

MINUTES OF THE MEETING OF PARRAMATTA CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC PLACE, PARRAMATTA ON MONDAY, 14 SEPTEMBER 2015 AT 6.51PM

PRESENT

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 (arrived 6.56pm), P Esber, J D Finn (retired 9.11pm), P J Garrard, J A Hugh, S T Issa (Deputy Lord Mayor), B Makari, J L Shaw, L E Wearne and A A Wilson (arrived 6.53pm).

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 city.

MIGRANT ACKNOWLEDGEMENT

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

All these elements holistically make Parramatta what it is today.

MINUTES

SUBJECT Minutes of the Council Meeting held on 24 August 2015
15932 RESOLVED (Makari/Hugh)

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

Note

Councillor A A Wilson arrived at the meeting at 6.53pm following consideration of this matter.

DECLARATIONS OF INTEREST

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

LORD MAYORAL MINUTES

1 SUBJECT Appointment of a Councillor to the Audit and Risk Committee
REFERENCE F2015/01976
FROM The Lord Mayor, Councillor Scott Lloyd

15933 RESOLVED (Lloyd/Issa)

That Councillor G Elmore be appointed to the Audit and Risk Committee.

2 SUBJECT Central Parramatta Coordination Working Group
REFERENCE F2015/00074
FROM The Lord Mayor, Councillor Scott Lloyd

15934 RESOLVED (Lloyd/Garrard)

- (a) **That** Council initiate a 'Central Parramatta Coordination Working Group' with senior staff representatives from relevant State Government departments and Council to implement and coordinate the planning and delivery of various major projects in the Parramatta CBD.
- (b) **That** Council be provided with regular updates on the progress of the working group.
- (c) **That** a Councillor workshop be held on the draft updated Parramatta CBD vision.
- (d) **That** the community be engaged in the process of updating the Parramatta CBD vision.
- (e) **That** interested Councillor representation be permitted on the Working Group.
- (f) **Further, that** this decision be proposed to the appropriate Ministers as an endorsement of Council's endeavours to promote the Parramatta CBD.

Note

1. **Councillor G Elmore arrived at the meeting at 6.56pm during consideration of this matter.**
2. **Councillor J Hugh left the meeting at 6.56pm and returned at 6.57pm during consideration of this matter.**
3. **Councillor P Esber left the meeting at 6.56pm during consideration of this matter.**

SUSPENSION OF STANDING ORDERS.

15935 RESOLVED (Issa/Chedid)

That Standing Orders be suspended to enable consideration of an urgent motion pertaining to the relocation of the Powerhouse Museum and Council's preferred site option.

The Lord Mayor declared this motion urgent.

SUBJECT Relocation of Powerhouse Museum
REFERENCE F2012/03469
FROM Councillor Steven Issa

15936 MOTION (Issa/Chedid)

- (a) **That** Council's preferred position for the relocation of the Powerhouse Museum be the Arthur Phillip High School site with Arthur Phillip High School being relocated to the old Parramatta Golf Course or the former Macquarie Boys High site.
- (b) **That** Council write to the Minister expressing the view of the Chamber.
- (c) **Further, that** the State Government be requested to clarify whether it is on the verge of selling the old Macquarie Boys High site.

AMENDMENT (Finn/Esber)

- (a) **That** Council's preferred position for the relocation of the Powerhouse Museum be the Arthur Phillip site or the Parramatta Jail with Arthur Phillip School being relocated to the old Parramatta Golf Course or the former Macquarie Boys High site.
- (b) **That** Council write to the Minister expressing the view of the Chamber.
- (c) **Further, that** the State Government be requested to clarify whether it is on the verge of selling the old Macquarie Boys High.

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

Note

Councillor P Esber returned to the meeting at 7.01pm during consideration of this matter.

SUBJECT Asbestos and M4 Widening Project
REFERENCE F2013/01121
FROM Councillor Julia Finn

15937 RESOLVED (Finn/Shaw)

- (a) **That** the Lord Mayor write to the Minister for Roads and Freight in relation to the asbestos found during construction of the M4 widening project.
- (b) **That** Council express concern that residents were not notified in relation to the discovery of asbestos.
- (c) **That** Council seek clarification of the proposed remediation strategy.
- (d) **That** Council also express concern that the contaminated fill is being stored on site.
- (e) **Further, that** the State Members for Granville and Parramatta be requested to make representations on behalf of Council to the relevant Minister.

SUBJECT Passing of Former Councillor Roger Gregory

REFERENCE F2008/04592

FROM Councillor Lorraine Wearne

15938

Note

Councillor L E Wearne advised of the recent sudden passing of former Councillor Roger Gregory and requested that the Chambers' condolences be forwarded on to his wife, Elizabeth Gregory.

Councillor Wearne further requested that the Chamber be advised of the relevant funeral details when available.

The Council then observed one minute's silence in memory of Roger Gregory.

RESUMPTION OF STANDING ORDERS

15939 RESOLVED (Makari/Wearne)

That Standing Orders be resumed.

3 SUBJECT Resolution by Council on the concept of a Fast Rail Link between Sydney CBD via Parramatta to Badgerys Creek

REFERENCE F2005/02301

FROM The Lord Mayor, Councillor Scott Lloyd

15940 RESOLVED (Lloyd/Chedid)

- (a) **That** Council officers investigate and bring forward a report to Council on the potential concept for a fast rail link between Sydney CBD via Parramatta to Badgerys Creek.
- (b) **Further, that** \$50,000 be set aside from the broader City Strategy budget for a consultant to assist Council prepare an initial feasibility concept report.

4 SUBJECT River Ferry Service Frequency Improvements
REFERENCE F2014/03305
FROM The Lord Mayor, Councillor Scott Lloyd

15941 RESOLVED (Lloyd/Chedid)

- (a) **That** Council write to the Minister for Transport NSW and the Member for Parramatta, Dr Geoff Lee, requesting an increase in evening service frequency in both directions between Parramatta Ferry Terminal and Circular Quay Ferry Terminal, with services being extended until 10:00pm Sunday to Wednesday, and to 12:00am from Thursday to Saturday, with some express services direct to and from Parramatta Ferry Terminal.
- (b) **That** Council investigate opportunities to:
 - (i) Seek future evening service connections to integrate with the pending Western Sydney light rail route and service levels.
 - (ii) Increase trade and tourism around Eat Street and the Heritage Centre from evening ferry services.
- (c) **That** Council examine the possibility of allowing private ferries and cruisers at the Parramatta Ferry Wharf.
- (d) **That** the Minister also be requested to examine the use of lighter vessels as used in other states.
- (e) **That** the Minister be requested to further consider the provision of a ferry that services the Western Sydney University and the growing area of Camellia.
- (f) **Further, that** Councillors be informed of the Minister's response.

Note

- 1. **Councillor L E Wearne left the meeting at 7.42pm and returned at 7.44pm during consideration of this matter.**

2. **Councillor P Esber left the meeting at 7.43pm and returned at 7.48pm during consideration of this matter.**

PUBLIC FORUM

1 SUBJECT Development application 57 Moffatts Drive, Dundas Valley
REFERENCE DA/810/2014
FROM Catherine Dong

15942 "Mayor and Councillors

We would like to thank the Council staff for their assessment of our multi dwelling housing development at Moffatts Drive Dundas Valley. We thank them for the opportunity to amend and improve the proposal through the assessment period. We seek your adoption of the recommendation for approval please.

My architect has been working with Council on this project since lodgement in November last year. We have amended the scheme through the process and reduced the number of dwellings proposed and improved our compliance with Council's LEP and DCP requirements. The proposal is significantly compliant with Councils rules.

We respect the concerns of the local residents, however, we are proposing a development consistent with the zone that permits town houses on this site.

Thank you for the opportunity to speak this evening and we seek your approval of our application tonight."

Note

Councillors J P Abood, J Chedid, P Esber and L E Wearne left the meeting at 7.57pm during consideration of this matter.

2 SUBJECT Development Application - 22-24 Rawson Road, Guildford
REFERENCE DA/569/2014
FROM Mr David Ryan

15943 "I wish to address the Chamber in relation to Item 8.3 on tonight's agenda, which is our proposed development at 22-24 Rawson Road, Guildford which was deferred at the Council meeting on 22 June, 2015 at the request of a ward Councillor.

- I want to thank each of you for taking the time to discuss the proposal with me over the last 3 months since the deferral. I'm conscious that our proposal is very small and you have a large number of more significant proposals to consider. But I'm grateful to each of you for taking the time to understand the proposal. It may be small, but it is very important to us.

Discussion

- The Planner's Report in the Business Papers contains a very good summary of the extent of the review undertaken on our proposal and the reasons it is supported for approval. I want to thank the Planning team for the approach they have taken with our proposal.
- I don't propose to discuss the Report. I think it is self-explanatory. But I want to make a couple of brief points that I think are important:
- First, Council's planners have now signed off on this proposal not once, but twice. No submissions have been received from neighbours or local residents. Not one.
- Secondly, the child care centre is an expressly permitted use under the LEP. The only reason this proposal is before you tonight is because it exceeds the height limit in the LEP by a small amount, not because it involves a child care centre. In terms of height, look and feel, it is similar to a proposal approved by this Chamber just a few doors down in April this year.
- Thirdly, and most importantly, the assessment process has been multi-faceted and extensive.
- The proposal went through DEAP review in October last year. In response, we were asked by Council to amend our plans to accommodate a number of design changes, including changes to improve traffic flow and parking. We lodged revised plans and technical reports for this in December 2014.
- In February 2015, we were asked to change our plans again - this time relocate the pick-up and drop off area for the childcare centre from the ground floor to the basement car park. We did as we were asked.
- Since June, a second DEAP panel and Council's traffic and parking experts have reviewed the proposal again to make absolutely sure that there are no concerns from a safety point of view and to ensure that we have the best overall design available.
- I understand that a number of Councillors have also had the opportunity to discuss the proposal - including any concerns they have - with Planning staff personally since June. We offered to meet with Councillors who sought the deferral - along with Council's planning team - to see if there might be further changes that could be made to alleviate particular concerns.
- Everyone's had an opportunity to be heard and we've engaged pro-

FROM Nick Tobin

15944 As tabled.

“Dear Mr Davies, Your Worship the Lord Mayor and Councillors,

I wish to address the Council on the Preliminary Planning Proposal for Melrose Park which is on the agenda at item 9.2.

I am the General Manager of Aqualand Projects who is the owner of the property and the applicant for the Planning Proposal.

The purpose of my address is to explain the rationale for the approach we have taken with the Proposal and the public benefits that we are hoping to provide.

We have closely read the Officers report and the Independent Planners report and understand the points they have raised.

We have tried to work with the Council officers to achieve the best outcome and our new approach is to now prepare a new scheme that addresses the matters raised in the report and provide greater certainty to Council about the development and the public benefits.

In order to deal with the requirements for remediation, upgrade of the Wharf Road and Kissing Point Rd intersections, setting aside the land for the RMS road widening for the bus transit lane and delivering the benefits of publicly accessible open space (some 4,000sqm), affordable housing, a community facility and contributions to local open space we are asking that Council allow us to proceed with a Planning Proposal at 2.5:1 FSR instead of 2.9:1 and 12 storey height limit on the rear of the site as indicated in the Officers report.”

Note

- 1. Councillor J Shaw left the meeting at 8.04pm and returned at 8.07pm during consideration of this matter.**
- 2. Councillor P Esber left the meeting at 8.07pm and returned at 8.08pm during consideration of this matter.**

4 SUBJECT Development Application - 57-59 Moffatts Drive Dundas Valley
REFERENCE DA/810/2014
FROM Glenda Hudson

15945 As tabled.

“Dear Sir/Madam

I would like to participate in the Public Forum held on Monday 14th

September 2015 to address the Lord Mayor and Councillors on the 9 Townhouses development proposal for 57-59 Moffatts Drive Dundas Valley.

Moffatts Drive has always been a quieter street. Long admired by locals for its natural beauty and less traffic, than nearby Evans Road and Kissing Point Road. It has natural beauty with trees on the residential side and in the Ponds Creek Reserve opposite the proposed site.

The Townhouse development proposed is an enormous change from what currently exists at 57-59 Moffatts Drive and cannot be underestimated what an increase of this amount of dwellings would have on this midsection of the street but the entire street itself. Where this development is being proposed is the one part of Moffatts Drive unspoilt by all the recent development that have been built at both ends of Moffatts Drive.

Since Parramatta Council approved this section for R3 Medium Density zoning this applicant believes the two properties purchase should be developed from 2 single storey dwellings one on each lot to the maximum which is now permissible but is not in keeping with the surroundings and to the detriment of the resident-some ratepayers of many years.

An on-site meeting with Councillor Shaw in attendance was held in March where local residents expressed valid concerns over the impact a development of this size would have and the issues that would arise as a result of it. The result was the plan was reduced down from 10 Townhouses to 9 Townhouses.

The residents' concerns still remains:

- Loss of privacy especially next door property at 55 Moffatts Drive a single storey dwelling.
- Overshadowing onto neighbouring properties and view loss.
- Loss of well-established trees driving away native birds.
- Overdevelopment of Moffatts Drive. No uniformity in zoning. Example: No. 29 is currently for sale at the shop end of Moffatts Drive has R4 zoning with the potential for an investor to build an even higher and larger dwelling/s.
- Before Council approves the 9 Townhouse development it should be taken into consideration what is happening in the street in its entirety. There is a recently built unit block at No. 39 opposite a long standing block flats at No. 6 Moffatts Drive across the road this has created problems with traffic having to proceed with caution especially at night.
- Traffic hazard potentially will be a consequence of cars coming and going from the Townhouse complex. It will also be a safety hazard

DISCUSSION OF LEGAL MATTER PERTAINING TO ITEMS 9.2 and 9.3
OF ECONOMY IN CLOSED SESSION

15947 RESOLVED (Issa/Abood)

That a legal issue pertaining to items 9.2 and 9.3 of Economy be discussed in Closed Session.

Note

Only debate as it pertained to legal matters were addressed in Closed Session. The remainder of debate and subsequent decisions were held in Open Council (See minute no.s 15967 and 15968).

REPORTS - MAJOR APPLICATIONS

8.1 SUBJECT 6 Colonial Court, Winston Hills (Lot 30 DP270075)
(Caroline Chisholm Ward)

DESCRIPTION Construction of a part 2 and part 3 storey dwelling with triple garage and associated site works.

REFERENCE DA/343/2015 - Submitted 10 June 2015

APPLICANT/S Daniel Siric

OWNERS Zalexis Naresh Nath

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

This development application is referred to Council as the application involves a floor space variation of 23.42% above the 0.5:1 allowance and a height variation of 10% above the 9 metre allowance.

15948 RESOLVED (Esber/Dwyer)

(a) **That** Council support the variation to Clause 4.3 and 4.4 of Parramatta Local Environmental Plan 2011 under the provisions of clause 4.6.

(b) **That** Council grant development consent to DA/343/2015 for the construction of a part 2 and part 3 storey dwelling at 6 Colonial Court, Winston Hills for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions.

(c) **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, P Esber, J D Finn, P J Garrard, J A Hugh, S T Issa, S D Lloyd, B Makari, J L Shaw and L E Wearne

NOES: Councillors G J Elmore and A A Wilson

8.2 SUBJECT Granville Park (Pk 24), 188 Woodville Road & 2 Montrose Avenue, MERRYLANDS, NSW 2160 (Lots 17C, 231-234, 242-245, 249-253 in DP 752058) (Woodville Ward)

DESCRIPTION Use of Granville Park between 18 January and 7 February 2016 by Webers Circus.

REFERENCE DA/136/2015 - Submitted 12 March 2015

APPLICANT/S Webers Circus

OWNERS Department of Lands in Parramatta City Council's care, control and management

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL
Land under Council's care, control and management

15949 RESOLVED (Issa/Dwyer)

That Council as the consent authority grant development consent to Development Application No. 136/2015 for the use of Granville Park by Webers Circus between 18 January and 7 February 2016, at 188 Woodville Road and 2 Montrose Avenue, Merrylands subject to the recommended conditions.

DIVISION The result being:-

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

NOES: Nil

8.3 SUBJECT 22-24 Rawson Road, Guildford (Lot 18 DP 14788 & Lot B DP 390823, LOT C DP 390823) (Woodville Ward)

DESCRIPTION Construction of a shop top housing development

comprising a ground floor child care centre and 14 residential units.

REFERENCE DA/569/2014 - Lodged 27 August 2014

APPLICANT/S Australian Consulting Architects

OWNERS D W W Holdings

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council for determination as the application seeks a Clause 4.6 variation in excess of 10% to Clause 4.3 Height of Buildings in the Parramatta Local Environmental Plan 2011.

15950

MOTION (Issa/Wearne)

(a) **That** Council supports the variation to Clause 4.3 (Height) of the PLEP 2011 under the provisions of clause 4.6.

(b) **That** Council as the consent authority grant development consent to Development Application No. DA/569/2014 for demolition and construction of a 4 storey shop top housing development comprising a ground floor child care centre and 14 residential units with basement car parking at 22-24 Rawson Road, Guildford NSW 2161 for a period of five (5) years for physical commencement to occur from the date on the Notice of Determination subject to the conditions contained in Attachment 1.

(c) **Further, that** the following additional condition is included in the consent:

46A. Prior to the issue of the Construction Certificate, amended plans to the satisfaction of Council's Manager of Development and Traffic Services shall indicate the following amendments:

i. A separate lift shall be provided from within the basement to the ground floor Child Care Centre lobby.

Advisory note: This can be achieved and will not require any loss of car parking spaces within the basement as directly below the Child Care Centre lobby in the basement are the storage cages. This will however require the storage spaces to be relocated. This may be in the form of above bonnet storage.

Reason: To provide separate access for the residential units and childcare centre.

ii. The Unit 05 balcony party wall is to be aligned with the internal party wall of Unit 06 stack.

Reason: To improve light and ventilation for Unit 1.05 and 2.05 and address concerns raised by DEAP.

iii. The Unit 04 stack balcony should be designed to project a sense of addressing the street, not the adjacent property. It should be thought of as a "corner" balcony element.

Reason: To address concerns raised by DEAP.

iv. The car park exhaust duct is to be shown continuously on the drawings.

Reason: To show the exhaust on all levels of the development.

v. The boom gate shall be deleted and the 7 child care centre car spaces shall be relocated closer to the new lift to the Child Care Centre lobby. This is marked up in red on the approved plans.

Reason: To reduce conflicts between vehicles and parents with children, and improve safety of children and address concerns raised by DEAP.

AMENDMENT (Garrard/Finn)

That consideration of this matter be deferred.

The amendment was subsequently withdrawn.

The motion was put and carried.

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, L E Wearne and A A Wilson

NOES: Councillor P J Garrard

8.4 SUBJECT 57 - 59 Moffatts Drive, Dundas Valley NSW 2117 (Lot 481 DP 36692, Lot 482 DP 36692) (Lachlan Macquarie Ward)

DESCRIPTION Construction of a multi dwelling housing development comprising 9 dwellings.

REFERENCE DA/810/2014 - Lodged 28 November 2014

APPLICANT/S Quinn Building Design

OWNERS Mr R M L Foote and Ms Hongchen Dong

REPORT OF Manager Development and Traffic Services. Also further correspondence from Ms L Hudson, Mr S Preece dated 11 September 2015, Ms A Tang dated 11 September 2015 and S Wilson.

REASON FOR REFERRAL TO COUNCIL

The application is referred to Council for determination as the application received 35 individual submissions

from 18 properties during the notification period.

MOTION (Esber/Shaw)

That the matter be deferred and staff be requested to frame grounds for refusal of the application.

15951 AMENDMENT (Issa/Dwyer)

(a) **That** Council grant development consent to DA/810/2014 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the conditions contained in Attachment 1 and an additional condition requiring a commercial pickup of waste.

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

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

DIVISION The result being:-

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

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

8.5 SUBJECT CBD Foreshore South (Pk 339), 40A Smith Street, PARRAMATTA NSW 2150 (Lot 1 DP 58783, Lot 101 DP 1201615, Lot 7 Sec 26 DP 758829) (Arthur Phillip Ward)

DESCRIPTION Use of a part of the Parramatta River Foreshore for an outdoor event (Ganesh Festival) on Saturday 19 September 2015.

REFERENCE DA/497/2015 - 3 August 2015

APPLICANT/S United Indian Associated Inc

OWNERS Parramatta City Council

REPORT OF Manager Development and Traffic Services

REASON FOR REFERRAL TO COUNCIL

The subject Development Application is referred to Council for determination as it relates to land that is under the care and control of Parramatta City Council.

15952 RESOLVED (Finn/Elmore)

(a) **That** Council as the Consent Authority grant Development Consent to Development Application DA/497/2015 which seeks

the use of part of the Parramatta River Foreshore for the Ganesh Festival, to be held on Saturday 19 September 2015, subject to conditions of consent contained in Attachment 1.

- (b) **Further, that** Councillors be notified when future event applications are received and the matter be reported to Council for land owners consent.

DIVISION The result being:-

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

NOES: Nil

Note

1. **Councillors J P Abood and S Issa left the meeting at 8.56pm during consideration of this matter.**
2. **Councillor S Issa returned to the meeting at 8.58pm during consideration of this matter.**
3. **Councillor J P Abood returned to the meeting at 9.01pm during consideration of this matter.**
4. **Councillor J Shaw left the meeting at 9.00pm and returned at 9.01 during consideration of this matter.**
5. **Councillor P Esber left the meeting at 9.01pm and returned at 9.03pm during consideration of this matter.**
6. **Councillor J P Abood again left the meeting at 9.09pm 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 9.11pm for a period of 22 minutes.

RESUMPTION OF MEETING

The meeting resumed in the Council Chamber at 9.33pm, there being in attendance The Lord Mayor, Councillor S D Lloyd in the Chair and Councillors J Chedid, S H Chowdhury, R Dwyer, G J Elmore, P Esber, P J Garrard, J A Hugh, S T Issa (Deputy Lord Mayor), B Makari, J L Shaw, L E Wearne and A A Wilson.

Note

Councillor J D Finn did not return to the meeting following the adjournment.

ECONOMY

9.1 SUBJECT John Curtin Reserve Land Owners Consent for the Alterations and Additions to the Amenity Building
REFERENCE F2014/02715 - D03759717
REPORT OF Property Programmer
15953 RESOLVED (Dwyer/Elmore)

That the Chief Executive Officer be authorised to grant land owners consent to lodge Planning Documentation for the alterations and additions to the Amenity Building located at John Curtin Reserve in Huxley Drive, Winston Hills.

9.2 SUBJECT Preliminary Concept Proposal - 657-661 Victoria Road and 4-6 Wharf Road, Melrose Park (Former Bartlett Park), Melrose Park
REFERENCE RZ/6/2015 - D03787938
REPORT OF Snr Project Officer

Note

The initial discussion on this issue occurred in Closed Session to address a legal matter in accordance with Section 10A (2) (g) of the Local Government Act 1993 (Minute No. 15947 refers).

Once the issue had been addressed, this matter was considered in Open Council under Minute No. 15967.

9.3 SUBJECT Variations to Standards under Clause 4.6 of LEP 2011, Clause 24 of LEP 2007 and SEPP 1
REFERENCE F2009/00431 - D03823247
REPORT OF Manager Development and Traffic Services

Note

The initial discussion on this issue occurred in Closed Session to address a legal matter in accordance with Section 10A (2) (g) of the Local Government Act 1993 (Minute No. 15947 refers).

Once the issue had been addressed, this matter was considered in Open Council under Minute No. 15968.

9.4 SUBJECT Proposed repeal of Mobile Phone Base Station Tower Policy 167
REFERENCE F2005/02175 - D03826897
REPORT OF Property Services Officer

15954 RESOLVED (Esber/Issa)

- (a) **That** Council notes that the provisions of the Parramatta City Centre Local Environmental Plan 2007, Parramatta Development Control Plan 2011 and State Environmental Planning Policy (Infrastructure) 2007 are more comprehensive and effective than the Mobile Phone Base Station Towers Policy 167 in regulating siting and development of telecommunication facilities;
- (b) **Further, that** Council repeals the Mobile Phone Base Station Towers Policy 167 in favour of the more comprehensive controls and provisions listed in recommendation (a) and further described in this report.

9.5 SUBJECT 67 Dorothy Street Rydalmere – dividing fence

REFERENCE F2013/00025 - D03827539

REPORT OF Property Services Officer

15955 RESOLVED (Shaw/Chowdhury)

- (a) **That** Council receive a report on the cost of replacing the fence at 67 Dorothy Street Rydalmere, such report to include advice on the opportunity for Council to construct the fence with the costs to be recouped on the sale of the property.
- (b) **That** the report include advice as to the history of the construction of the adjoining laneway.
- (c) **Further, that** the report include advice on the cost for replacing damaged fences for pensioners, where such premises abut Council property.

Note

- 1. **Councillor J P Abood returned to the meeting at 9.38pm during consideration of this matter.**
- 2. **Councillor S Issa left the meeting at 9.50pm during consideration of this matter.**

CULTURE AND SPORT

10.1 SUBJECT 42-48 Station Street, Guildford - Creation of Open Space

REFERENCE F2014/02715 - D03665197

REPORT OF Property Programmer

15956 RESOLVED (Esber/Elmore)

That the Chief Executive Officer be authorised to:

- 1. grant land owners consent for the lodgement of the required planning documentation to demolish buildings at 42-48 Station

Street, Guildford for the creation of public open space and;

2. issue a Notice to Vacate to the tenants at 42 and 44 Station Street, Guildford.

Note

Councillor S Issa returned to the meeting at 9.51pm during consideration of this matter.

LEADERSHIP AND GOVERNANCE

11.1 SUBJECT LG NSW Conference Motions
REFERENCE F2015/02038 - D03881403
REPORT OF Manager LM and Councillor Support
15957 RESOLVED (Wilson/Elmore)

That Council submits the following Motions for LG NSW to consider at its Annual Conference:

- (a) **That** the Minister for Planning and Environment be requested to amend the Environmental Planning and Assessment Act, in an appropriate manner that will require all Construction Certificates to be consistent with the approved plans and conditions of the relevant Development Consent. This should include, but not be limited to, materials and finishes, building height and floor space ratio.
- (b) **That** LG NSW approach the NSW State Government to amend the Local Government Act (1993) to include the recommendations from the Local Government Act Taskforce Review relating to procurement.
- (c) **That** LG NSW approach the NSW State Government to amend the Local Government Act (1993) to enable councils to have the ability to set their own rating increase, in consultation with ratepayers.
- (d) **That** LG NSW approach the NSW State Government to amend the Valuation of Land Act (1916) enabling the Valuer General to value properties using the Capital Improved Value for Councils to assess rates, thereby resulting in a fairer and more equitable rating structure.
- (e) **That** LG NSW approach the NSW Government to seek an amendment to the Road Rules 2014 Part 12 Division 6 Rule 200 Road stopping on roads – heavy and long vehicles, to increase the current penalty infringement regime from \$106 for parking longer than 1 hour on a residential road. This proposal seeks consistency with the regulatory regime use for offences under the Road Mass Transport Act which applies a greater penalty on those vehicles that have a greater weight, along a sliding scale to reflect the safety risks within residential streets and financial damage to roads and footpaths from recurring offences.

- (f) **Further, that** LG NSW call on the NSW Government to implement a comprehensive program for the creation of underpasses and overpasses, particularly near schools and child care centres.

Note

Councillor P Esber left the meeting at 9.52pm during consideration of this matter.

11.2 SUBJECT Schedule of Council Meetings for 2015 - Possible Change to Proposed Meeting Date of 19 October 2015

REFERENCE F2004/08629 - D03882519

REPORT OF Manager LM and Councillor Support

15958 RESOLVED (Garrard/Makari)

(a) **That** the Council Meeting currently scheduled for Monday 19 October 2015 be rescheduled to Monday 12 October 2015 .

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

NOTICES OF MOTION

12.1 SUBJECT Various Transport and Traffic Issues - Junction Road, Winston Hills

REFERENCE F2015/00119 - D03875327

REPORT OF Councillor R Dwyer

15959 RESOLVED (Dwyer/Chowdhury)

(a) **That** steps be taken to arrange as soon as practicable, an onsite meeting at the corner of Junction Rd and Romulus St Winston Hills, between the State Member for Seven Hills, relevant Parramatta and Hills Shire Council staff as well as respective Ward Councillors of Parramatta Council and Hills Shire Council to discuss the following matters:

1. The poor state of the road surface throughout Junction Road Winston Hills from the corner of Romulus St up to Model Farms Rd;

2. The options available to improve the general streetscape of Junction Rd and also with a view to improving the general outlook and associated residential amenity for residents in Junction Rd Winston Hills;

3. The increasing number of M2 bus commuters parking all day in

Junction Road Winston Hills from the corner of Romulus St up to and past the corner of Croyley Drive;

4. The potential for creating dedicated parking areas for M2 bus commuters on land adjacent to the M2 roadway in Junction Rd Winston Hills as well as on land near to the rear of the Winston Hills Hotel

- (b) **That** following the proposed onsite meeting, a report be brought to Council on the outcome of the discussions held and any recommendations agreed upon at the meeting.
- (c) **Further, that** the Member for Seven Hills be requested to take a leadership role on this issue.

Note

1. **Councillor P Esber returned to the meeting at 9.53pm during consideration of this matter.**
2. **Councillor A A Wilson left the meeting at 9.54pm during consideration of this matter.**

12.2 SUBJECT Winston Hills Shopping Centre Extension - Parking
REFERENCE DA/1410/2015/JP - D03885129
REPORT OF Councillor R Dwyer
15960 RESOLVED (Dwyer/Chowdhury)

- (a) **That** Council communicate with Hills Shire Council as soon as possible seeking clarification from that Council as to whether or not the approval conditions of the extensions to the Winston Hills Shopping Centre, which occurred around 4 years ago, allowed the owner applicant to prevent shop staff members within the shopping centre from parking their cars in the dedicated customer parking areas within the Centre, thus forcing these staff members to park in surrounding residential streets located within Parramatta Local Government area
- (b) **Further, that** the outcome of this communication with Baulkham Hills be advised to Councillors by email Memorandum when received.

CLOSED SESSION

15961 RESOLVED (Shaw/Chowdhury)

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:-

13.1a Legal Matter – 65 Marion Street, Harris Park (F2015/02383) - *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.*

13.1b Legal Matter – 157 – 161 William Street, Granville. *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.*

Note

Items 9.2 and 9.3 of Economy were deferred from Open Council in accordance with section 10A (2) (g) of the Local Government Act 1993 to enable a legal issue to be discussed in respect of each issue (see minute no. 15947).

Once the relevant discussions had taken place in Closed Session, the matters were then moved back to Open Council and considered immediately after the completion of Closed Session (see Minute No.s 15967 and 15968).

Note

Councillor A A Wilson returned to the meeting at 10.09pm during discussion on this matter.

13.1a SUBJECT Legal Matter - 65 Marion Street, Harris Park
REFERENCE F2015/02383
FROM Director Strategic Outcomes and Development
 Memorandum dated 24 August 2015.

15962 RESOLVED (Chedid/Hugh)

(a) **That** Council hold an onsite meeting this Saturday at 1.30pm and the local police and local businesses be requested to attend the meeting.

(b) **Further, that** the CEO be delegated authority to undertake appropriate action following the onsite meeting and discussion with interested Councillors.

Note

Councillor J P Abood left the meeting at 10.16pm and returned at

10.17pm during consideration of this matter.

13.1b SUBJECT Legal Matter - 157 - 161 William Street, Granville
REFERENCE F2015/00774
FROM Legal Services Manager Memorandum dated 8
 September 2015

15963 RESOLVED (Issa/Wilson)

- (a) **That** Council hold a without prejudice conversation with the proponent's solicitor.
- (b) **Further, that** this matter be reported back to Council at the next Council Meeting.

OPEN COUNCIL

SUSPENSION OF STANDING ORDERS

15964 RESOLVED (Garrard/Wearne)

That Standing Orders be suspended to enable consideration of an urgent motion pertaining to 67 Meadows Street, Merrylands

The Lord Mayor declared the motion urgent.

SUBJECT 67 Meadows Street, Merrylands
REFERENCE DA/12/2015
FROM Councillor Paul Garrard

15965 RESOLVED (Garrard/Elmore)

That Council undertake to have an independent review of DA/12/2015 – 67 Meadows Street, Merrylands as it relates to Council's drainage engineers' determination and subsequent reasons for refusal pertaining to drainage and flooding issues.

RESUMPTION OF STANDING ORDERS

15966 RESOLVED (Garrard/Elmore)

That Standing Orders be resumed.

ITEM 9.2 OF ECONOMY

9.2 SUBJECT Preliminary Concept Proposal - 657-661 Victoria Road and 4-6 Wharf Road, Melrose Park (Former Bartlett Park), Melrose Park
REFERENCE RZ/6/2015 - D03787938
REPORT OF Snr Project Officer
15967 MOTION (Abood/Hugh)

That the applicant be advised to consider a Planning Proposal to be lodged with Council proposing the following:

1. Investigation of a variation to the building height with an indicative height of approximately 12 storeys subject to further detailed urban design analysis, and
2. That the current floor space ratio of 2:1 in *PLEP 2011* be retained.

AMENDMENT (Issa/Garrard)

That the applicant be advised to consider a Planning Proposal to be lodged with Council proposing the following:

1. Investigation of a variation to the building height with an indicative height of approximately 12 storeys subject to further detailed urban design analysis, and
2. That the current floor space ratio of 2:1 in *PLEP 2011* be retained subject to further detailed urban design analysis.

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

ITEM 9.3 OF ECONOMY

9.3 SUBJECT Variations to Standards under Clause 4.6 of LEP 2011, Clause 24 of LEP 2007 and SEPP 1
REFERENCE F2009/00431 - D03823247
REPORT OF Manager Development and Traffic Services
15968 RESOLVED (Elmore/Issa)

That the report be received and noted.

The meeting terminated at 10.59pm.

THIS PAGE AND THE PRECEDING 24 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 14 SEPTEMBER 2015 AND CONFIRMED ON MONDAY, 28 SEPTEMBER 2015.

Lord Mayor