

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD VIA
AUDIO-VISUAL MEANS ON MONDAY, 12 JULY 2021 AT 6.30PM

Note: In light of the NSW Government announcement on Saturday 26 June 2021 and the subsequent extension to the stay at home orders, the Council Meeting was held via audio-visual means.

PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak (arrived at 6:33pm), 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 6.30pm.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL LAND OWNERS

The Lord Mayor, acknowledged the Burramattagal 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.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

Nil

5. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 28 June 2021

3320 RESOLVED (Tyrrell/Garrard)

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

6. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

3321 RESOLVED (Tyrrell/Wearne)

That the request to attend the Ordinary Council Meeting dated 12 July 2021 via remote means submitted by the following Councillors due to personal reasons, be accepted:

- Councillor Barrak
- Councillor Bradley
- Councillor Davis

- Councillor Esber
- Councillor Garrard
- Councillor Issa
- Councillor Jefferies
- Councillor Pandey
- Councillor Prociv
- Councillor Tyrrell
- Councillor Wearne
- Councillor Wilson
- Councillor Zaiter

7. DECLARATIONS OF INTEREST

Note: Councillor Barrak arrived at 6:33pm during Declarations of Interest.

Councillor Barrak declared a non-pecuniary but significant interest in Item 17.2 - Post Exhibition – Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021, being that he owns a property in the CBD. He retired from the meeting and took no part in the debate or vote on the matter.

Councillor Barrak declared a non-pecuniary but significant interest in Item 17.3 - Post Exhibition – Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that he owns investment properties within the Local Government Area. He left the meeting and took no part in the debate nor vote on the matter.

Councillor Esber declared a non-pecuniary but significant interest in Item 17.3 - Post Exhibition – Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that he owns both private and investment properties within the Local Government Area. He left the meeting and took no part in the debate nor vote on the matter.

Councillor Issa declared a non-pecuniary but significant interest in Item 13.3 – Reappointment of Alternative Members for the Sydney Central City Planning Panel, being that he is a member of the Panel. He left the meeting and took no part in the debate nor vote on the matter.

Councillor Pandey declared a non-pecuniary but significant interest in Item 13.3 – Reappointment of Alternative Members for the Sydney Central City Planning Panel, being that he is a member of the Panel. He left the meeting and took no part in the debate nor vote on the matter.

Councillor Pandey declared a non-pecuniary but significant interest in Item 17.3 - Post Exhibition – Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that he owns investment properties within the Local Government Area. He left the meeting and took no part in the debate nor vote on the matter.

Councillor Wearne declared a non-pecuniary but significant interest in Item 17.3 - Post Exhibition – Finalisation of the Harmonisation Planning Proposal and Draft

Parramatta LEP following consideration of submissions received during the public exhibition period, being that she owns two properties in the Local Government Area. She retired from the meeting and took no part in the debate or vote on the matter.

Councillor Zaiter declared a non-pecuniary but significant interest in Item 13.3 – Reappointment of Alternative Members for the Sydney Central City Planning Panel, being that he is a member of the Panel. He left the meeting and took no part in the debate nor vote on the matter.

Councillor Zaiter declared a non-pecuniary but significant interest in Item 17.3 - Post Exhibition – Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that his practice provided accounting services to clients who may be impacted by this matter. He left the meeting and took no part in the debate nor vote on the matter.

Special Disclosures of Pecuniary Interest in Item 17.3

Councillor Bradley declared a Special Disclosure of Pecuniary Interest in Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that he owns a property in the Local Government Area. He remained in the meeting during debate and voting on this matter.

Councillor Davis declared a Special Disclosure of Pecuniary Interest in Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that she owns a property in the Local Government Area and has family who owns property in the Local Government Area. She remained in the meeting during debate and voting on this matter.

Councillor Dwyer declared a Special Disclosure of Pecuniary Interest in Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that he owns a property in the Local Government Area and has family who owns property in the Local Government Area. He remained in the meeting during debate and voting on this matter.

Councillor Garrard declared a Special Disclosure of Pecuniary Interest in Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that she owns a property in the Local Government Area and has family who owns property in the Local Government Area. She remained in the meeting during debate and voting on this matter.

Councillor Jefferies declared a Special Disclosure of Pecuniary Interest in Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period, being that he owns a property in the Local Government Area. He remained in the meeting during debate and voting on this matter.

Councillor Prociv declared a Special Disclosure of Pecuniary Interest in Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft

Parramatta LEP following consideration of submissions received during the public exhibition period, being that she owns a property in the LGA. She remained in the meeting during debate and voting on this matter.

Note: Councillor Barrak left the meeting at 6:36pm during Declarations of Interest.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT 2023 LGNSW Annual Conference - Expression of Interest

REFERENCE F2019/03630 - D08137618

REPORT OF Lord Mayor, Councillor Bob Dwyer

3322 RESOLVED (Dwyer/)

That Council submit an Expression of Interest prior to the 23 August 2021 deadline to host the LGNSW Annual Conference 2023.

Note: Councillor Barrak returned to the meeting at 6:38pm during consideration of Item 8.1.

8.2 SUBJECT Development of a Flag Raising Ceremony Policy

REFERENCE F2019/03630 - D08138072

REPORT OF Lord Mayor, Councillor Bob Dwyer

3323 RESOLVED (Dwyer/Zaiter)

(a) **That** Council develop a policy to provide a framework for and guide the delivery of Flag Raising Ceremonies hosted by Council and the community in the City of Parramatta.

(b) **That** in developing this Policy, Council:

- a. consult with Councillors, and local community and cultural leaders;
- b. consider a delivery model that encourages members of culturally and linguistically diverse communities and local community groups to host ceremonies;
- c. consider the genesis of each current ceremony, noting a number are legacy events;
- d. consider how the policy can be reflective and responsive to the incredibly diverse community that calls the City of Parramatta home, noting our LGA is home to residents from over 100 countries around the world who together speak more than 140 languages.

(c) **That** Council note a report on alternate locations will be coming to Council following the 28 June 2021 resolution, being:

- a. *That Council reinstate the flag raising program suspended by Council at its meeting of 24 February 2020*
 - b. *Further, that a report on alternate locations for flag raising ceremonies be provided to Council due to Centenary Square being unavailable as a result of construction works.*
- (d) **Further, that** Council note this re-instatement of the program will re-direct funding from the Ward Family Fun Day program, and that additional costs should be expected as per the 28 June 2021 staff response, noting that alternate locations require additional infrastructure to deliver the events, including infrastructure required to adhere to COVID-safe practices.

Note:

- 1. **Councillor Barrak left the meeting at 6:46pm and returned at 6:47pm during consideration of Item 8.2.**
- 2. **Councillor Prociv left the meeting at 6:49pm and returned at 6:49pm during consideration of Item 8.2.**

8.3 SUBJECT Review of the Verge Maintenance Policy

REFERENCE F2019/03630 - D08139363

REPORT OF Lord Mayor, Councillor Bob Dwyer

3324 RESOLVED (Dwyer/Davis)

- (a) **That** Council's current Verge Maintenance Policy be reviewed to identify opportunities for expanding the Policy to include addressing unsightly or overgrown verges.
- (b) **That** Council investigate the possibility of recovering the cost of verge maintenance from property owners.
- (c) **Further, that** in undertaking this review, Council consider how the Policy can empower Council's Operational Liaison Officers and Cleansing Services teams to address instances of overgrown verges where they are:
 - a. Negatively impacting the amenity and perception of our City, particularly at key entry points to our local government area and CBD;
 - b. Negatively impacting the health of our City and its residents by contributing to high pollen counts, allergy issues or potential rodent hazards; and
 - c. Negatively impacting the cleanliness of our City, trapping litter.

Note: Councillor Issa left the meeting at 6:55pm and returned at 6:56pm during consideration of Item 8.3.

8.4 SUBJECT Good Luck to Australia's Olympic and Paralympic Athletes

REFERENCE F2019/03630 - D08139961

REPORT OF Lord Mayor, Councillor Bob Dwyer

3325 RESOLVED (Dwyer/Zaiter)

That Council wish all the Australian Olympic and Paralympic athletes the best of luck as they prepare to take on the world in the Tokyo 2020 Olympic and Paralympic Games.

MATTER OF URGENCY

3326 RESOLVED (Garrard/Esber)

That a procedural motion be granted to allow consideration of a matter of urgency in relation to the City of Parramatta Council's COVID-19 Relief and Recovery Package.

The Lord Mayor ruled the matter urgent.

MOTION (Garrard/Pandey)

- (a) **That** Council commend our local doctors, nurses and health care workers for their immense efforts to stop the spread of COVID-19.
- (b) **That** Council recognise that COVID-19 is having a significant impact on the community wellbeing and economy of Parramatta, and Council has a responsibility to work with partners to mitigate the social and economic consequences of this pandemic;
- (c) **That** Council approve parts of the previous COVID-19 Relief and Recovery Package for the period of lock down as outlined.
- (d) **That** Council re-endorse:
 - a. **Rates Hardship:** Council will waive interest on late payments for Council Rates, where ratepayers satisfy the hardship criteria (as set out in the Rates Hardship Policy) – estimated cost of up to \$300,000 per year;
 - b. **Rates Hardship:** Council will put in place payment plans for late payments for Council Rates, where ratepayers suffer financial hardship and satisfy the hardship criteria (as set out in the Rates Hardship Policy): – estimated cost of up to \$450,000; per year;
 - c. **Support Takeaway Businesses:** Council will allow restaurants and takeaway businesses to provide takeaway services even if they do not have relevant approvals for takeaway services - estimated cost minimal;
 - d. **Waiver of Licence & Hire Fees:** Council will waive pre-paid and ongoing licence fees and hire fees for outdoor dining licenses, food stalls, temporary, premises, advertising, community halls, parks and community venues for the period of the shutdown – estimated cost of up to \$500,000; per year;

- e. **On Street Parking:** Council will put in place a range of measures to provide grace periods and cautions for time-limited on street parking spaces; however, Council will continue to enforce illegal parking to ensure public safety and turn over for short stay parking to support local businesses. Council will also reduce and change time limits in a number of local on street parking locations to facilitate take away services and support local businesses - estimated cost of up to \$650,000; per year;
- f. **Waiver of Rents:** Council will waive all rents for Council owned assets which are occupied by community groups, essential services and not for profit organizations - estimated cost of up to \$650,000; per year;
- g. **Buy Local:** Council will amend its tender policy to support the purchase of local good and services, where possible – estimated cost minimal.

(e) **Further,** that Council review this matter after four weeks.

AMENDMENT (Pandey/Zaiter)

That a report be presented to the 26 July Council Meeting outlining targeted options and measures for the City of Parramatta community in response to the current COVID-19 climate.

The amendment moved by Councillor Pandey and seconded by Councillor Zaiter on being put was declared CARRIED.

The amendment then became the motion.

The motion moved by Councillor Pandey and seconded by Councillor Zaiter on being put was declared CARRIED.

3327 RESOLVED (Pandey/Zaiter)

That a report be presented to the 26 July Council Meeting outlining targeted options and measures for the City of Parramatta community in response to the current COVID-19 climate.

Note: Councillor Barrak left the meeting at 7:18pm and returned at 7:20pm during consideration of the matter of urgency.

9. PUBLIC FORUM

9.1 SUBJECT PUBLIC FORUM: Item 17.3 - Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP

REFERENCE F2021/00521 - D08136845

SUMMARY OF PUBLIC FORUM STATEMENTS AND STAFF RESPONSES

No.	Submitter / Property	Summary of Public Forum	Council Officer's Response
1.	Murray Colville	Submission on behalf of Toongabbie Anglican Church regarding proposed prohibition of public places of worship within the R2 Low Density Residential Zone	Objecting to Prohibition of Places of Public workshop (POPW) in R2 zones – Issue 5 – Paragraphs 82-88. Also Local Planning Panel (LPP) recommendation in Paragraph 7.
2.	Raj Gupta	Submission on behalf of St Paul's Anglican Church regarding proposed prohibition of public places of worship within the R2 Low Density Residential Zone	Objecting to Prohibition of Places of Public workshop (POPW) in R2 zones – Issue 5 – see report Paragraphs 82-88. Also Local Planning Panel (LPP) recommendation in Paragraph 7.
3.	Michael Rowe	Submission on behalf of Anglican Church Property Trust Diocese of Sydney regarding proposed prohibition of public places of worship within the R2 Low Density Residential Zone	Objecting to Prohibition of Places of Public workshop (POPW) in R2 zones – Issue 5 – see report Paragraphs 82-88. Also Local Planning Panel (LPP) recommendation in Paragraph 7.
4.	Kai Cong	Submission regarding Application of FSR in R4 high density zones	Objecting to Proposed FSR - Issue 12 – FSR in R4 High Density zone – see report Paragraphs 126 – 135.
5.	Eugene Perchorowicz	Submission regarding site specific rezoning	Seeking site specific rezoning – see Attachment 3 to report - Submission No. 168 Response: Decision Pathway – 2: Not supported.
6.	Terry Page	Submission on behalf of residents in Simpson, Lois, Naomi Streets in Winston Hills regarding seeking dual occupancy prohibition in area	Winston Hills (east) Seeking Dual Occupancy Prohibition - Issue 1b Dual Occupancy – see report Paragraphs 35 – 38. Also LPP recommendation in Paragraph 7.
7.	Ana Vissarion	Submission regarding dual occupancy in R2 Low Density Residential Zone in Carlingford	Dual Occupancy Permissibility in Carlingford - Issue 1a Dual Occupancy – see report Paragraphs 24 – 34.

Note: Councillor Garrard left the meeting at 7:39pm during consideration of Public Forum.

10. PETITIONS

10.1 SUBJECT 37A-39 Grand Avenue, Camellia
FROM Patricia Prociv

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

“Our petition for the City of Parramatta Council to put a stop to the offensive noise at 37a -39 Grand Ave, Camellia. Together we demand that the City of Parramatta Council meet the needs of the Residents of Rydalmere by restricting the operations of Streamline Containers and FCL Transport and putting a stop to the offensive noise whilst they operate at 37a-39 Grand Avenue Camellia.”

3328 RESOLVED (Prociv/Bradley)

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

Note: Councillor Garrard returned to the meeting at 7:42pm during consideration of Item 10.1.

11. RESCISSION MOTIONS

Nil

12. FAIR

Nil

13. ACCESSIBLE

13.1 SUBJECT FOR NOTATION: Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013

REFERENCE F2021/00521 - D08097868

REPORT OF Group Manager - Development and Traffic Services

3329 RESOLVED (Tyrrell/Esber)

That the report be received and noted.

13.2 SUBJECT FOR APPROVAL: Public Exhibition of Alfred Street pedestrian and cyclist upgrade, and T-Way Cycleway re-alignment

REFERENCE F2021/00521 - D08096302

REPORT OF Senior Project Officer Transport Planning

3330 RESOLVED (Prociv/Esber)

- (a) **That** Council approve the attached draft Alfred Street pedestrian and cyclist upgrade at Attachment 1 and Attachment 2 for the purposes of exhibition.
- (b) **That** Council approve the attached draft T-Way Cycleway re-alignment at Attachment 3, for the purposes of exhibition.
- (c) **That** the draft plans be placed on exhibition for a minimum period of 28 days.
- (d) **Further, that** the outcomes of public exhibition of the plans be reported to Parramatta Traffic Committee, and in turn to Council.

Note:

- 1. Councillor Issa declared a non-pecuniary but significant interest in Item 13.3. He left the meeting at 7.42pm prior to consideration and vote on the matter.
- 2. Councillor Pandey declared a non-pecuniary but significant interest in Item 13.3. He left the meeting at 7.42pm prior to consideration and vote on the matter.
- 3. Councillor Zaiter declared a non-pecuniary but significant interest in Item 13.3. He left the meeting at 7.42pm prior to consideration and vote on the matter.

13.3 SUBJECT FOR APPROVAL: Reappointment of Alternative Members for the Sydney Central City Planning Panel

REFERENCE F2021/00024 - D08110131

REPORT OF Strategic Business Manager

3331 RESOLVED (Tyrrell/Davis)

That Council reappoint the two external experts listed below as alternative representatives for Council on the Sydney Central Planning Panel for a period of three years:

- 1 Jane Fielding
- 2 Richard Thorp.

Note:

- 1. Councillor Issa returned to the meeting at 7.45pm after the consideration of Item 13.3.
- 2. Councillor Pandey returned to the meeting at 7.45pm after the consideration of Item 13.3.
- 3. Councillor Zaiter returned to the meeting at 7.45pm after the consideration of Item 13.3.

14. GREEN

14.1 SUBJECT FOR APPROVAL: Adoption of the Heart of Play Masterplan

REFERENCE F2021/00521 - D08102731

REPORT OF Place Manager

3332 RESOLVED (Esber/Tyrrell)

- (a) **That** Council adopts the Heart of Play Masterplan as amended (Attachment 1 – Final Heart of Play Masterplan) in response to submissions received during the May 2021 public exhibition.
- (b) **That** copies of the adopted Heart of Play Masterplan be made available to the public at the City of Parramatta Library, the Dundas Branch Library and on Council's website.
- (c) **Further, that** all those who provided submissions during the public exhibition period be advised of Council's decision and thanked for their contribution to the development of the Masterplan.

15. WELCOMING

15.1 SUBJECT LATE REPORT FOR APPROVAL: 2021 Olympic Games Live Site (Deferred Item)

REFERENCE F2021/00521 - D08124471

REPORT OF Acting Group Manager, City Experience

3333 RESOLVED (Issa/Davis)

That Council take no further action.

16. THRIVING

16.1 SUBJECT FOR APPROVAL: Adoption of the Hill Road Masterplan

REFERENCE F2021/00521 - D07966053

REPORT OF Place Manager

3334 RESOLVED (Issa/Prociv)

- (a) **That** Council adopts the Hill Road Masterplan as amended (Attachment 1 -Final Hill Road Masterplan) in response to submissions received during public exhibition.
- (b) **That** copies of the adopted Hill Road Park Masterplan be made available to the public at the Wentworth Point Community Centre and Library, the City of Parramatta Library and on Council's website.
- (c) **Further, that** all those who provided submissions during the public exhibition period be advised of Councils decision and thanked for their contribution to the development of the Masterplan.

17. INNOVATIVE

17.1 SUBJECT FOR APPROVAL: Post Gateway - Draft Planning Agreement for 22 Noller Parade, Parramatta

REFERENCE F2021/00521 - D08099189

REPORT OF Team Leader LUP

3335 RESOLVED (Tyrrell/Esber)

- (a) **That** Council endorse the legal drafting of a Planning Agreement in accordance with the Letter of Offer provided in Attachment 1 to facilitate a monetary contribution of \$225,000 to Council for the purposes of contributing towards the delivery of public domain works associated with, or new connections to, the Alfred Street Bridge.
- (b) **That** the draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal for a minimum period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.
- (c) **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 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, Wilson and Zaiter

NOES: Nil

Note: Councillor Barrak declared a pecuniary interest in Item 17.2. He left the meeting at 7.48pm prior to consideration and vote on the matter.

17.2 SUBJECT FOR APPROVAL: Post Exhibition - Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021

REFERENCE F2019/00796 - D08093512

REPORT OF Team Leader Land Use Planning

3336 RESOLVED (Esber/Tyrrell)

- (a) **That** Council receives and notes the submissions made during the public exhibition of the "Draft City of Parramatta (Outside CBD)

Development Contributions Plan 2021” – a summary of submissions is provided at Attachment 1.

- (b) **That** Council endorses the Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021 Attachment 2 for finalisation with the following amendments:
 - (i) The addition of “*affordable housing or social housing by a social housing provider. If the development is mixed use, only the affordable housing/social housing component will be excluded*” as development which is exempted from this Plan, and associated amendments to Section 1.3 of the Plan to support this addition.
 - (ii) Amend works program item C02 (new local community facility, Epping) to remove reference to location of Chambers Court to not have a specified location consistent with Council’s resolution of 9 July 2018.
 - (iii) Amend works program item C01 (new hub, Epping) to change the timing for the new hub from 0 to 5 years to 0 to 10 years to align with the Civic Plaza timing and better reflect the project’s complexity.
 - (iv) Various other administrative or minor changes as outlined in Table 5 of this report.
- (c) **That** Council endorse the Plan to come into effect within 8 weeks from the date of the public notice of Council’s decision to allow sufficient time to incorporate the final Plan in Council’s systems and processes.
- (d) **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 Draft City of Parramatta (Outside CBD) Development Contributions Plan 2021 finalisation process.
- (e) **Further, that** Council authorise the Chief Executive Officer, on behalf of Council, to amend the following Council-endorsed planning agreements for the purposes of public re-exhibition (if required), in order to include provisions which require any future development approvals granted on the associated land to contribute the equivalent to what they would have paid under current development contributions plans in lieu of any other development contribution requirement that may be in place at the time the approval is granted, as follows:
 - (i) Amendment of the planning agreement for 14-16 Hill Road, Sydney Olympic Park with Sekisui House Australia Pty Ltd and SH Hill Road Development Pty Ltd to include the application of equivalent rates contained within the Auburn Development Contributions Plan 2007 (Amendment No. 1); and
 - (ii) Amendment of the planning agreement for 38-42, 44 and 44A Wharf Road, Melrose Park, 657 Victoria Road, Melrose Park and 27-29 Hughes Avenue, Ermington with Payce MP2 Pty Ltd and associated parties to include the application of

equivalent rates contained within Parramatta Section 94A Development Contributions Plan (Amendment No. 5) 2017, and that the outcomes of the re-exhibition will be reported to Council.

DIVISION	A division was called, the result being:-
AYES:	Councillors Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter
NOES:	Councillors Bradley, Wearne and Wilson

Note:

1. **Councillor Esber declared a non-pecuniary but significant interest in Item 17.3. He left the meeting at 7.54pm prior to consideration and vote on the matter.**
2. **Councillor Pandey declared a non-pecuniary but significant interest in Item 17.3. He left the meeting at 7.54pm prior to consideration and vote on the matter.**
3. **Councillor Wearne declared a non-pecuniary but significant interest in Item 17.3. She left the meeting at 7.54pm prior to consideration and vote on the matter.**
4. **Councillor Zaiter declared a non-pecuniary but significant interest in Item 17.3. He left the meeting at 7.54pm prior to consideration and vote on the matter.**

17.3 SUBJECT FOR APPROVAL: Post Exhibition - Finalisation of the Harmonisation Planning Proposal and Draft Parramatta LEP following consideration of submissions received during the public exhibition period

REFERENCE F2021/00521 - D08109213

REPORT OF Land Use Planning Manager

3337 RESOLVED (Issa/Tyrrell)

(a) **That** Council:

- (i) Note the Local Planning Panel (LPP) Report at Attachment 15 to this report and the LPP Minutes of that meeting at Attachment 16.
- (ii) Note the submissions made in response to the public exhibition of the *Parramatta Harmonisation Planning Proposal* (Harmonisation PP) as summarised at Attachments 3 to 5 including the Council officer responses.
- (iii) Endorse for the purpose of finalisation the content of the exhibited Harmonisation PP subject to the amendments described in this report which are summarised in Attachment 1 (identified as '*Changes that are supported (via Decision Pathway 1 - Green)*').
- (iv) Note the requested changes to the Harmonisation PP summarised in Attachment 1, which are recommended not to

- be supported (identified as 'Changes that are not supported (via Decision Pathway 2 - Red)');
- (v) Support further investigation of the matters set out in Attachment 1 (identified as 'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)').
 - (vi) Council prepare a separate Planning Proposal seeking to prohibit dual occupancy in Simpson Street, Lois Street and Naomi Street South, Winston Hills (by adding the properties in these streets to the areas on the Dual Occupancy Prohibition Map) and this separate Planning Proposal is pursued as a matter of urgency to minimise the amount of time when dual occupancy remains permitted in Simpson Street, Lois Street and Naomi Street South and that the CEO be delegated responsibility for endorsing the final form of the Planning Proposal documents.
 - (vii) That should any development application for dual occupancy in Simpson Street, Lois Street and Naomi Street South be lodged during the period whilst the use remains permitted, that Council not support that development application.
 - (viii) That the following be added to the table in Attachment 1 identified as "Changes that have merit for further investigation - via Decision Pathway 3 – Orange) – that Council re-examine the approach to permitting Places of Public Worship in the R2 Residential Low Density zone.
- (b) **That** Council approve forwarding the amended Harmonisation PP to the Department of Planning, Industry and Environment (DPIE) for finalisation.
- (c) **That** Council note the application to DPIE, will also request the Harmonisation PP amend *Parramatta Local Environmental Plan 2011* (PLEP 2011), in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- (d) **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 Harmonisation PP (and supporting documentation), Draft PLEP 2021 Amendment Instrument and Draft PLEP 2021 Amendment Maps. This includes the updating of property information for existing Heritage Items and existing Heritage Conservation Areas in Schedule 5 of the DPLEP.
- (e) **Further, that** all submitters be notified of Council's decision to endorse the amended *Parramatta Harmonisation Planning Proposal* (Harmonisation PP).

DIVISION A division was called, the result being:-

AYES: Councillors Bradley, Davis, Dwyer, Garrard, Issa, Jefferies, Prociv, Tyrrell and Wilson

NOES: Nil

Note:

1. Councillor Barrak returned to the meeting at 8.02pm after consideration of Item 17.3.
2. Councillor Esber returned to the meeting at 8.02pm after consideration of Item 17.3.
3. Councillor Issa retired from the meeting at 8:02pm and did not return.
4. Councillor Pandey returned to the meeting at 8.02pm after consideration of Item 17.3.
5. Councillor Wearne returned to the meeting at 8.02pm after consideration of Item 17.3.
6. Councillor Zaiter returned to the meeting at 8.02pm after consideration of Item 17.3.

18. NOTICES OF MOTION

18.1 SUBJECT NOTICE OF MOTION: Probity Checks for Chair, Alternate Chair and Independent Experts for the City of Parramatta Local Planning Panel

REFERENCE F2021/00521 - D08123513

FROM Councillor Bradley

3338 RESOLVED (Bradley/Pandey)

That Council write to the Minister for Planning and Public Spaces the Hon. Rob Stokes MP referring to his letter IRF 21/584 and asking if the probity checks also included whether the statutory declarations of each chair and expert also declared they were not a close relative or associate of a property developer or real estate agent, and if not, recommending to the Minister that this be done as soon as possible.

Note: Councillor Esber left the meeting at 8:04pm and at 8.05pm during consideration of Item 18.1.

19. QUESTIONS WITH NOTICE

Nil

20. CLOSED SESSION

3339 RESOLVED (Tyrrell/Zaiter)

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 06/2021 HR Systems. (D07985584) - *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: 2021 Community Events Grant Funding. (D08101327) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 3 FOR APPROVAL: 12-22 Langston Place, Epping - Granting of Easements and Transfer of Land. (D08097288) - *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.*
- 4 FOR APPROVAL: Charles Street Square. (D08107323) - *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 06/2021 HR Systems

REFERENCE F2020/03575 - D07985584

REPORT OF Systems Project Manager

3340 RESOLVED (Esber/Tyrrell)

- (a) **That** Council approve the appointment of the preferred proponent for the delivery of a Human Resources Management System for the contract sum outlined in paragraph 23 of this 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: 2021 Community Events Grant Funding

REFERENCE F2021/00521 - D08101327

REPORT OF Senior Event Officer

3341 RESOLVED (Tyrrell/Esber)

That Council adopts the expenditure recommended by the Councillor Grants Committee for the April 2021 round of Community Events Grants as summarised in Attachment 1.

20.3 SUBJECT FOR APPROVAL: 12-22 Langston Place, Epping -
Granting of Easements and Transfer of Land

REFERENCE DL/635/2021 - D08097288

REPORT OF Manager Property Plan & Program

3342 RESOLVED (Davis/Wearne)

That Council defer consideration of this matter to the next Council Meeting of 26 July 2021 and a Councillor Briefing and briefing note be provided to all Councillors.

20.4 SUBJECT FOR APPROVAL: Charles Street Square

REFERENCE F2019/02844 - D08107323

REPORT OF Space Management Officer

3343 RESOLVED (Tyrrell/Pandey)

- (a) **That** Council delegate authority to the Chief Executive Officer to finalise the terms and execute a Memorandum of Understanding (MoU) with Transport for NSW (TfNSW).
- (b) **That** Council delegate authority to the Chief Executive Officer to finalise the terms and execute the Funding Deed with TfNSW.
- (c) **That** Council approve the compulsory acquisition of the Water Edge Land by TfNSW as outlined in paragraph 8 of this report and delegate authority to the Chief Executive Officer to finalise the terms of the land acquisition by TfNSW.
- (d) **That** Council grant a licence to TfNSW on terms outlined in paragraphs 15 and 16 of this report and delegate authority to the Chief Executive Officer to finalise and execute the terms of the licence.
- (e) **That** Council grant a licence to Transdev on terms outlined in paragraphs 17 and 18 of this report and delegate authority to the Chief Executive Officer to finalise and execute the terms of the licence.

- (f) **That** Council approve an exemption from tender for the TfNSW and Transdev licences pursuant to section 55(3)(i) of the *Local Government Act* 1993 due to the unavailability of competitive tenderers.
- (g) **That** Council approve works to be carried out at 36 Charles Street, Parramatta at Council's costs as outlined in paragraphs 19 and 20 of this report and delegate authority to the Chief Executive Officer to negotiate and execute any agreements with the owner of 36 Charles Street, Parramatta for the Council funded works.
- (h) **That** a further report be presented to Council after the works at 36 Charles Street, Parramatta have been carried out in accordance with section 67(4) of the *Local Government Act* 1993.
- (i) **That** Council delegate authority to the Chief Executive Officer to sign and execute all documents in connection with this matter.
- (j) **Further, that** Council delegate authority to the Chief Executive Officer to seek to negotiate co-branding for the project and surrounding infrastructure with Infrastructure NSW (iNSW) and the NSW Government.

PROCEDURAL MOTION

3344 RESOLVED (Tyrrell/Esber)

That the meeting resume in open session.


21. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Chief Executive Officer read out the resolutions for Items 20.1 to 20.4.

22. CONCLUSION OF MEETING

The meeting terminated at 8:27pm.

THIS PAGE AND THE PRECEDING 18 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 12 JULY 2021 AND CONFIRMED ON MONDAY, 26 JULY 2021.



Chairperson