 RESOLVED (Issa/Chowdhury)

(a) **That** Council endorse the planning proposal contained in

Attachment 1 of this report to permit 'business premises', 'office premises' and 'medical centres' as additional permitted uses on the site at 4-6 Barden Street, Northmead and forward it to the Department of Planning and Environment for Gateway determination.

- (b) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (c) **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, S H Chowdhury, R Dwyer, G J Elmore, P Esber, J D Finn, P J Garrard, S T Issa, S D Lloyd, B Makari, J L Shaw, L E Wearne and A A Wilson

NOES: Nil

11.5 SUBJECT Planning Proposal, Site Specific DCP and Draft Voluntary Planning Agreement for land at 24–26 Railway Parade, Westmead

REFERENCE RZ/2/2012 - D03916228

REPORT OF Project Officer- Land Use Planning

16043 RESOLVED (Esber/Wilson)

- (a) **That** Council receive and note the submissions received during the public exhibition of the Planning Proposal, draft Site Specific DCP and Draft Voluntary Planning Agreement for land at 24–26 Railway Parade, Westmead as summarised in Attachment 1.
- (b) **That** Council adopt and finalise the Planning Proposal provided in Attachment 2 for proposed amendments to the Parramatta Local Environmental Plan (LEP) 2011 that provides for a Maximum Building Height of 52m and Maximum Floor Space Ratio of 4.5:1 and make the amendments using the delegation provided to the CEO on 26 November 2012.
- (c) **That** Council adopt the draft Site Specific DCP at Attachment 3 and place a notice in the relevant local newspaper advising of Council's decision as required by the Environmental Planning and Assessment Regulation 2000.
- (d) **That** Council endorses and enters into the Voluntary Planning

Agreement provided in Attachment 4.

- (e) **That** the Lord Mayor and CEO be given delegated authority to execute and affix the Common Seal of Council to the VPA and associated documentation.
- (f) **That** upon signing of the Voluntary Planning Agreement, the agreement be forwarded to the Department of Planning and Environment in accordance with Section 25G of the Environmental Planning and Assessment Regulation 2000.
- (g) **Further, that** Council grant delegated authority to the CEO to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the LEP, DCP plan amendment and Voluntary Planning Agreement finalisation processes.

DIVISION The result being:-

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

NOES: Councillors G J Elmore and L E Wearne

11.6 SUBJECT Variations to Standards under Clause 4.6 of LEP 2011, Clause 24 of LEP 2007 and SEPP 1

REFERENCE F2009/00431 - D03907422

REPORT OF Manager Development and Traffic Services

16044 RESOLVED (Wearne/Wilson)

That the report be received and noted.

Note

Councillor P Esber left the meeting at 8.04pm during consideration of this matter.

ENVIRONMENT

12.1 SUBJECT Considerations of submissions on the Land Reservation Acquisition Planning Proposal

REFERENCE F2011/00894 - D03919063

REPORT OF Project Officer-Land Use Planning

16045 RESOLVED (Issa/Makari)

- (a) **That** Council receives and notes the twenty two (22) submissions

made during the public exhibition of the planning proposal to update the Land Reservation Acquisition maps of the Parramatta Local Environmental Plan 2011 and the Parramatta City Centre Local Environmental Plan 2007 and the recommendations relating to same as outlined in this report.

- (b) **That** Council adopt the planning proposal as provided at Attachment 1 subject to the modifications outlined in this report (and detailed in Attachment 2), the removal of the properties at 4 and 16 Wellington Road, South Granville and the deferment of the Darcy Road matters to enable investigation of the possibility of construction of a pedestrian bridge over Cumberland Highway.
- (c) **That** given the advice received from the NSW Department of Planning and Environment indicating that Council cannot utilise plan making delegations in cases where there has been a change in an identified acquisition authority, that Council no longer exercise the plan making delegations for the planning proposal and request that the Minister make the plan.
- (d) **That** Council request the Minister to defer the inclusion of the properties known as 79-83 Great Western Highway Parramatta, 63 Church Street and 83 Church Street, Parramatta from the local environmental plan.
- (e) **That** Council authorise the CEO to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan-making and finalisation process.
- (f) **That** Council investigate reservations for local road widening on the northern side of Darcy Road at Nos. 85 and 87 Darcy Road, Wentworthville as part of a future “housekeeping” LEP amendment.
- (g) **That**, in order to address the objection relating to a loss of allowable floor area on No. 87 Park Road, Rydalmere and No. 338 Victoria Road, Rydalmere, the issue be investigated further to determine if it is appropriate to increase the floor space ratio applicable to the sites on the floor space ratio map to compensate for any loss of allowable floor area. Any such amendment to the FSR map to be addressed in a future “housekeeping” amendment to the Parramatta LEP 2011.
- (h) **Further, that** prior to the finalisation of any such LEP amendment described in (g) above, should any development application be submitted in relation to Nos. 87 and 87A Park Road, Rydalmere and No. 338 Victoria Road, Rydalmere that it be determined based on a floor space ratio reflecting the original site area of Lot 4 DP 218063 prior to the identification of land for acquisition.

Note

Councillor P Esber returned to the meeting at 8.06pm during consideration of this matter.

PEOPLE AND NEIGHBOURHOODS

13.1 SUBJECT 2016 Parramatta City Council Community Grants program

REFERENCE F2015/02207 - D03900692

REPORT OF Community Grants Officer

16046 RESOLVED (Wilson/Esber)

(a) **That** the 2016 Parramatta City Council Community Grants open on Monday 2 November 2015 and close at 4pm on Friday 4 December 2015.

(b) **That** a Community Grants Committee of 7 Councillors being The Lord Mayor, Councillor P J Garrard and Councillors J P Abood, S Chowdhury, S Issa, S Lloyd, J Shaw and L E Wearne be appointed to oversee the grants process and expedite consideration of grants prior to the Councillor Community Grants Assessment Workshop as per the process followed in 2015.

(c) **Further, that** the objectives, eligibility and assessment criteria contained in Attachments 1 be applied.

13.2 SUBJECT Boronia and Duncan Park Masterplan Adoption

REFERENCE F2015/00265 - D03921999

REPORT OF Supervisor Open Space and Natural Resources

16047 RESOLVED (Wearne/Abood)

(a) **That** Council adopt the Boronia and Duncan Park Masterplan.

(b) **That** copies of the adopted Boronia and Duncan Park Masterplan be made available to the public at the Parramatta Central Library, Parramatta Heritage & Visitor Centre and on Council's website.

(c) **Further, that** all those who provided submissions during the public exhibition period be advised of Council's decision and thanked for their contribution to the development of the Masterplan.

CULTURE AND SPORT

14.1 SUBJECT Prince Alfred Park - Sydney Festival Limited request for Land Owners Consent

REFERENCE F2014/02715 - D03902155

REPORT OF Property Programmer

16048 RESOLVED (Issa/Elmore)

- (a) **That** Council grant land owner's consent for the lodgement of a Development Application (DA) from Sydney Festival Limited for the use of Prince Alfred Square to stage Sydney Festival event from 7th to 24th January 2016.
- (b) **Further, that** the Chief Executive Officer be authorised to sign all necessary documentation in relation to this matter.

Note

Councillor J P Abood left the meeting at 8.15pm during consideration of this matter.

LEADERSHIP AND GOVERNANCE

15.1 SUBJECT Determination of Number of Councillors for the 2016 - 2020 Term of Office.
 REFERENCE F2014/03281 - D03915479
 REPORT OF Manager Governance & Risk
 16049 RESOLVED (Issa/Elmore)

That in accordance with section 224(2) of the Local Government Act 1993, Council determine the number of Councillors for the 2016-2020 term of office to be 15 (one of whom is the Lord Mayor).

15.2 SUBJECT Leave of Absence for Councillor J Hugh
 REFERENCE F2012/02851 - D03915503
 REPORT OF Service Manager Governance Infrastructure
 16050 RESOLVED (Esber/Makari)

That leave of absence be granted to Councillor J Hugh for the Council Meeting being held on 12 October 2015.

Note

Councillor J P Abood returned to the meeting at 8.16pm during consideration of this matter.

15.3 SUBJECT 19th Annual Governance Risk Compliance (GRC) conference 2015 - Melbourne - 28th - 30th October 2015
 REFERENCE F2015/00245 - D03890434
 REPORT OF Manager LM and Councillor Support
 16051 RESOLVED (Esber/Issa)

That interested Councillors advise the Office of the Lord Mayor of their desire to attend the 19th Annual Governance Risk Compliance (GRC) conference being held in Melbourne from 28 – 30 October 2015.

15.4 SUBJECT 2015 National Local Roads and Transport Congress -
Ballarat - 17 - 19 November 2015
REFERENCE F2015/00246 - D03892313
REPORT OF Manager LM and Councillor Support
16052 RESOLVED (Esber/Issa)

That interested Councillors advise the Office of the Lord Mayor of their desire to attend the 2015 National Local Roads and Transport Congress being held in Ballarat from 17 – 19 November 2015.

15.5 SUBJECT Australian Public Sector Anti-Corruption Conference -
Brisbane - 17 - 19 November 2015
REFERENCE F2015/00248 - D03892545
REPORT OF Manager LM and Councillor Support
16053 RESOLVED (Esber/Issa)

That interested Councillors advise the Office of the Lord Mayor of their desire to attend the Australian Public Sector Anti-Corruption Conference being held in Brisbane from 17 – 19 November 2015.

15.6 SUBJECT SEGRA - Sustainable Economic Growth For Regional
Australia - Bathurst - 20 -22 October 2015
REFERENCE F2015/00229 - D03919284
REPORT OF Manager LM and Councillor Support
16054 RESOLVED (Esber/Issa)

That interested Councillors advise the Office of the Lord Mayor of their desire to attend the SEGRA Sustainable Economic Growth for Regional Australia Conference being held in Bathurst from 20 – 22 October 2015.

NOTICES OF MOTION

16.1 SUBJECT Creation of Community Centre on Harry Todd Band Hall
Site

REFERENCE F2015/01801 - D03909415

REPORT OF Councillor A A Wilson

16055 RESOLVED (Wilson/Issa)

That Parramatta City Council prepare a report on the creation of a community centre and band hall at the current site of the Harry Todd Band Hall.

16.2 SUBJECT Allocation of funds to Fred Spurway Reserve
Playground

REFERENCE F2014/02600 - D03922670

REPORT OF Councillor J P Abood

16056 RESOLVED (Abood/Lloyd)

That consideration of the following notice of motion be deferred to the next Council Meeting:

“That Council allocates a budget of \$800,000 from available Section 94 contribution and or interest earned on the sale of Bartlett Park, for the design and construction of a district size playground in Fred Spurway Reserve.”

16.3 SUBJECT Allocation of funds to Cox Park Improvements

REFERENCE F2014/02600 - D03922678

REPORT OF Councillor J P Abood

16057 RESOLVED (Abood/Lloyd)

That consideration of the following notice of motion be deferred to the next Council Meeting:

“That Council allocates a budget of \$2 million from available Section 94 contribution and or interest earned on the sale of Bartlett Park, to deliver the first stage of upgrades identified in the Cox Park Master Plan.”

16.4 SUBJECT Allocation of funds to George Kendall Riverside Park
Improvements

REFERENCE F2014/02600 - D03922680

REPORT OF Councillor J P Abood

16058 RESOLVED (Abood/Lloyd)

That consideration of the following notice of motion be deferred to the next Council Meeting:

“That Council allocates a budget of \$2 million from available section 94 contributions and or interest earned on the sale of Bartlett Park to deliver the second stage of upgrades identified in the George Kendall Riverside Park Master Plan.”

CLOSED SESSION

The Lord Mayor invited members of the public gallery to make representations as to why any item was intended to be considered in Closed Session.

No person wished to make representations.

16059 RESOLVED (Esber/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 Novation Deeds - PS1. (D03919584) - *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 Riverbank Development Blueprint and Options . (D03920002) - *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 Update on Parramatta Square - *This verbal report was 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.*

17.1 SUBJECT Novation Deeds - PS1
REFERENCE F2015/00178 - D03919584
REPORT OF Senior Development Manager

16060 RESOLVED (Chedid/Elmore)

- (a) **That** Council novate/assign the Easement Deed between Parramatta City Council and Leighton Properties Pty Ltd dated 14 July 2015 (as amended) to The Trust Company (Australia) Limited as custodian for Charter Hall Wholesale Management Limited as trustee for Charter Hall UWS Trust (or nominee) subject to any necessary amendments required to reflect the current circumstances
- (b) **That** Council novate/assign Parramatta Square Co-operation Deed between Parramatta City Council and Leighton Properties Pty Ltd dated 14 July 2015 to The Trust Company (Australia) Limited as custodian for Charter Hall Wholesale Management Limited as trustee for Charter Hall UWS Trust (or nominee) subject to any necessary amendments required to reflect the current circumstances
- (c) **That** Council novate/assign the Ground Anchor and Oversailing Deed between Parramatta City Council and Leighton Properties Pty Ltd dated 28 April 2015 to The Trust Company (Australia) Limited as custodian for Charter Hall Wholesale Management Limited as trustee for Charter Hall UWS Trust (or nominee)
- (d) **Further, that** the Lord Mayor and the CEO be delegated the authority to execute and affix the common seal of Council to any of the agreements and/or deeds associated with the assignment/novation

17.2 SUBJECT Riverbank Development Blueprint and Options
REFERENCE F2015/00178 - D03920002
REPORT OF Senior Development Manager

16061 RESOLVED (Chedid/Abood)

- (a) **That** Council accept and note the contents of this Report with the exception of paragraph 14a which is currently being considered.
- (b) **That** Council endorse the proposed staging of the Riverbank Development Blueprint, perform all the analysis required to achieve the proposed staging (including, but not limited to, planning, architectural and traffic) and engage all the required consultants to commence an Expression of Interest campaign.
- (c) **That** Council seek Expressions of Interest for the first stage of the Riverbank Development Blueprint and provide a report back to Council on the submissions received.
- (d) **That** determination of the specific uses in the second stage of

the Riverbank Development Blueprint (which may include a function centre, conference centre or a unique social/cultural attractor) be discussed at a strategic directions workshop with Councillors.

- (e) **That** Council proceed with the compulsory acquisition of land described as Lot 1 in Deposited Plan 799649, Lot 1 in Deposited Plan 611335 and Lot 1 in Deposited Plan 128474 for the purpose of public recreation purposes in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (f) **That** Council make an application to the Minister and the Governor for approval to acquire the land described as Lot 1 in Deposited Plan 799649, Lot 1 in Deposited Plan 611335 and Lot 1 in Deposited Plan 128474 by compulsory process under section 186(1) of the *Local Government Act 1993*.
- (g) **That** the land is to be classified as operational land (public purpose).
- (h) **That** Council may request the Minister for Local Government approve a reduction in the notification period from 90 days to 30 days.
- (i) **Further, that** Council adopt the recommendations in paragraph 16 of the attached memo dated 30 September 2015 in relation to the acquisition of properties on Phillip Street.

17.3 SUBJECT Parramatta Square - Update
REFERENCE F2015/00178
FROM Director Property and Significant Assets, Mr Barry Mann

16062 **Note**

Director Property and Significant Assets provided a brief update on the Parramatta Square proposal.

Further Note

The Lord Mayor advised the public gallery of the results of Closed Session.

QUESTION TIME

1 SUBJECT Tour of North Parramatta Heritage Precinct
REFERENCE F2014/00735
FROM Councillor Lorraine Wearne

16063 Councillor Wearne expressed concern that the tour of the North Parramatta Heritage Precinct could not proceed as Urban Growth were suggesting a tour that did not comply with Council's recent resolution of 27 July 2015.

Councillor Wearne sought information on the best way forward with Urban Growth to ensure that Councillors can view the North Parramatta Heritage Precinct.

The Lord Mayor advised that he had cancelled the tour with a view to arranging a tour that complied with Council's Resolution.

The Lord Mayor added that he would provide further information to the Chamber on this issue.

2 SUBJECT Organisational Chart on Council's Website
REFERENCE F2009/01370
FROM Councillor Scott Lloyd

16064 Councillor Lloyd requested that the correct organisational chart be made available on Council's website.

3 SUBJECT Meeting with The Hills Council to Discuss Junction Road, Winston Hills
REFERENCE F2015/00119
FROM Councillor Scott Lloyd

16065 Councillor Lloyd asked when a meeting would be organised between Caroline Chisholm Ward Councillors and The Hills Council to discuss Junction Road, Winston Hills.

Councillor Lloyd further asked why Council's previous resolution pertaining to this matter had not been enacted.

The Lord Mayor advised that he would contact the Mayor of The Hills Council with a view to addressing this matter.

4 SUBJECT Operating Hours of Council's Aquatic Parks

REFERENCE F2013/02597
FROM Councillor John Chedid

16066 Councillor Chedid sought clarification that with the early arrival of the hot weather, the operating hours of Council's aquatic parks had been extended to 7pm and toilet facilities provided.

The CEO advised that the hours of operation had been extended.

Councillor Chedid requested that his thanks be passed on to Mr Jim Stefan, Manager City Assets and Environment, for his quick response to this issue.

5 SUBJECT Permissible Uses in 2a Zone
REFERENCE F2015/00025
FROM Councillor Bob Dwyer

16067 Councillor Dwyer sought advice on the permissible uses within a 2a zone and questioned whether there was any possibility for medium or high density usage in such a zone.

Ms Sue Weatherley, Director Strategic Outcomes & Development, advised that certain SEPP5 elements apply to an R2 zone that may allow medium density housing for older people. An example may be a nursing home or unit or villa development intended for occupation by persons over 55 or with a disability.

6 SUBJECT Clean Up on Railway Parade, Westmead
REFERENCE F2004/06397
FROM Councillor Andrew Wilson

16068 Councillor Wilson requested an update on the clean-up of Railway Parade, Westmead.

Councillor Wilson advised that Railway Parade was a gateway to the City and there were numerous properties in this vicinity that needed to be held to account for not keeping their environment in order.

7 SUBJECT Illegal Granny Flats in Parramatta Local Government Area
REFERENCE CRM2015/00016
FROM Councillor Julia Finn

16069 Councillor Finn sought advice on the number of illegal granny flats throughout the Parramatta LGA and any action being undertaken in relation to this problem.

The Lord Mayor advised that the question would be taken on notice.

Note

Councillor A A Wilson retired from the meeting at 8.37pm during consideration of this matter.

8 SUBJECT Repairs to Retaining Wall in Peter Parade, Old Toongabbie

REFERENCE F2004/06182

FROM Councillor Shahadat Chowdhury

16070 Councillor Chowdhury sought advice on the progress with respect to repairs for the retaining wall in Peter Parade, Old Toongabbie.

Councillor Chowdhury asked that Councillors be given an update on the project plan and proposed timelines.

The Lord Mayor advised that the question would be taken on notice.

9 SUBJECT Development on Railway Terrace, Merrylands

REFERENCE DA/169/2015

FROM Councillor Glenn Elmore

16071 Councillor Elmore referred to the development on Railway Terrace, Merrylands, near Mombri Street and commented that there is a walkway that has been closed off by the developer.

Councillor Elmore requested advice as to when the bridge will be reopened and whether additional lighting will be provided on the bridge.

10 SUBJECT Granville Aquatic Park

REFERENCE F2013/02597

FROM Councillor Glenn Elmore

16072 Councillor Elmore advised that the paint on the concrete at the Granville Aquatic Park had lifted.

Councillor Elmore questioned when the area was to be repainted.

Ms Sue Coleman, Director City Services, advised that it was likely the

works would now not be carried out until after the summer period but added that confirmation of this information would be provided to all Ward Councillors.

The meeting terminated at 8.43pm.

THIS PAGE AND THE PRECEDING 25 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 12 OCTOBER 2015 AND CONFIRMED ON MONDAY, 26 OCTOBER 2015.

Lord Mayor