

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE CLOISTER FUNCTION ROOMS, ST PATRICK'S CATHEDRAL 1 MARIST PLACE, PARRAMATTA ON MONDAY, 22 NOVEMBER 2021 AT 6.30PM

PRESENT

The Lord Mayor, Councillor Steven Issa and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Bob Dwyer, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson (6:43pm), Lorraine Wearne and Martin Zaiter.

1. OPENING MEETING

The Lord Mayor, Councillor Steven Issa, opened the meeting at 6.34pm.

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.

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 8 November 2021

3579 RESOLVED (Zaiter/Jefferies)

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

6. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

3580 RESOLVED (Bradley/Zaiter)

That the request to attend the Ordinary Council Meeting dated 22 November 2021 via remote means submitted by the following Councillors due to personal reasons, be accepted:

- Councillor Barrak
- Councillor Tyrrell
- Councillor Dwyer.

7. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Lebanese National Day of Independence - 22 November 2021

REFERENCE F2021/00521 - D08324201

REPORT OF Lord Mayor, Councillor Steven Issa

3581 RESOLVED (Issa/Zaiter)

(a) **That** Council note that today, Monday 22 November, is the Lebanese National Day of Independence.

(b) **Further, that** Council acknowledge the contributions made to the life and progress of the City of Parramatta by Lebanese Australians.

8.2 SUBJECT White Ribbon Day 2021

REFERENCE F2021/00521 - D08324281

REPORT OF Lord Mayor, Councillor Steven Issa

3582 RESOLVED (Issa/Bradley)

(a) **That** Council note White Ribbon Day 2021, took place on Friday, 19 November 2021.

(b) **That** Council note the theme for White Ribbon Day 2021 was 'Learn, Give and Take Action'.

(c) **Further, that** the Chamber note City of Parramatta Council remains committed to the prevention of domestic and family violence.

9. PUBLIC FORUM

Nil

10. PETITIONS

Note: Clr Davis left the Chamber at 6:38pm and returned at 6:40pm during the

during the tabling of Petitions.

10.1 SUBJECT OatlandS Golf Club Development Proposal

REFERENCE NCA/10/2021

FROM Councillors Pierre Esber

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

“We, the residents who have signed this petition respectfully appeal to Council to support our cause in objecting to the above proposal. We are only a small portion of the residents who attended a public meeting to object to this proposal. Further names and addresses can be supplied if requested.

Our objections include the fact that a development of this scale is a blight on the environment, and will result in loss of amenity of the area. It will spoil the beautiful greenery of the golf course. Green open space is irreplaceable once it is gone; the development is not in keeping with the area which consists of single dwellings with strict height limits, the development fronts Bettington Rd which is a narrow 2 lane main local arterial road already overburdened with traffic.

The proposed development includes 5 separate blocks of units to be built on a hill close to homes that adjoin the golf course. This will have the detrimental effect of destroying the privacy of the residents and grossly overshadowing their homes.

There may be other objections that are relevant to this proposal. For the purpose of this petition, we highlight only the above objections.

We pray that Council accepts our petition and help us to stop this development.”

Note: Cllr Wilson arrived at 6:42pm during the tabling of Petitions.

3583 RESOLVED (Esber/Garrard)

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

10.2 SUBJECT Murray Farm and Carlingford West Public School

REFERENCE F2021/00052

FROM Councillor Andrew Jefferies

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

“We are the residents of the area between North Rocks Road, Jenkins Rd, Pennant Hill Road and Bradley Dr in Carlingford. According to Department of Education, our area will be excluded from the intake catchment of Murray Farm and Carlingford West Public School from Day 1 Term 1 2022, and then be taken by Roselea Public School.

This unexpected changes were published on 1 Nov 2021 and we ask you to review the decision since changes to this area are inappropriate and unfair. We request the intake assignment should be remained as it is now.

- 1. It adds great risk to students’ trips to school. We have always been within the catchment of Murray Farm and Carlingford West Public School due to the natural division of Pennant Hill Road (Cumberland Highway). Pennant Hill Road/Cumberland HWY is a very busy road, which serves a vital transmission for all trucks from/to M2. The part it run through Carlingford ranks top 3, among the roads that have the most car accidents in NSW. The new change didn’t take the geographical barrier into consideration at all.*
- 2. The NSW government has already proposed extension work on the intersection at Pennant Hill Road and North Rocks Road back in Nov 2020 as part of its \$450 million Urban Roads Congestion Program. The work is anticipated to begin in 2022. The proposed upgrade has confirmed the heavy traffic load on that intersection with 60,000 vehicles per day and with proposed extension work it will only become an even bigger hazard for our school kids to cross it every day.*
- 3. School Catchment should be designed to benefit the local community and provide not only safety and convenience to school but also to reduce traffic in the area. Although both Carlingford West an Murray farm Public School resides in the suburb of Carlingford, less than 50% of Murray farm Public catchment falls in Carlingford. With the future proposal of taking our area out, Murray Farm Public School is taking less and less students from where it sits, instead of more students from other suburbs as far as 5km away.*
- 4. The change to this area is not necessary. Murray Farm Public school doesn’t have any issue with its enrolment number, given its enrolment is very stable at around 900 students for the past 6 years and slightly down last year. Based on the new intake area, Murray Farm is taking other areas of Carlingford West Public School, but excluding us as a community with history of half a century. The result is not beneficial but only causing panic and confusion through residents.*

5. *Disrespect the history and integrity of our community. Our area has been within the old catchment since the two schools were built back to 50 years ago. We have grandmas that saw her daughter to those school. Our kids know each other from childcare, preschools, and carry their friendship all the way to local schools. School buses run right through the middle of our area and then straight into Murray Farm Public School. We support those schools for all kinds of activities, from fundraising to volunteering. We have formed a very close and effective school community lifecycle, but yet the new intake proposal is going to smash it hard.*
6. *This intake change is caused by the building of heaps of apartments within Current Carlingford West Public School catchment. However, our area is a low-density residential area and don't have any apartments or units, but we are now the ultimate scapegoat that pays the price of approving and building too many high-rising apartments.*
7. *The new intake happens abruptly and is harming family feeling. The decision wasn't published until 1 Nov, given no prior notice to family going to school next year at all. Kindly students have already packed up their bags and uniforms and now families have to replan their lives. We just recovered from the long-term lockdown and online learning and nobody is expected to be welcomed by this. Nor was the decision brought to attention via community news, P&C meeting in school or any other communicable measurement prior to changes made.*

We plead: Keep our school intake area as it is now. Please listen and stop.”

3584 RESOLVED (Jefferies/Garrard)

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

10.3 SUBJECT Gate at Farnell Avenue, Carlingford at North Rocks Park
 REFERENCE CRM2017/00005
 FROM Councillors Andrew Jefferies

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

“We, the undersigned, are concerned residents who make use of the facilities and services located at North Rocks Park. We urge Council’s Traffic Committee (including the Hills Local Area Command) to reopen the locked gate and provide community access to Farnell Avenue, Carlingford to reduce traffic delays and congestion when exiting North Rocks Park.”

3585 RESOLVED (Jefferies/Garrard)

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

11. RESCISSION MOTIONS

Nil

PROCEDURAL MOTION

3586 RESOLVED (Garrard/Zaiter)

That Items 12.1 to 12.4 be resolved en bloc.

12. FAIR

12.1 SUBJECT FOR NOTATION: Investment Report for October 2021

REFERENCE F2021/00521 - D08299471

REPORT OF Tax and Treasury Accountant

3587 RESOLVED (Garrard/Zaiter)

That Council receive the Investment Report for October 2021.

12.2 SUBJECT FOR NOTATION: Public Presentation of the 2020-2021 Annual Financial Statements

REFERENCE F2019/04433 - D07809627

REPORT OF Chief Financial Officer

3588 RESOLVED (Garrard/Zaiter)

That the 2020-2021 Annual Financial Statements, Auditor's Reports and any public submissions be received and presented to the public.

12.3 SUBJECT FOR NOTATION: Community Strategic Plan End of Term Report 2018-21

REFERENCE F2021/00521 - D08040166

REPORT OF Corporate Strategy Manager

3589 RESOLVED (Garrard/Zaiter)

That Council receive and note the End of Term Report 2018-21 on the Community Strategic Plan 2018-2038 – Butbutt yura barra ngurra.

12.4 SUBJECT FOR NOTATION: Minutes of the 5/7 Parramatta Square Advisory Group Meetings held in July, September and October 2021

REFERENCE F2021/00521 - D08278057

REPORT OF Business Governance Officer

3590 RESOLVED (Garrard/Zaiter)

That Council receive and note the minutes of the 5/7 Parramatta Square Advisory Group Meetings held on 15 July, 2 September, 16 September and 7 October 2021.

12.5 SUBJECT FOR NOTATION: NSW Veterans Strategy

REFERENCE F2021/00521 - D08281534

REPORT OF Chief People & Culture Officer

3591 RESOLVED (Pandey/Bradley)

- (a) **That** the City of Parramatta update our recruitment application process to include an optional question asking Veterans to self-identify and, include a Diversity and Inclusion Statement in our job advertisements stating our position as an inclusive employer thereby encouraging job seekers such as Veterans to apply for roles.
- (b) **That** the City of Parramatta commit to providing feedback to any Veteran that makes it to the final round of interviewing, enabling them to improve their effectiveness for future job applications as recommended by the Office for Veteran Affairs.
- (c) **That** the City of Parramatta include Veterans as a focus area in our Diversity and Inclusion Strategy and form a Veterans Employee Resource Group in 2022 to identify key initiatives and actions to increase Veteran representation in our workforce.
- (d) **That** a report be provided to Council after 12 months on the progress of the change to Council's policy and investigating available options in line with the NSW Veteran Strategy.
- (e) **Further, that** the City of Parramatta continues to support local RSLs with commemorative days and celebrations.

12.6 SUBJECT FOR NOTATION: Annual Code of Conduct Complaint Statistics returned to the Office of Local Government

REFERENCE F2021/00521 - D08303015

REPORT OF Governance Manager

3592 RESOLVED (Garrard/Zaiter)

That Council note the statistical report on Code of Conduct Complaints relating to Councillors and the Chief Executive Officer for the period 1 September 2020 to 31 August 2021.

Note: Cllr Esber left the Chamber at 6:54pm and returned at 6:55pm during the consideration of Item 12.6.

12.7 SUBJECT FOR APPROVAL: 12 Grand Avenue Boundary Adjustment

REFERENCE DA/671/2020 - D08284315

REPORT OF Property Officer

3593 RESOLVED (Prociv/Garrard)

That Council defer consideration of this matter to the first quarter of 2022.

12.8 SUBJECT FOR APPROVAL: Classification of Lot 5 DP1238944 as Operational Land

REFERENCE DA/961/2015 - D08298365

REPORT OF Manager Property Plan & Program

3594 RESOLVED (Prociv/Garrard)

That Council defer consideration of this matter to the first quarter of 2022.

12.9 SUBJECT LATE REPORT FOR APPROVAL: Adoption of the Councillors' Expenses and Facilities Policy

REFERENCE F2021/00521 - D08299844

REPORT OF Executive Officer

3595 RESOLVED (Esber/Garrard)

(a) **That** Council approve the Councillors' Expenses and Facilities Policy set out at Attachment 1 with the following clause 7.2 reinstated, as follows:

7.2 In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the CEO to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor, including where an investigation is withdrawn or closed without an adverse finding:

- (a) *The CEO may approve the reimbursement of legal costs under this clause capped at an amount of \$3,000, in consultation with the Lord Mayor;*
- (b) *Reimbursement of legal costs under clause 7.2 does not require Council approval under clause 7.5 of this policy.*

- (b) **Further, that** in adopting the *Councillors' Expenses and Facilities Policy*, it is noted that Council has taken into consideration the previous resolution of Council, legal advice, advice from the Office of Local Government, and submissions received during the public exhibition period (provided at Attachment 2).

MATTER OF URGENCY

3596 RESOLVED (Prociv/Wilson)

That a procedural motion be granted to allow consideration of a matter of urgency in relation to "Wavertree" 10 New Zealand Street, Parramatta.

The Lord Mayor ruled the matter urgent.

3597 RESOLVED (Prociv/Wilson)

- (a) **That** Council liaise with the Office of Heritage to ensure the James Houison designed "Wavertree" located at 10 New Zealand Street, Parramatta is not in a state of disrepair.

- (b) **Further, that** a report be provided to Council in February 2022 on the status of the matter.

13. ACCESSIBLE

13.1 SUBJECT FOR APPROVAL: Response to Notice of Motion – Accessibility to Council Halls

REFERENCE F2021/00521 - D08133018

FROM Property Programmer

MOTION (Pandey/Bradley)

- (a) **That** Council receive and note the feasibility report in Attachment A for the upgrade of Council Halls including stages to the current Australian Access Standards.
- (b) **That** Council approve updating the 2022/23 and 2023/24 budgets to include the recommended upgrade works as detailed in paragraphs 7 and 17.
- (c) **Further, that** Council note if the above recommendation is approved, the Local Government Regulations require the Council budget (including these capital works) be affirmed and adopted by Council prior to commencement of the relevant financial years.

AMENDMENT (Garrard/Dwyer)

That the consideration of this matter be deferred.

The amendment moved by Councillor Garrard and seconded by Councillor Dwyer was then WITHDRAWN.

AMENDMENT (Garrard/Dwyer)

- (a) **That** Council receive and note the feasibility report in Attachment A for the upgrade of Council Halls including stages to the current Australian Access Standards.
- (b) **That** Council approve updating the 2022/23 and 2023/24 budgets to include the recommended upgrade works as detailed in paragraphs 7 and 17.
- (c) **That** Council approve the allocation of \$173,000 in the relevant year of Council's budget for upgrade works at the Dundas Community Centre.
- (d) **Further, that** Council note if the above recommendation is approved, the Local Government Regulations require the Council budget (including these capital works) be affirmed and adopted by Council prior to commencement of the relevant financial years.

The amendment moved by Councillor Garrard and seconded by Councillor Dwyer on being put was CARRIED.

The amendment then became the motion.

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

3598 RESOLVED (Garrard/Dwyer)

- (a) **That** Council receive and note the feasibility report in Attachment A for the upgrade of Council Halls including stages to the current Australian Access Standards.
- (b) **That** Council approve updating the 2022/23 and 2023/24 budgets to include the recommended upgrade works as detailed in paragraphs 7 and 17.
- (c) **That** Council approve the allocation of \$173,000 in the relevant year of Council's budget for upgrade works at the Dundas Community Centre.
- (d) **Further, that** Council note if the above recommendation is approved, the Local Government Regulations require the Council budget (including these capital works) be affirmed and adopted by Council prior to commencement of the relevant financial years.

Note:

1. **The Lord Mayor vacated the Chair at 7:13pm during the consideration of Item 13.1. The Deputy Lord Mayor assumed the Chair.**
2. **The Lord Mayor resumed the chair at 7:16pm.**
3. **Councillor Davis left the Chamber at 7:16pm and returned at 7:16pm during the consideration of Item 13.1.**
4. **Councillor Garrard left the Chamber at 7:36pm during the consideration of Item 13.1.**

13.2 SUBJECT FOR APPROVAL: Minutes of the Parramatta Traffic Committee meeting held on 20 October 2021

REFERENCE F2021/00521 - D07842566

REPORT OF Traffic and Transport Manager

3599 RESOLVED (Tyrrell/Zaiter)

(a) **That** Council note the minutes of the Parramatta Traffic Committee meeting held on 20 October 2021, as provided at Attachment 1.

(b) **Further, that** Council approve the recommendations of the Parramatta Traffic Committee meeting held on 20 October 2021 provided at Attachment 1 and in this report, noting the following financial implications for each item.

i. ITEM 2110 A1 MURRAY FARM ROAD AND OAKES ROAD, CARLINGFORD – PROPOSED SPEED CUSHIONS

The cost estimate for the proposed speed cushions at all approaches to the roundabout at the intersection of Oakes Road and Murray Farm Road is \$16,000. This project is 100% funded by Federal Government's Black Spot Programs in 2021/22. Accordingly, there will not be any direct impact on Council's budgets.

ii. ITEM 2110 A2 BINALONG ROAD, TOONGABBIE – RAISE EXISTING PEDESTRIAN CROSSING AT PENDLE HILL HIGH SCHOOL

The estimated cost to upgrade the existing pedestrian crossing in Binalong Road is \$260,000. This project has received 100% funding from the Federal Government Stimulus Commitments on Road Safety Program (School Zone Infrastructure). Accordingly, there will not be any direct impact on Council's budget.

iii. ITEM 2110 A3 CAMBRIDGE STREET, EPPING – PROPOSED '6P 7:00PM TO 7:00AM MONDAY – FRIDAY' PARKING RESTRICTION

The estimated cost for the installation of signs is approximately \$2,000. The proposed works will be funded by Transport for NSW Block Grant Funds for installation and maintenance of traffic signs and line markings in 2021/22.

iv. **ITEM 2110 A4 NEWINGTON RETAIL PRECINCT – PROPOSED SPEED CUSHIONS AS PART OF THE INSTALLATION OF A ‘40KM/H HIGH PEDESTRIAN ACTIVITY AREA (HPAA)’ RESTRICTION**

The estimated cost for the installation of 40km/h High Pedestrian Activity Area (HPAA) restriction and 12 Speed Cushions and the 40km/h HPAA in Newington is \$74,627. Council has received a grant offer of \$100,000 from Federal Government’s Black Spot Program to undertake these works in 2021/22. This proposal has therefore no direct financial impact upon Council’s budget.

13.3 SUBJECT FOR APPROVAL: Minutes of the Traffic Engineering Advisory Group meeting held on 20 October 2021

REFERENCE F2021/00521 - D07842574

REPORT OF Traffic and Transport Manager

3600 RESOLVED (Zaiter/Jefferies)

(a) **That** Council note the minutes of the Traffic Engineering Advisory Group meeting held on 20 October 2021, provided at Attachment 1.

(b) **Further, that** Council approve the recommendations of the Traffic Engineering Advisory Group meeting held on 20 October 2021 provided at Attachment 1 and in this report, noting the following financial implications for each item.

i. **ITEM 2110 B1 AVENUE OF OCEANIA AT LOUISE SAUVAGE PATHWAY, NEWINGTON – PETITION FOR PEDESTRIAN CROSSING**

This report identifies that a raised pedestrian and cyclist crossing is the preferred treatment in Avenue of Oceania at Louise Sauvage Pathway, Newington. This project will be considered for future funding.

ii. **ITEM 2110 B2 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED, AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING**

There is no financial implication to Council as a result of this recommendation.

iii. **ITEM 2110 B3 OUTSTANDING WORKS INSTRUCTIONS**

Transport for NSW Block Grant funds for 2020/21 and 2021/22 have been used for these works.

iv. ITEM 2110 B4 CARTER STREET, BIRNIE AVENUE AND M4 MOTORWAY CORRIDOR, LIDCOMBE – PROPOSED SEPARATED BIKE PATHS, SHARED PATHS, CYCLIST BRIDGES, TURNING BAY, AND PEDESTRIANS AND CYCLIST FACILITIES

The total estimated cost of construction and design of this project including pedestrian and cyclist bridges is \$14,063,704. Of the total cost, \$5,000,000 is to be funded through a grant received from Department of Planning's Precinct Support Scheme (PSS) and \$3,463,997 from the Developer Contributions Plan. The remaining balance of \$5,599,707 would be required to be funded from other sources. Note that an application will be lodged with TfNSW to fund this project through the Active Transport Program for construction. It is intended to commence construction when the funding for the entire project becomes available.

However, it is to be noted that this report only seeks in principle approval for the project. A report will be referred to the Parramatta Traffic Committee prior to the construction of the project.

14. GREEN

14.1 SUBJECT FOR NOTATION: Minutes of the Floodplain Risk Management Committee meetings held on 11 May 2021, 3 August 2021 and 23 September 2021

REFERENCE F2021/00521 - D08273588

REPORT OF Senior Project Officer Waterways

3601 RESOLVED (Bradley/Zaiter)

That Council receive and note the confirmed Minutes of the 11 May 2021, 3 August 2021, and 23 September 2021 Parramatta Floodplain Risk Management Committee meetings.

14.2 SUBJECT FOR APPROVAL: West Epping Park Dog Off-Leash Area Feasibility

REFERENCE F2021/00521 - D08132009

REPORT OF Senior Open Space & Natural Area Planner

3602 RESOLVED (Davis/Wearne)

- (a) **That** Council notes that a dog off-leash area at West Epping Park is feasible to meet growing community demand and aligns with Councils strategic direction.
- (b) **That** community consultation is undertaken prior to Council declaration of a dog off-leash area in West Epping Park.
- (c) **That** the proposed West Epping Park dog off-leash area be placed on public exhibition for 28 days.
- (d) **That** property owners adjacent the proposed dog off-leash area be notified of the public exhibition.
- (e) **That** temporary signage be erected at entrances to West Epping Park advising users of the public exhibition.
- (f) **Further, that** a report be submitted to Council upon completion of the public exhibition period for further consideration and assessment of submissions.

14.3 SUBJECT FOR APPROVAL: Post Exhibition of the Sustainability Small Grants and Rebates Program

REFERENCE F2021/00521 - D08262475

REPORT OF Sustainability Officer Resource Recovery; Manager Sustainability & Waste

3603 RESOLVED (Bradley/Zaiter)

- (a) **That** Council approve the Sustainability Rebates and Small Grants Program and its implementation.
- (b) **Further, that** a report be provided to the Councillor Grants Committee in March 2022 to finalise the assessment process for the Environmental Education Grants.

14.4 SUBJECT FOR APPROVAL: The Parramatta River Plan

REFERENCE F2021/00521 - D08252792

REPORT OF Senior Project Officer - Parramatta Ways Program Manager

3604 RESOLVED (Prociv/Garrard)

That Council defer consideration of this matter to the new term of Council.

15. WELCOMING

15.1 SUBJECT FOR NOTATION: Minutes of the Riverside Advisory Board Meeting held on 29 April 2021 and 24 June 2021

REFERENCE F2021/00521 - D08238541

REPORT OF Business Manager, Riverside Theatres

3605 RESOLVED (Prociv/Garrard)

That Council note the Minutes of the Riverside Theatres Advisory Board Meetings held on 29 April 2021 and 24 June 2021 (Attachment 1 and 2).

16. THRIVING

16.1 SUBJECT FOR APPROVAL: Late Night Trading Development Control Plan seeking commencement of exhibition

REFERENCE F2021/00521 - D08264683

REPORT OF Senior Lead Strategic Projects

3606 RESOLVED (Zaiter/Davis)

- (a) **That** Council endorse the Draft Late Night Trading Development Control Plan for exhibition.
- (b) **That** at the least, the following public authorities are directly consulted during public exhibition:
 - i. Department of Planning, Industry and Environment
 - ii. Liquor & Gaming NSW
 - iii. Independent Liquor & Gaming Authority
 - iv. NSW Police
 - v. Environment Protection Agency
- (c) **That** the results of the public exhibition be reported back to Council.
- (d) **Further, that** Council delegates to the Chief Executive Officer (CEO) to make any changes of a minor, administrative and/or non-policy nature to the DCP during the drafting exhibition process.

17. INNOVATIVE

17.1 SUBJECT FOR APPROVAL: Submission on State Significant Development Application for Telopea Precinct

REFERENCE NCA/4/2021 - D08288404

REPORT OF Senior Project Officer Land Use Planning; Team Leader Land Use Planning

MOTION (Barrak/Dwyer)

- (a) **That** Council approves, for submission to the NSW Department of Planning, Industry and Environment, the submission (Attachment

1) on the Telopea State Significant Development and Environmental Impact Statement, which includes but is not limited to the following key matters:

- i. supports in principle the regeneration of Telopea and social housing stock, retail and other service facilities including the opportunity to provide a new library and open space included improvements to the public domain around the Light Rail Station;
- ii. across the entire redevelopment, seeks confirmation that the proposal will make a sufficient contribution to the local infrastructure needs to be generated by future residents and workers in the precinct, properly implements the provisions of Design Excellence as specified in the Parramatta LEP 2011 and satisfies parking, tree retention and infrastructure requirements specified in the Telopea DCP;
- iii. supports in principle Stage 1A of the Development subject to the design amendments to the proposed neighbourhood park to be dedicated to Council, including removal of basement car parking beneath;
- iv. in relation to the Concept Area (excluding Stage 1A) object to:-
 1. the proposal exceeding the FSR permitted under the Parramatta LEP 2011 and relevant State Environmental Planning Policies and height variations; and
 2. non-compliances with the Telopea DCP and Masterplan in particular those related to the road network in the Core which contribute to building heights greater than those proposed in the masterplan and setbacks and deep soil zones in both the Core and Precincts.
- v. Council objects to any approval being granted for any redevelopment of LAHC land in Telopea prior to the Planning Agreement being agreed by Council and the applicant.

(a1) **That** the submission in (a) above be endorsed subject to the following amendments:-

- i. That the submission be amended to include an objection to car parking basement access via Winter Street in the Stage 1A development and that access to basement car parking be solely via Mews Street. The reasons for this objection be stated in the submission and in addition, any commentary relating to the splitting of the basement car park be removed from the submission.
- ii. Council considers that some of the existing LAHC owned housing stock is of poor quality and in urgent need of renewal. Some of the housing stock is located within the Precincts (Stage 3) and as indicated in the EIS will not be redeveloped for more than 15 years. Council therefore requests that the applicant reconsider the staging of delivery of new housing based on current condition of the existing housing stock in Stage 3 areas.

(b) **Further, that** Council authorise the Chief Executive Officer to:

- i. make any amendments of a non-policy and administrative nature that may arise during finalisation of the Submission;
- ii. endorse the Technical Assessment which will be submitted as an attachment to the submission which provides more in-depth technical analysis to support the recommendations in the submission and technical requirements that should be part of any approval;
- iii. issue a media release and write to the relevant Ministers advising of Council's endorsed position in relation to the State Significant Development.

The motion moved by Councillor Barrak and seconded by Councillor Dwyer on being put was declared LOST.

Note: A Notice of Motion of Rescission signed by Councillors Davis, Garrard and Esber was lodged prior to the close of the meeting in relation to this matter. The matter was considered by Council prior to the conclusion of the Council Meeting.

17.2 SUBJECT FOR APPROVAL: Process of Making Submissions on Development Applications and Planning Proposals

REFERENCE F2021/00521 - D08290348

REPORT OF Strategic Business Manager

3607 RESOLVED (Garrard/Bradley)

That the following actions be undertaken to improve the information to residents when making a submission on a Development Application:

- i. Revise information on Council's website to explain what constitutes a unique submission;
- ii. Revise information on Council's website to explain the importance of unique submissions as they relate to triggers for determination of a DA by the Parramatta Local Planning Panel;
- iii. Revise information on Council's website to provide advice on how to write a unique submission;
- iv. Investigate whether a generic template can be generated to assist residents structure their submission when making an on-line submission;
- v. Revise information on Council's website to further explain how petitions and form letter submissions are counted;
- vi. Provide a report to the Policy Advisory Committee (for subsequent approval by Council) investigating appropriate policy changes on how petitions with a significant number of signatories may be counted.

Note: Cllr Davis left the Chamber at 7:49pm and returned at 7:50pm during the consideration of Item 17.2.

17.3 SUBJECT NOTE LATE REPORT FOR NOTATION: Progress Report on Parramatta Light Rail and Outdoor Dining

REFERENCE F2021/00521 - D08305795

REPORT OF Group Manager Place Services

3608 RESOLVED (Zaiter/Pandey)

That Council note the progress report outlined below on the Parramatta Light Rail and Outdoor Dining, and the impact of the proposed Metro construction on existing businesses along Church Street, Parramatta.

Note: Councillor Wearne and Councillor Wilson requested their names be recorded as having voted against the decision taken in this item.

18. NOTICES OF MOTION

Nil

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

3609 RESOLVED (Davis/Esber)

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:-

20.1 FOR APPROVAL: Tender 31/2021 Fitzwilliam Road at Binalong Road & Reynolds Street, Old Toongabbie - Traffic Control Signal (TCS) Upgrade and Associated Civil Works. (D08250889) - *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.*

20.2 FOR APPROVAL: Boronia Grove Cafe & Office Spaces - Outcome of EOI and Recommendation Report. (D08087102) - *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.

20.3 FOR APPROVAL: Lease of 358Z North Rocks Road, Carlingford & Agreement in respect of 6A Reilleys Road, Winston Hills. (D08239156) - *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.*

20.4 LATE REPORT FOR APPROVAL: CBD Outdoor Dining. (D08313924) - *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.*

PROCEDURAL MOTION

3610 RESOLVED (Davis/Esber)

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

Note: The meeting was adjourned at 7:56pm for a short recess.

The meeting resumed at 8:04pm with the following Councillors in attendance: The Lord Mayor, Councillor Steven Issa and Councillors, Benjamin Barrak, Phil Bradley, Donna Davis, Michelle Garrard (Deputy Lord Mayor), Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter.

20.1 SUBJECT FOR APPROVAL: Tender 31/2021 Fitzwilliam Road at Binalong Road & Reynolds Street, Old Toongabbie - Traffic Control Signal (TCS) Upgrade and Associated Civil Works

REFERENCE F2021/02567 - D08250889

REPORT OF Manager Capital Projects

3611 RESOLVED (Zaiter/Pandey)

(a) **That** Council approve the appointment of the preferred proponent for the Traffic Control Signal (TCS) upgrade and associated civil works in Fitzwilliam Road, at Binalong Road & Reynolds Street, Old Toongabbie, for the contract sum as outlined in paragraph 14 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: Boronia Grove Cafe & Office Spaces
- Outcome of EOI and Recommendation Report

REFERENCE F2021/00521 - D08087102

REPORT OF Space Management Officer

3612 RESOLVED (Wearne/Tyrrell)

- (a) **That** Council proceed with the submission received through the Expression of Interest for the Boronia Grove Café based on the reasons/terms outlined in paragraph sixteen (16) of this report.
- (b) **That** should the proposed applicant not proceed, the Chief Executive Officer seek a suitable tenant for the occupation of the Café space at 40 Victoria Street, Epping on terms similar to those outlined in paragraph sixteen (16) of this report.
- (c) **That** the Chief Executive Officer place the available Office Space(s) within 40 Victoria Street, Epping on Council's Booking System for general community hire.
- (d) **Further, that** delegation is given to the Chief Executive Officer (CEO) to sign all documents associated with this matter.

20.3 SUBJECT FOR APPROVAL: Lease of 358Z North Rocks Road,
Carlingford & Agreement in respect of 6A Reilleys Road,
Winston Hills

REFERENCE F2021/00521 - D08239156

REPORT OF Property Services Officer

3613 RESOLVED (Jefferies/Tyrrell)

- (a) **That** Council approve the commercial terms, as set out in paragraph 3 of this report, of a proposed lease with Vodafone, for the operation of a telecommunications facility situated at 358Z North Rocks Road, Carlingford ('Carlingford site').
- (b) **That** Council approve an exemption from tender for the Carlingford site, pursuant to section 55(3)(i) of the *Local Government Act 1993* (NSW), due to the unavailability of competitive tenderers.
- (c) **That** Council approve the commercial terms, as set out in paragraph 4 of this report, of a proposed agreement with Vodafone, for payment of compensation to Council for the operation of a telecommunications facility situated at 6A Reilleys Road, Winston Hills.

- (d) **Further, that** Council delegate authority to the Chief Executive Officer to negotiate all other terms and conditions and execute all necessary documents associated with these matters.

20.4 SUBJECT LATE REPORT FOR APPROVAL: CBD Outdoor Dining
REFERENCE F2021/00521 - D08313924
REPORT OF Place Manager

3614 RESOLVED (Zaiter/Pandey)

- (a) **That** Council approve Project 1 as outlined at paragraph 20(a) and allocate a budget of \$1,060,000 from the CBD Infrastructure Reserve.
- (b) **That** Council approve Project 2 as outline at paragraph 20(b) and allocate a budget of \$990,000 from the CBD Infrastructure Special Rate.
- (c) **That** Council note Projects 1 & 2 cannot commence until Transport NSW provide the 'as built' drawings in order to determine the precise location and exact number of blinds, lights and heaters to be installed on those structures.
- (d) **Further, that** Council note a report outlining detailed scope, funding and delivery plan for Project 3 and Project 4 as outlined in paragraphs 20(c) and (d) will be submitted to Council for consideration in 2022.

Note:

1. **Councillor Wearne and Councillor Davis requested their name be recorded as having voted against the decision taken in this item.**
2. **Note: Clr Esber returned to the Chamber at 8:09pm during consideration of Item 20.4.**

PROCEDURAL MOTION

3615 RESOLVED (Bradley/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 20.4.

SUBJECT RESCISSION MOTION: Item 17.1 Submission on State Significant Development Application for Telopea Precinct

REFERENCE NCA/4/2021 - D08288404

REPORT OF Senior Project Officer Land Use Planning; Team Leader
Land Use Planning

3616 RESOLVED (Davis/Garrard)

That a procedural motion be granted to allow consideration of a matter of urgency to re-consider Item 17.1 Submission on State Significant Development Application for Telopea Precinct.

The Lord Mayor ruled the matter urgent.

3617 RESOLVED (Garrard/Davis)

(a) **That** Council approves, for submission to the NSW Department of Planning, Industry and Environment, the submission (Attachment 1) on the Telopea State Significant Development and Environmental Impact Statement, which includes but is not limited to the following key matters:

- i. supports in principle the regeneration of Telopea and social housing stock, retail and other service facilities including the opportunity to provide a new library and open space included improvements to the public domain around the Light Rail Station;
- ii. across the entire redevelopment, seeks confirmation that the proposal will make a sufficient contribution to the local infrastructure needs to be generated by future residents and workers in the precinct, properly implements the provisions of Design Excellence as specified in the Parramatta LEP 2011 and satisfies parking, tree retention and infrastructure requirements specified in the Telopea DCP;
- iii. supports in principle Stage 1A of the Development subject to the design amendments to the proposed neighbourhood park to be dedicated to Council, including removal of basement car parking beneath;
- iv. in relation to the Concept Area (excluding Stage 1A) object to:-
 1. the proposal exceeding the FSR permitted under the Parramatta LEP 2011 and relevant State Environmental Planning Policies and height variations; and
 2. non-compliances with the Telopea DCP and Masterplan in particular those related to the road network in the Core which contribute to building heights greater than those proposed in the masterplan and setbacks and deep soil zones in both the Core and Precincts.
- v. Council objects to any approval being granted for any redevelopment of LAHC land in Telopea prior to the Planning Agreement being agreed by Council and the applicant.

(a1) **That** the submission in (a) above be endorsed subject to the following amendments:-

- i. That the submission be amended to include an objection to car parking basement access via Winter Street in the Stage

- 1A development and that access to basement car parking be solely via Mews Street. The reasons for this objection be stated in the submission and in addition, any commentary relating to the splitting of the basement car park be removed from the submission.
- ii. Council considers that some of the existing LAHC owned housing stock is of poor quality and in urgent need of renewal. Some of the housing stock is located within the Precincts (Stage 3) and as indicated in the EIS will not be redeveloped for more than 15 years. Council therefore requests that the applicant reconsider the staging of delivery of new housing based on current condition of the existing housing stock in Stage 3 areas.
- (b) **Further, that** Council authorise the Chief Executive Officer to:
- i. make any amendments of a non-policy and administrative nature that may arise during finalisation of the Submission;
 - ii. endorse the Technical Assessment which will be submitted as an attachment to the submission which provides more in-depth technical analysis to support the recommendations in the submission and technical requirements that should be part of any approval;
 - iii. issue a media release and write to the relevant Ministers advising of Council's endorsed position in relation to the State Significant Development.

Note: Councillor Dwyer returned to the Chamber at 8:33pm during consideration of Item 17.1.

Note: Councillor Tyrrell retired from the meeting at 8:51pm.

PROCEDURAL MOTION

3618 RESOLVED (Wilson/Garrard)

That a procedural motion be granted to allow consideration of a matter of urgency allowing Councillors to thank the Chamber and staff for their collective and individual support over last four (4) years.

The Lord Mayor ruled the matter urgent.

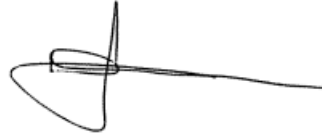
3619 RESOLVED (Garrard/Wilson)

That Council thank the Chamber and staff for their collective and individual support over the last four (4) years.

22. CONCLUSION OF MEETING

The meeting terminated at 8:56pm.

THIS PAGE AND THE PRECEDING 22 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 22 NOVEMBER 2021 AND CONFIRMED ON MONDAY, 7 FEBRUARY 2022.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Chairperson