

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE WENTWORTH POINT LIBRARY, 10 FOOTBRIDGE BOULEVARD, WENTWORTH POINT ON TUESDAY, 15 JUNE 2021 AT 6.30PM

PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak (6.48pm), Phil Bradley, Donna Davis, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter.

1. OPENING MEETING

The Lord Mayor, Councillor Bob Dwyer, opened the meeting at 6.31pm.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL LAND OWNERS

The Lord Mayor, acknowledged the Wanngal people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 24 May 2021

3254 RESOLVED (Tyrrell/Esber)

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

6. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

There were no apologies / requests for leave of absence made at this meeting.

7. DECLARATIONS OF INTEREST

Councillor Barrak declared a pecuniary interest in Item 17.5 – Post Exhibition – Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period, being that he owns property in the CBD Planning Proposal area. He retired from the Chamber and took no part in the debate or vote thereon.

Councillor Issa declared a non-pecuniary and less than significant interest in Item 20.3 – Occupation of the Main Building at 35 South Street Rydalmere, being that he is a volunteer coach at the Club and his child plays for the Club. He remained in the Chamber during debate and voting on the matter.

Councillor Jefferies declared a non-pecuniary and less than significant interest in Item 12.3 – 2021 Community Grants, being that he is involved in the Committees of Carlingford Netball Club and Murray Farm Public School. He remained in the Chamber during debate and voting on the matter.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Condolence Motion: Neil El-Kadomi OAM

REFERENCE F2019/03630 - D08096325

REPORT OF Lord Mayor, Councillor Bob Dwyer

3255 RESOLVED (Dwyer/Zaiter)

- (a) **That** acknowledge the passing of Neil El-Kadomi OAM, offering our condolences to his family, friends, and community.
- (b) **That** Council note a public condolence service was held on Sunday, 13 June 2021 from 7.00pm – 8.30pm at Parramatta Mosque.
- (c) **That** Council write to the Parramatta Islamic Cultural Association Inc. offering our sincere condolences on Neil El-Kadomi's passing; and
- (d) **Further, that** a minute's silence be held in the Chamber as a gesture of respect on his passing and in recognition of his dedication and contributions to the Parramatta and Western Sydney community.

Note: The Chamber observed a minute's silence.

8.2 SUBJECT Queen's Birthday 2021 Honours

REFERENCE F2019/03630 - D08096326

REPORT OF Lord Mayor, Councillor Bob Dwyer

3256 RESOLVED (Dwyer/Tyrrell)

That Council congratulate the members of and contributors to the Parramatta community, as outlined in this Minute, for their contributions and recognition in the 2021 Queen's Birthday Honours List.

8.3 SUBJECT 200 Years of Parramatta Mission
REFERENCE F2019/03630 - D08096337
REPORT OF Lord Mayor, Councillor Bob Dwyer

3257 RESOLVED (Dwyer/Wilson)

- (a) **That** Council note Parramatta Mission and the Uniting Church in Australia are currently celebrating 200 years of Parramatta Mission, including the 200th anniversary of the 1st Wesleyan Methodist Chapel and Sunday School on their Macquarie Street site in 1821.
- (b) **Further, that** Council write to Parramatta Mission and the Uniting Church in Australia to congratulate them on this significant milestone and their significant contributions to the Parramatta community.

8.4 SUBJECT Children's Medical Research Institute - Jeans for Genes Fundraising
REFERENCE F2019/03630 - D08096338
REPORT OF Lord Mayor, Councillor Bob Dwyer

3258 RESOLVED (Dwyer/Issa)

That Council donate \$10,000 to the 2021 Jeans for Genes fundraising initiative in support of the Children's Medical Research Institute at Westmead, and their world-leading research to finding treatments and cures for serious conditions affecting kids.

9. PUBLIC FORUM

9.1 SUBJECT PUBLIC FORUM: Item 17.1 - Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period

REFERENCE F2021/00521 - D08097306

SUMMARY OF PUBLIC FORUM STATEMENTS AND STAFF RESPONSES

No.	Submitter / Property	Summary of Public Forum	Council Officer's Response
1.	Clive Matthews	Queensland Arcade 181 Church St Parramatta NSW	This matter is addressed in the Council report. Refer to Appendix D of the Community Engagement Report in Item

		<p>2150 - We asked at your May meeting to have our submission moved from not supported, red to Merit for further investigation, orange.</p> <p>We did not hear back and so we are asking again. We plan on engaging Gabrielle Morrish to do a Urban Design Plan to present to council. Thank you for your consideration.</p>	<p>17.5 – specifically refer to pages 1934-1937 and pages 1949-1951 of the Council Business Paper.</p>
2.	Tony Leung	<p>Request change of red flag status to orange. We would like to keep the LEP investigation open for an extended holding time for a chance to resubmit.</p>	<p>This matter is addressed in the Council report. Refer to Appendix D of the Community Engagement Report in Item 17.5 – specifically refer to pages 1934-1937 and pages 1949-1951 of the Council Business Paper.</p>
3.	Jeanette Brokman	<p>Refer to attached document</p>	<ul style="list-style-type: none"> • Council officers prepared a high level summation and response to the issues raised in the Public Forum Submissions for Councillors at the meeting of 24 May 2021; with the original author version of the Public Forum Submission appended. • The flood consultant Molino Stewart acknowledges the date of the current Council flood data and considering the available information, regulatory framework, including the NSW Flood Prone Land Policy, Floodplain Development Manual 2005 and scope of the Parramatta CBD Planning Proposal, concludes: “... <i>that the intensification of development in the Parramatta CBD represents a tolerable risk to life and property providing that amendments are made to the Parramatta LEP 2011 and Parramatta Development Control Plan (DCP) 2011 to better manage some of the risks of flooding to life. The review has also identified opportunities for DCP amendments to be made which could result in less development restrictions in parts of the floodplain and improved building design outcomes</i>”. • The Molino Stewart report recognises and discusses the benefits and risks of different flood emergency response strategies for the Parramatta CBD, including shelter-in-place, and concludes, “<i>In the specific case of the evacuation of the Parramatta CBD the preferred SES approach (horizontal</i>

			<p><i>evacuation) would be problematic for a multitude of reasons”.</i></p> <ul style="list-style-type: none"> • The Department of Planning, Industry and Environment (DPIE) in issuing a Gateway Determination to publicly exhibit the Parramatta CBD Planning Proposal did not raise any issues with the supporting technical evidence submitted, including the draft Floodplain Risk Management Plan Update and Parramatta CBD Flood Evacuation Assessment, prepared by consultants Molino Stewart, with a High Level Evacuation Route Concept Design, prepared by Studio GL. • The current Flood Data is used to inform many activities and decisions of the Council, including Flood Application Enquiries, Development Applications and Planning Proposals; and the new Flood Data when available will inform these activities and decisions into the future, including the updating of Floodplain Risk Management Plans across the LGA, including the Parramatta CBD. • Despite numerous attempts made via the statutory requirements of the Gateway determination to invite a submission, the State Emergency Services (SES) have not made any formal submissions to date on the CBD Planning Proposal. As stated in the Council report, should the SES provide a late submission after the CBD Planning Proposal is endorsed by Council for submission to DPIE for finalisation, Council will rely on DPIE to address any matters arising from a late submission. • The letter from the SES dated 11 September 2018 cited by the author of the Public Forum Submission (in the link provided) relates to a site-specific Planning Proposal for 20 Macquarie Street, Parramatta. Despite the information quoted by the author in the letter, the amendment to the planning controls for this site were finalised by the DPIE on 1 April 2021. • Council officers have reviewed the CBD Planning Proposal against the 30 relevant Objectives in the Greater Sydney Commission’s <i>Central City District Plan</i> and found there to be no inconsistencies, as detailed in Tables 12, 13, 14 and 15 of the CBD Planning Proposal (refer to pages 1479–1486 of the Council Business Paper).
4.	Howard Robilliard / Anthony El-Azzi	Issue: Deferral of determination for 181 Church Street, Parramatta	This matter is addressed in the Council report. Refer to Appendix D of the Community Engagement Report in Item 17.5 – specifically refer to pages 1934-

		<p>What are you seeking: Deferral of the amendments to the planning instrument and controls that apply to the City Centre of Parramatta in relation to 179 and 181 Church Street, Parramatta to obtain expert advice from an urban designer, being Ms Gabrielle Morrish.</p> <p><i>“N.B. A late email in relation to this matter was provided by Mr Robillard on 15 June 2021 – copy attached”.</i></p>	<p>1937 and pages 1949-1951 of the Council Business Paper.</p>
5.	Pacific Planning – Matthew Daniel	56 Station Street East, Harris Park (Submission No. 286)	This matter is addressed in the Council report. Refer to Appendix D of the Community Engagement Report in Item 17.5 – specifically refer to pages 1947-1949 of the Council Business Paper .
6.	Pacific Planning – James Matthews	14-20 Parkes Street, Harris Park (Submission No. 284)	This matter is addressed in the Council report. Refer to Appendix D of the Community Engagement Report in Item 17.5 – specifically refer to pages 1946-1947 of the Council Business Paper .

10. PETITIONS

10.1 SUBJECT Feedback to the draft DCP Amendment

FROM Pierre Esber

A petition signed by the public was tabled at the Council Meeting and reads:

“Please sign this petition requesting a public forum to hear about the draft DCP amendment for the Telopea Precinct and the impact it has on you and your community.”

3259 Resolved (Esber/Garrard)

That the petition be received and a copy of the petition be circulated to all Councillors.

10.2 SUBJECT Save Parramatta Parks Trees

FROM Patricia Prociv

A petition signed by the public was tabled at the Council Meeting and reads:

“The new Greater Sydney Parklands, a government agency, is proposing to remove 60 mature trees at the western end of Parramatta Park for the purpose of building a car park and expanding the park's walk/cycleway.

The works are part of a project previously planned by the Parramatta Park Trust, which is now incorporated into the Western Sydney Parklands Trust under the auspice of the new Greater Sydney Parklands agency.

While there are plans to replace the trees, the removal of trees is particularly distressing for local residents and lovers of Parramatta Park. Likewise, there is significant concern about the lack of transparency and poor consultation process to date, which relies on an approval given years ago by the Heritage Council.

The removal of the trees will not only impact the park's vistas and local streetscape, but also the local urban canopy. The works will also require the removal of much-needed open space and increase traffic along local roads.

Moreover, the introduction of a car park flies in the face of the new Light Rail route that's being built just 350 metres away, which is intended to encourage the use of active and public transport.

In response, we are urging Parramatta Council to make urgent representations to the new Board of the Greater Sydney Parklands, who are now overseeing the Park, with a view to postponing the works so urgent consultation with the local community can occur.”

3260 Resolved (Proci/Pandey)

That the petition be received and a copy of the petition be circulated to all Councillors.

10.3 SUBJECT A fenced off-leash dog area, West Epping Park, Epping 2121

FROM Donna Davis

A petition signed by the public was tabled at the Council Meeting and reads:

“On behalf of the Residents and Dog Owners in Epping and surrounds, we request the Council to provide to our community a dog off leash exercise facility in originally envisaged Area 18, covering two grassy areas adjacent to the Tennis Courts. This was promised five years ago, but never completed. The area is small, but adequate.

There are no such facilities available on foot in here, except driving dogs in cars and over the bridge to North Epping.

It appears that dog ownership has significantly increased since the last year, so did the population density, and it is now the time that something should be done in this matter.”

3261 Resolved (Davis/Esber)

That the petition be received and a copy of the petition be circulated to all Councillors.

11. RESCISSION MOTIONS

Nil

12. FAIR

12.1 SUBJECT FOR NOTATION: Minutes of Audit Risk and Improvement Committee Meeting held on 25 February 2021

REFERENCE F2021/00521 - D08052188

REPORT OF Coordinator Internal Audit

3262 RESOLVED (Tyrrell/Esber)

(a) **That** Council notes the minutes of the Audit Risk and Improvement Committee meetings as provided at Attachment 1.

(b) **Further, that** Council thank Colin Gellaty, Donna Rygate, Mark McCoy and relevant Council Executives for their work over the last term of Council.

Note: Councillor Barrak arrived at 6:48pm during consideration of Item 12.1.

12.2 SUBJECT FOR APPROVAL: Council Policies for Adoption

REFERENCE F2021/00521 - D07779097

REPORT OF Governance Manager

3263 RESOLVED (Tyrrell/Esber)

That Council approve the following policies:

- Governance Framework (at Attachment 1);
- Fraud and Corruption Prevention Policy (at Attachment 2);
- Complaints Handling Policy (at Attachment 3);
- Gifts and Benefits Policy (at Attachment 4);
- Affixing the Council Seal Policy (at Attachment 5);
- Webcasting Policy (at Attachment 6);
- Business Ethics Policy (at Attachment 7);
- Public Interest Disclosures (at Attachment 8);
- Councillors Workshop & Briefing Policy (at Attachment 9);

- Legislative Compliance Policy (at Attachment 10).

12.3 SUBJECT FOR APPROVAL: 2021 Community Grants

REFERENCE F2021/00521 - D07981436

REPORT OF Community Grants Officer

3264 RESOLVED (Tyrrell/Bradley)

- (a) **That** Council adopts the expenditure recommended by the Councillor Grants Committee for the 2020-2021 Community Grants as summarised in Attachment 3.
- (b) **That** Council endorses a creative skills development grant offer of \$12,000 being made to one unsuccessful applicant in the Creative Fellowship category identified in Attachment 3 and delegates authority to the Director Parramatta Artist Studios to disburse funds to those who meet the requirements detailed in paragraph 12 of this report.
- (c) **That** Council notes the status of grants made in the quarterly Community Grants program and Parramatta Representative Sports Grant as summarised in Attachment 2.
- (d) **That** \$40,000 of unallocated funds from the 2021 Community Grants budget be rolled over to the 2021/2022 Financial Year Community Grants budget, with at least \$10,000 being allocated to the Representative Sports Grant program.
- (e) **Further, that** Council notes that a further report will follow with the results of the review of the Sport and Recreation Grants and Representative Sports Grant categories.

12.4 SUBJECT FOR APPROVAL: Major Projects Advisory Committee (MPAC) Membership

REFERENCE F2014/00413 - D08036731

REPORT OF Business Governance Officer

3265 RESOLVED (Esber/Tyrrell)

- (a) **That** Council extend the membership of Gavin Zimmerle until 1 September 2024.
- (b) **That** Council approve an expression of interest for the appointment of the vacant position in the Major Projects Advisory Committee (MPAC).
- (c) **That** Council approve the appointment of an evaluation panel to assess the expressions of interest, consisting of:
 - 1 The Chief Executive Officer (CEO)

- 2 Executive Director Property & Place
- 3 Acting Chair of MPAC, Gavin Zimmerle
- 4 Group Manager Property Development
- 5 Executive Director Community Services (Independent).

(d) **Further, that** a report be submitted to Council upon the completion of the expression of interest period for consideration of the Evaluation Panel's recommendations.

13. ACCESSIBLE

Nil

14. GREEN

Nil

15. WELCOMING

15.1 SUBJECT FOR APPROVAL: Little India Business Reference Group Update

REFERENCE F2021/00521 - D08040388

REPORT OF Acting Group Manager, City Experience

3266 RESOLVED (Issa/Wilson)

- (a) **That** the minutes of the Little India Reference Group meetings be noted.
- (b) **That** Council endorse the updated Terms of Reference, including updating the maximum number of members to eleven (11).
- (c) **That** Council endorse the continuation of the Harris Park Business Reference Group for a further six (6) month period.
- (d) **That** Council approve the use of Little India to a defined trading area of Marion St, Wigram St and Station St East in Harris Park, for both Local Businesses and Council Officers to run limited promotional and marketing activity relating to the defined trading area.
 - i. Council will provide guidelines for this purpose.
 - ii. Council will review the success of the use of Little India after 6 months and provide Council with an update and further recommendation.
- (e) **Further, that** Council review the implementation of the Reference Group after 12 months' of operation and provide Council with an update and further recommendation.

16. THRIVING

- 16.1 SUBJECT FOR APPROVAL: Better Neighbourhood Program 21/22 and 22/23
- REFERENCE F2021/00521 - D08055394
- REPORT OF Senior Project Officer Place Services
- 3267 RESOLVED (Esber/Davis)
- That** Council defer consideration of this matter for a period of two (2) weeks.
- 16.2 SUBJECT FOR APPROVAL: 6&8 Parramatta Square - Part Closure of Darcy Street, Parramatta
- REFERENCE F2021/00521 - D08064738
- REPORT OF Development Manager
- 3268 RESOLVED (Esber/Tyrrell)
- (a) **That** Council approve permanently closing part of Darcy Street, Parramatta, shown as Lot 131 coloured blue on Attachment 1, in accordance with Part 4 Division 3 of the Roads Act 1993.
- (b) **That** Council approve to classify the portion of Darcy Street being closed, shown as Lot 131 coloured blue on Attachment 1, as operational upon formal gazettal of the road closure.
- (c) **Further, that** Council delegate authority to the Chief Executive Officer to sign all documentation, including but not limited to land owner's consent, in connection with this matter.
17. INNOVATIVE
- 17.1 SUBJECT FOR NOTATION: Minutes of the 5/7 Parramatta Square Advisory Group Meeting held on 6 May 2021
- REFERENCE F2021/00521 - D08042554
- REPORT OF Business Governance Officer
- 3269 RESOLVED (Issa/Davis)
- That** Council defer consideration of this matter for a period of two (2) weeks.
- 17.2 SUBJECT FOR NOTATION: Minutes of the Smart City Advisory Committee Meeting held on 4 May 2021
- REFERENCE F2017/00685 - D08045680
- REPORT OF Project Officer

- 3270 RESOLVED (Issa/Tyrrell)
- (a) **That** Council note the minutes of the Smart City Advisory Committee meeting held on 4 May 2021 (provided at Attachment 1).
 - (b) **Further, that** Council note that the Committee supports the University of Technology Sydney in submitting an Expression of Interest to the Smart Places Acceleration Program.

17.3 SUBJECT FOR APPROVAL: Post Gateway - Draft Development Control Plan and Draft Planning Agreement for 85-91 Thomas Street, Parramatta

REFERENCE RZ/11/2016 - D08012633

REPORT OF Project Officer Land Use

3271 RESOLVED (Esber/Tyrrell)

- (a) **That** Council endorse the draft amendments to Part 4.1.9 Morton Street Precinct, Parramatta DCP 2011, introducing new site-specific controls for the land at 85-91 Thomas Street, Parramatta, as provided at Attachment 1, for the purpose of public exhibition.
- (b) **That** Council authorise the Chief Executive Officer to commence the legal drafting of a Planning Agreement in accordance with the Letter of Offer as provided in Attachment 2, and terms outlined in this report on behalf of Council for the purpose of public exhibition.
- (c) **That** the draft amendment to Part 4.1.9, Parramatta DCP 2011 and draft Planning Agreement be placed on public exhibition concurrently with the updated Planning Proposal in Attachment 3, for a period of 28 days as required by the Gateway Determination in Attachment 4 and that a report be provided to Council on the outcomes of the public exhibition.
- (d) **Further, that** Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft site-specific Development Control Plan and draft Planning Agreement documentation that may arise during the drafting and exhibition process.

DIVISION A division was called, the result being:-

AYES: Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter

NOES: Councillor Wilson

17.4 SUBJECT FOR APPROVAL: Post Exhibition - Outcomes of two Planning Proposals and three DCP amendments for various matters in Epping

REFERENCE F2021/00521 - D08025044

REPORT OF Team Leader Land Use Planning

3272 RESOLVED (Tyrrell/Davis)

- (a) **That** Council receives and notes the submissions received during the public exhibition of the East Epping and Rosebank Avenue Planning Proposals and the draft amendments to the Hornsby Development Control Plan 2013 which are summarised at Attachment 2.
- (b) **That** Council endorse for finalisation the planning proposal relating to the following various properties in East Epping (provided at Attachment 3) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- i. For sites 2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex Street:
 - Amend the zoning from R4 High Density Residential to R3 Medium Density Residential.
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply a maximum Floor Space Ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.
 - ii. For sites at 1 to 31 Rockleigh Way:
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.6:1, noting there is no existing FSR control for the sites.
 - iii. For sites at 21-29 Essex Street:
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
 - iv. For sites at 23 to 23A Pembroke Street:
 - Amend the zoning from R3 Medium Density Residential to R4 High Density Residential.
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
- (c) **That** Council endorse for finalisation the planning proposal for 1-7 and 2-8 Rosebank Avenue, Epping (provided at Attachment 4) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- i. Remove the Heritage Conservation Area notation (as it applies to these properties).

- ii. Amend the zone from R2 Low Density Residential to R4 High Density Residential.
 - iii. Amend the maximum building height from 8.5m to 11m.
 - iv. Apply a maximum FSR to 0.8:1, noting there is no existing FSR control for the sites.
- (d) **That** Council forward the East Epping and Rosebank Avenue Planning Proposals to the Department of Planning, Industry and Environment for finalisation.
- (e) **That** Council endorse for finalisation the exhibited amendments to the Hornsby Development Control Plan 2013 which seek to introduce a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment (provided at Attachment 5) and that the amendments come into effect 6 weeks from the date of the public notice of Council's decision to allow sufficient time to liaise with Hornsby Council.
- (f) **That** Council endorse for finalisation amendments to the Hornsby Development Control Plan 2013 which seek to introduce minor corrections to the Epping Town Centre car parking provisions, subject to the amendment which clarifies that the controls apply to the City of Parramatta local government area (provided at Attachment 6) and that the amendments come into effect 6 weeks from the date of the public notice of Council's decision to allow sufficient time to liaise with Hornsby Council.
- (g) That Council introduce design controls to support the Rosebank Avenue Planning Proposal to encourage an improved heritage interface with associated setbacks and planting (provided at Attachment 7), subject to the inclusion of the following amendments:-
 - i. introducing an additional control relating to location of balconies on, and requiring screening of, upper level balconies for new development on 5 and 7 Rosebank Avenue;
 - ii. introducing an additional control limiting balcony intrusions into setbacks Rosebank Avenue; and
 - iii. introducing an additional control that require the protection of existing street trees in Rosebank Avenue;with the controls to come into effect upon finalisation of the Rosebank Avenue Planning Proposal.
- (h) **That** Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposals and the Hornsby Development Control Plan 2013, including minor amendments which differentiate the controls that apply to the City of Parramatta Council and Hornsby Council local government areas.

- (i) **Further, that** Council note the advice of the Local Planning Panel (provided at Attachment 1) is consistent with the Council officer's recommendation.

DIVISION A division was called, the result being:-

AYES: Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Proxiv, Tyrrell, Wearne, Wilson and Zaiter

NOES: Nil

Note: Councillor Barrak declared a pecuniary interest and left the Chamber at 6.57pm prior to consideration of Item 17.5.

17.5 SUBJECT FOR APPROVAL: Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period (Deferred Item)

REFERENCE F2020/02047 - D08064842

REPORT OF Snr Project Officer Land Use; Team Leader –Land Use Planning

MOTION (Issa/Garrard)

(a) **That** Council note:

- (i) The submissions made in response to the public exhibition of the *Parramatta CBD Planning Proposal* (CBD PP), summarised at Attachments 12 to 15 of the Local Planning Panel (LPP) Report;
- (ii) The LPP Report at Attachment 2 to this report.

(b) **That** Council:

- (i) Approve the requested changes to the CBD PP set out in Table 1 of Attachment 1 (*'Changes that are supported (via Decision Pathway 1 - Green)'*);
- (ii) Note not making any of the requested changes to the CBD PP summarised in Table 2 of Attachment 1 (*'Changes that are not supported (via Decision Pathway 2 - Red)'*);
- (iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of Attachment 1 (*'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)'*).

(b1) **That** Council approve the inclusion in Table 3 of Attachment 1 (*'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)'*) consideration of an additional subclause in Clause 7.3 (parking) requiring the provision of parking spaces for car share vehicles in each new development.

- (b2) **That** despite parts (b) and (d) of this resolution, that Council approve the following amendments to Tables 1, 2 and 3 to Attachment 1 and changes to the CBD PP to be submitted to DPIE accordingly:
- (i) Not progress with the proposed “Phillip Street Block Street Study” and instead reinstate the draft controls for this block as per the exhibition version of the CBD PP when sending to the DPIE for finalisation (and make necessary updates to the CBD PP documentation accordingly).
 - (ii) For 60 Phillip Street, undertake further urban design investigations under Decision Pathway 3 – Orange to determine if additional bonus FSR (under the high performing buildings, unlimited commercial floor space and Opportunity Sites clauses) can potentially be achieved within the height established under the exhibition version of the CBD PP, despite its size of approximately 1,580sqm (i.e. less than the 1,800sqm normally required to meet these FSR bonuses), given this site’s unique circumstances as an isolated site bound by three public roads and the river foreshore.
 - (iii) That as part of the preparation of the Draft Parramatta CBD Development Control Plan that controls be investigated to ensure that there are separations between buildings for the Phillips Street block (referred to in (i) above) from ground level upwards and including the tower elements to maintain visual and physical connectivity between the river and the broader CBD to the south.
 - (iv) Reinstate the exhibited draft height control for the Roxy Theatre (69 George Street) of 18m when sending the CBD PP to DPIE for finalisation and undertake further investigations at a later stage (under Decision Pathway 3 – Orange), including heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the building to a larger, modern theatre venue.
- (c) **That** Council note that on 27 April 2015 and on 25 November 2019, Council approved further investigation on a number of “Planning Investigation Areas” (PIAs) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3 in paragraph 33 of this report) and that no change is required to the PIAs in response to submissions received on the CBP PP.
- (d) **That** Council approve:
- (i) The revised CBD PP (in Attachments 1 to 9 of the LPP Report); and
 - (ii) Forwarding the CBD PP to the Department of Planning, Industry and Environment (DPIE) for finalisation.
- (e) **That** Council note the application to DPIE, will also request the CBD PP amend *Parramatta Local Environmental Plan 2011* (PLEP

2011), in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.

- (f) **That** Council writes to the Secretary of DPIE seeking an exemption from the *State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021* in the B3 Commercial Core zone as this is inconsistent with the employment objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.
- (g) **That** Council:
 - (i) Approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD within 12 months; and
 - (ii) Note the plan will include a new contributions levy rate set higher than the current 3% rate, subject to feasibility testing of the levy rate.
- (h) **That** Council request DPIE not finalise the amendments to PLEP 2011 until:
 - (i) Council has exhibited and endorsed a new Section 7.12 development contributions plan for the Parramatta CBD; and
 - (ii) DPIE has amended clause 25K of the *Environmental Planning and Assessment Regulation 2000* to allow the higher Section 7.12 development contributions rate.
- (i) **Further, that** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.

AMENDMENT (Wilson/Davis)

That Council defer consideration of the Parramatta CBD Planning Proposal until the Parramatta River upper and lower flood risk management plan is completed, exhibited and accepted.

The amendment moved by Councillor Wilson and seconded by Councillor Davis on being put was declared LOST.

DIVISION A division was called, the result being:-

AYES: Councillors Bradley, Davis, Pandey, Prociv and Wilson

NOES: Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Tyrrell, Wearne and Zaiter

Note:

1. **Councillor Wilson left the Chamber at 6.59pm.**
2. **Councillor Issa left the Chamber at 7.00pm and returned at 7.03pm during consideration of Item 17.5.**

AMENDMENT (Bradley/Proxiv)

- (a) **That** Council note:
 - (i) The submissions made in response to the public exhibition of the *Parramatta CBD Planning Proposal* (CBD PP), summarised at Attachments 12 to 15 of the Local Planning Panel (LPP) Report;
 - (ii) The LPP Report at Attachment 2 to this report.
- (b) **That** Council:
 - (i) Approve the requested changes to the CBD PP set out in Table 1 of Attachment 1 (*Changes that are supported (via Decision Pathway 1 - Green)*);
 - (ii) Note not making any of the requested changes to the CBD PP summarised in Table 2 of Attachment 1 (*Changes that are not supported (via Decision Pathway 2 - Red)*);
 - (iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of Attachment 1 (*Changes that have merit for further investigation (via Decision Pathway 3 - Orange)*).
- (b1) **That** Council approve the inclusion in Table 3 of Attachment 1 (*Changes that have merit for further investigation (via Decision Pathway 3 - Orange)*) consideration of an additional subclause in Clause 7.3 (parking) requiring the provision of parking spaces for car share vehicles in each new development.
- (c) **That** Council note that on 27 April 2015 and on 25 November 2019, Council approved further investigation on a number of "Planning Investigation Areas" (PIAs) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3 in paragraph 33 of this report) and that no change is required to the PIAs in response to submissions received on the CBP PP.
- (d) **That** Council approve subject to the condition in clause (h):
 - (i) The revised CBD PP (in Attachments 1 to 9 of the LPP Report); and
 - (ii) Forwarding the CBD PP to the Department of Planning, Industry and Environment (DPIE) for finalisation.
- (e) **That** Council note the application to DPIE, will also request the CBD PP amend *Parramatta Local Environmental Plan 2011* (PLEP 2011), in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- (f) **That** Council writes to the Secretary of DPIE seeking an exemption from the *State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021* in the B3 Commercial Core zone as this is

inconsistent with the employment objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.

- (g) **That** Council:
- (i) Approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD within 12 months; and
 - (ii) Note the plan will include a new contributions levy rate set higher than the current 3% rate, subject to feasibility testing of the levy rate.
- (h) **That** Council not send the CBD PP to DPIE until:
- (i) Council has exhibited and endorsed a new Section 7.12 development contributions plan for the Parramatta CBD; and
 - (ii) DPIE has amended clause 25K of the *Environmental Planning and Assessment Regulation 2000* to allow the higher Section 7.12 development contributions rate.
- (i) **Further, that** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.

The amendment moved by Councillor Bradley and seconded by Councillor Prociv on being put was declared LOST.

DIVISION A division was called, the result being:-

AYES: Councillors Bradley, Davis, Pandey and Prociv

NOES: Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Tyrrell, Wearne and Zaiter

Note:

1. **Councillor Garrard left the Chamber at 7.14pm and returned at 7.14pm during consideration of Item 17.5.**
2. **Councillor Wilson returned to the Chamber at 7.28pm during consideration of the Item 17.5.**
3. **Councillor Garrard left the Chamber at 7.36pm and returned at 7.38pm during consideration of Item 17.5.**

The motion moved by Councillor Issa and seconded by Councillor Garrard on being put was declared CARRIED.

3273 RESOLVED (Issa/Garrard)

- (a) **That** Council note:

- (i) The submissions made in response to the public exhibition of the *Parramatta CBD Planning Proposal* (CBD PP), summarised at Attachments 12 to 15 of the Local Planning Panel (LPP) Report;
 - (ii) The LPP Report at Attachment 2 to this report.
- (b) **That** Council:
- (i) Approve the requested changes to the CBD PP set out in Table 1 of Attachment 1 (*‘Changes that are supported (via Decision Pathway 1 - Green)’*);
 - (ii) Note not making any of the requested changes to the CBD PP summarised in Table 2 of Attachment 1 (*‘Changes that are not supported (via Decision Pathway 2 - Red)’*);
 - (iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of Attachment 1 (*‘Changes that have merit for further investigation (via Decision Pathway 3 - Orange)’*).
- (b1) **That** Council approve the inclusion in Table 3 of Attachment 1 (*‘Changes that have merit for further investigation (via Decision Pathway 3 - Orange)’*) consideration of an additional subclause in Clause 7.3 (parking) requiring the provision of parking spaces for car share vehicles in each new development.
- (b2) **That** despite parts (b) and (d) of this resolution, that Council approve the following amendments to Tables 1, 2 and 3 to Attachment 1 and changes to the CBD PP to be submitted to DPIE accordingly:
- (i) Not progress with the proposed “Phillip Street Block Street Study” and instead reinstate the draft controls for this block as per the exhibition version of the CBD PP when sending to the DPIE for finalisation (and make necessary updates to the CBD PP documentation accordingly).
 - (ii) For 60 Phillip Street, undertake further urban design investigations under Decision Pathway 3 – Orange to determine if additional bonus FSR (under the high performing buildings, unlimited commercial floor space and Opportunity Sites clauses) can potentially be achieved within the height established under the exhibition version of the CBD PP, despite its size of approximately 1,580sqm (i.e. less than the 1,800sqm normally required to meet these FSR bonuses), given this site’s unique circumstances as an isolated site bound by three public roads and the river foreshore.
 - (iii) That as part of the preparation of the Draft Parramatta CBD Development Control Plan that controls be investigated to ensure that there are separations between buildings for the Phillips Street block (referred to in (i) above) from ground level upwards and including the tower elements to maintain visual and physical connectivity between the river and the broader CBD to the south.

- (iv) Reinstate the exhibited draft height control for the Roxy Theatre (69 George Street) of 18m when sending the CBD PP to DPIE for finalisation and undertake further investigations at a later stage (under Decision Pathway 3 – Orange), including heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the building to a larger, modern theatre venue.
- (c) **That** Council note that on 27 April 2015 and on 25 November 2019, Council approved further investigation on a number of “Planning Investigation Areas” (PIAs) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3 in paragraph 33 of this report) and that no change is required to the PIAs in response to submissions received on the CBP PP.
- (d) **That** Council approve:
 - (i) The revised CBD PP (in Attachments 1 to 9 of the LPP Report); and
 - (ii) Forwarding the CBD PP to the Department of Planning, Industry and Environment (DPIE) for finalisation.
- (e) **That** Council note the application to DPIE, will also request the CBD PP amend *Parramatta Local Environmental Plan 2011* (PLEP 2011), in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- (f) **That** Council writes to the Secretary of DPIE seeking an exemption from the *State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021* in the B3 Commercial Core zone as this is inconsistent with the employment objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.
- (g) **That** Council:
 - (i) Approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD within 12 months; and
 - (ii) Note the plan will include a new contributions levy rate set higher than the current 3% rate, subject to feasibility testing of the levy rate.
- (h) **That** Council request DPIE not finalise the amendments to PLEP 2011 until:
 - (i) Council has exhibited and endorsed a new Section 7.12 development contributions plan for the Parramatta CBD; and

(ii) DPIE has amended clause 25K of the *Environmental Planning and Assessment Regulation 2000* to allow the higher Section 7.12 development contributions rate.

- (i) **Further, that** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.

DIVISION A division was called, the result being:-

AYES: Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Tyrrell, Wearne and Zaiter

NOES: Councillors Bradley, Davis, Pandey, Prociv and Wilson

Note: A Notice of Motion of Rescission was received from Councillors Bradley, Davis and Prociv after the close of the meeting in relation to item 17.5.

Note: Councillor Barrak returned to the Chamber at 7.34pm following consideration of Item 17.5.

18. NOTICES OF MOTION

18.1 SUBJECT NOTICE OF MOTION: Shortage of Dog Parks in Epping Ward

REFERENCE F2021/00521 - D08079939

FROM Councillor Davis

3274 RESOLVED (Davis/Esber)

(a) **That** a report be brought to Council regarding the feasibility of a fenced off-leash dog park on the open lawn at West Epping Park (referred to on the Masterplan as #18).

(b) **Further, that** this report:

- i. notes that the West Epping Park Masterplan included the potential for a dog off-leash area on the open lawn (referred to as #18) subject to separate approval,
- ii. acknowledges that the Community Infrastructure Strategy identifies there is a lack of dedicated dog parks in Catchment 3, defined as Epping, Beecroft and Eastwood,
- iii. identifies potential funding sources for an off-leash dog park at West Epping Park including, but not limited, to planning, community consultation, detailed design and construction,
- iv. be returned to a Council meeting for consideration in the fourth quarter of 2021.

18.2 SUBJECT NOTICE OF MOTION: Newington Anglican Church
REFERENCE F2021/00521 - D08079021
FROM Councillor Issa

3275 RESOLVED (Issa/Garrard)

That a report be brought to a Council Meeting on possible locations for Newington Anglican Church's Sunday services in the Wentworth Point area, until such time as the Church can raise sufficient funds to purchase land in the area to construct a new Church.

PROCEDURAL MOTION

3276 RESOLVED (Dwyer/Esber)

That the meeting be adjourned for ten (10) minutes.

Note: The meeting was adjourned at 7:50pm for a short recess.

PROCEDURAL MOTION

3277 RESOLVED (Tyrrell/Wearne)

That the meeting resume.

The meeting resumed at 8:03pm with the following Councillors in attendance: The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson and Martin Zaiter.

18.3 SUBJECT NOTICE OF MOTION: Illegal Dumping
REFERENCE F2021/00521 - D08079611
FROM Councillor Pandey

3278 RESOLVED (Pandey/Bradley)

(a) **That** Council note:

- Illegal dumping is prevalent in the LGA;
- Illegal dumping costs the ratepayers thousands of dollars in cleanup.

(b) **That** Council:

1. Find ways to proactively minimise illegal dumping.
2. Develop strong enforcement plans to deter and punish illegal dumping.
3. Develop effective illegal dumping programs including Anti-dumping campaigns to educate and warn residents in illegal dumping hot spots.

4. Provide recommendations back to Council on how best we can deal with illegal dumping.

(c) **Further, that** the report to Council also consider developing a policy on illegal dumping.

Note:

1. **Councillor Garrard returned to the Chamber at 8:04pm during consideration of Item 18.3.**

2. **Councillor Esber left the Chamber at 8:04pm and returned at 8:08pm during consideration of Item 18.3.**

18.4 SUBJECT NOTICE OF MOTION: Removal of 60 Trees in Parramatta Park for the Construction of 130 Car Parking Spaces

REFERENCE F2021/00521 - D08078443

FROM Councillor Prociv

MOTION (Prociv/Wilson)

That Council write to the Minister for Planning, Public Spaces and the Board of Greater Sydney Parklands condemning the removal of 60 trees and passive recreation spaces by the Greater Sydney Parklands to make way for an additional 130 car parking spaces in Parramatta Park.

AMENDMENT (Bradley/)

That Council write to Greater Sydney Parklands requesting them to reconsider their design.

The amendment moved by Councillor Bradley lapsed without a seconder.

3279 Procedural Motion (Issa/Esber)

That the motion be put.

The motion moved by Councillor Prociv and seconded by Councillor Wilson on being put was declared LOST on the casting vote of the Lord Mayor.

19. QUESTIONS WITH NOTICE

Nil

Note: Prior to moving into Closed Session, the Lord Mayor invited members of the public gallery to make representations as to why any item had been included in Closed Session. No member of the gallery wished to make representations.

20. CLOSED SESSION

That 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(s) of the Local Government Act, 1993 as the items listed come within the following provisions:-

- 1 FOR APPROVAL: Tender 13/2021 Epping Road Cycleway. (D07941655) - *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 FOR APPROVAL: Exception to Procurement for ICT Upgrade pursuant to Section 55 of the Local Government ACT 1993. (D08067289) - *This report is confidential in accordance with section 10A (2) (c) (d) 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; AND 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 FOR APPROVAL: Occupation of the Main Building at 35 South Street Rydalmere. (D08024236) - *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.*
- 4 FOR APPROVAL: Expression of Interest - 40 Victoria Street, Epping (Boronia Grove Cafe & Office Spaces). (D08022406) - *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 FOR APPROVAL: Future Council Office Accommodation Options. (D08044315) - *This report is confidential in accordance with section 10A (2) (c) (d) 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; AND 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.*

20.1 SUBJECT FOR APPROVAL: Tender 13/2021 Epping Road Cycleway

REFERENCE F2021/00387 - D07941655

REPORT OF Manager Capital Projects

3281 RESOLVED (Tyrrell/Davis)

(a) **That** Council approve the appointment of the preferred tenderer for construction of the Epping Road Cycleway for the contract sum as outlined in paragraph 11 of the report.

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

(c) **Further, that** Council delegate authority to the Chief Executive Officer to finalise and execute all necessary documents.

20.2 SUBJECT FOR APPROVAL: Exception to Procurement for ICT Upgrade pursuant to Section 55 of the Local Government ACT 1993

REFERENCE F2021/00521 - D08067289

REPORT OF Business Engagement & Solutions

3282 RESOLVED (Issa/Tyrrell)

(a) **That** Council approve an exemption from tendering requirements in accordance with Section 55(3)(i) of the Local Government Act 1993, for the reasons as outlined in paragraph 12 of this report.

(b) **Further, that** Council delegate authority to the Chief Executive Officer to finalise and execute all necessary documents.

20.3 SUBJECT FOR APPROVAL: Occupation of the Main Building at 35 South Street Rydalmere

REFERENCE F2004/07854 - D08024236

REPORT OF Property Services and Space Management Manager

3283 RESOLVED (Zaiter/Tyrrell)

(a) **That** Council conduct an Expression of Interest (EOI) to seek a tenant for the Main Building at 35 South Street Rydalmere.

(b) **That** Council approve the use of the Main Building as community and recreational purposes.

(c) **That** the EOI be limited to applications for such use as stated in (b).

- (d) **That** Council approve a condition of the licence agreement being that the licensee make the Main Building available for short term hire to various groups and individuals for community and recreational uses.
- (e) **That** Council approve a condition of the licence agreement being that the short term hire available in the Main Building be consistent with Council's approved fees and charges and standard short-term hire agreement.
- (f) **That** Council approve the assessment criteria for the expression of interest as outlined in Attachment 3.
- (g) **That** Council note full market rent will unlikely be achieved due to the nature of the use being community based.
- (h) **That** Council note in accordance with Council's Lease and Licence Policy , small businesses and not for profit organisations are eligible for subsidised market rent.
- (i) **That** a further report be submitted to Council to approve a recommended licensee.
- (j) **That** the Premises in Schedule 1 is amended to include the southernmost bowling green, on the understanding that City of Parramatta has the right to terminate the inclusion of the bowling green on 6 months' notice to allow for embellishment works in accordance with the masterplan.
- (k) **Further, that** the two northern bowling greens are separately licenced on the understanding that City of Parramatta has the right to terminate the licence on 6 months' notice to allow for embellishment works in accordance with the masterplan.

20.4 SUBJECT FOR APPROVAL: Expression of Interest - 40 Victoria Street, Epping (Boronia Grove Cafe & Office Spaces)

REFERENCE F2021/00521 - D08022406

REPORT OF Space Management Officer

3284 RESOLVED (Tyrrell/Davis)

- (a) **That** Council conduct an Expression of Interest to seek a tenant to operate the new vacant café in Boronia Grove Community Centre.
- (b) **That** Council conduct an Expression of Interest to seek a tenant(s) for two office spaces in the Boronia Grove Community Centre.
- (c) **That** Council ensure any future successful applicant(s) comply with the use of the office spaces as a community facility as defined by the *Parramatta Local Environmental Plan 2011* in paragraph 13.

- (d) **That** a further report come to Council to approve a recommended tenant for the café and office spaces.
- (e) **That** Council note in accordance with Council's Lease and Licence Policy, small businesses and not for profit organisation are eligible for subsidised market rent.

20.5 SUBJECT FOR APPROVAL: Future Council Office
Accommodation Options

REFERENCE F2021/00293 - D08044315

REPORT OF Development Manager Property Development Group

3285 RESOLVED (Tyrrell/Garrard)

- (a) **That** Council resolve to not exercise the five (5) year option to extend the lease at 126 Church Street Parramatta.
- (b) **That** Council issue an expression of interest by way of a Call for Offers of Lease Proposal for suitable office accommodation, and that Council negotiate lease terms on a preferred option, conditional on Council's future approval of the recommended option.
- (c) **That** Council approve the
 - (i) workplace principles outlined in paragraph 8 of this report;
 - (ii) Accommodation Plan outlined in paragraph 9 of this report.
- (d) **That** Council receive another report by December 2021 with a recommendation for its preferred lease option (a new Council accommodation lease option). The report will outline the results of the Call for Offers of Lease Proposal, including commercial terms and an analysis of the relevant financial and operational merits of the options.
- (e) **That** Council note staff will continue to assess commercial property acquisition opportunities, for Council's administration office.
- (f) **That** if a property is assessed as potentially suitable for purchase, Council approve:
 - (i) the submission of a non-binding expression of interest
 - (ii) that a further report be received by Council outlining Due Diligence and Council's recommendation to proceed with the property acquisition.
- (g) **That** Council approve the Council Budget 21/22 be adjusted prior to finalisation and approval by Council, to include:
 - (i) up to \$879,000 for the Accommodation Plan ("Accommodation Budget")

- (ii) up to \$160,000 for Due Diligence (inclusive of Council’s initial valuation assessment (“Due Diligence Budget”);
 - (ii) note the Due Diligence Budget will be funded from property reserves and expensed against Council’s operating result as they are not eligible for capitalisation against the purchase of the asset.
- (h) **Further, that** Council endorse that Council entering into an exclusive due diligence for building referred in Paragraph 6d and report the results of that, back to the Chamber no later than 26 July 2021.

PROCEDURAL MOTION

3286 RESOLVED (Esber/Tyrrell)

That the meeting resume into Open Session.

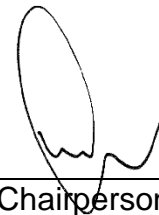
21. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Chief Executive Officer read out the resolutions for Items 20.1 to 20.5.

22. CONCLUSION OF MEETING

The meeting terminated at 9:02pm.

THIS PAGE AND THE PRECEDING 27 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 15 JUNE 2021 AND CONFIRMED ON MONDAY, 28 JUNE 2021.



Chairperson