



# **CITY OF PARRAMATTA**

## **MINUTES**

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**Ordinary Council Meeting  
Tuesday, 11 June 2024  
6.30pm**

**Council Chamber  
Level 4, PHIVE  
Parramatta Square, Parramatta**

## **PRESENT - COUNCILLORS**

The Lord Mayor, Councillor Pierre Esber and Councillors Phil Bradley, Kellie Darley, Michelle Garrard, Henry Green, Ange Humphries, Cameron MacLean, Paul Noack (online) Sameer Pandey, Dan Siviero, Georgina Valjak (online), Donna Wang and Lorraine Wearne.

## **PRESENT – STAFF**

Chief Executive Officer - Gail Connolly, Executive Director City Engagement and Experience - Angela Jones-Blayney, Executive Director City Assets & Operations - George Bounassif, Acting Executive Director Finance and Information - Amit Sharma, Acting Executive Director City Planning and Design - Robert Cologna, Acting Executive Director Community and Culture - David Moutou, Group Manager Office of the Lord Mayor and CEO - Roxanne Thornton, Chief People, Culture and Performance Officer - Brendan Clifton, Chief Information Officer and Acting Chief Governance and Risk Officer - John Crawford, Group Manager Communications & Customer Engagement - Sally White, Group Manager Infrastructure Grants and Major Projects - James Smallson, Group Manager Environment & Sustainability – Anthony Collins, Group Manager Project Delivery - Boz Lukin, Community Capacity Building Manager - Rodrigo Gutierrez, Group Manager Infrastructure Planning and Design - Anthony Newland, ICT Service and Delivery Manager - Ian Vong, Stormwater Management Coordinator - Paul Hackney, Riverside Theatre Director - Craig McMaster, Supervisor Catchment Management - James Tsom, Council Secretariat and Policy Officer - Marina Cavar, Senior Policy & Advocacy Adviser – Renee Attard, Business Manager - Michelle Samuel.

### **1. OPENING MEETING**

The Lord Mayor, Councillor Esber, opened the meeting at 6.32pm.

### **2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND**

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

### **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. GENERAL 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.

Note: Councillor Darley arrived to the meeting at 6.33pm.

#### 5. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

**RESOLVED:** Councillor MacLean and Councillor Humphries

- (a) That an apology be accepted on behalf of Deputy Lord Mayor Councillor Prociv and a leave of absence be granted.
- (b) That Councillors Noack and Valjak be permitted to attend the meeting via Audio Visual Link.

**Record of Voting:**  
**CARRIED**

#### 6. CONFIRMATION OF MINUTES

##### **Minutes of the Council Meeting held on 27 May 2024**

4733 **RESOLVED:** Councillor MacLean and Councillor Humphries

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

With the need to make the following amendment;

- Councillor Henry Green to be added to the attendance record.

**Record of Voting:**  
**CARRIED**

#### 7. DISCLOSURES OF INTEREST

**Lord Mayor, Councillor Esber** disclosed a Pecuniary Interest in Item **16.1 – DEFERRED FROM OCM 27 May 2024 - Adoption of the Parramatta Flood Study** for the reason that he owns a property in the study area. Lord Mayor, Councillor Esber will not remain in the meeting and will not take part in the consideration and voting on this item.

**Councillor Green** disclosed a Pecuniary interest in Item **16.1 - DEFERRED FROM OCM 27 May 2024 - Adoption of the Parramatta Flood Study**, for the reason that he owns a property in the study area. Councillor Green will not remain in the meeting and will not take part in the consideration and voting on this item.

**Councillor Pandey** disclosed a Pecuniary interest in Item **16.1 - DEFERRED FROM OCM 27 May 2024 - Adoption of the Parramatta Flood Study** for the reason that he owns a property in the study area. Councillor Pandey will not remain in the meeting and will not take part in the consideration and voting on this item.

**Councillor Green** disclosed a Pecuniary interest in Item **14.1 Update of James Hardie Sites** for the reason that he is a James Hardie shareholder. Councillor Green will not remain in the meeting and will not take part in the consideration and voting on this item.

## **8. MINUTES OF THE LORD MAYOR**

### **8.1 Proposal to Recognise the service of Ray and Shirley Wehbe**

(Lord Mayor, Councillor Pierre Esber)

4734 **RESOLVED:** The Lord Mayor, Councillor Esber and Councillor Garrard

That Council authorise the Lord Mayor and Chief Executive Officer to identify and assess options for naming a suitable location or asset after Ray and Shirley Wehbe, longstanding local philanthropist and pillar of the Lebanese community in City of Parramatta.

**Record of Voting:**

**CARRIED**

### **8.2 Acknowledging the Service of Parramatta Memorial Swimming Club President, Mr Peter Ayoub**

(Lord Mayor, Councillor Pierre Esber)

4735 **RESOLVED:** Lord Mayor, Councillor Esber and Councillor Garrard

(a) That Council note that Mr Peter Ayoub stepped down from his role as President of Parramatta Memorial Swimming Club (PMSC) on 23 May 2024 after 31 years of service as a member of PMSC.

(b) That the Lord Mayor write to Mr Ayoub congratulating him on his exemplary service as President of Parramatta Memorial Swimming Club for 20 years and his contribution to the community and the City of Parramatta.

**Record of Voting:**

**CARRIED**

### **8.3 Turbans 4 Australia Inc - Food Relief Donation**

(Lord Mayor, Councillor Pierre Esber)

4736 **RESOLVED:** Lord Mayor, Councillor Esber and Councillor Garrard

(a) That Council recognises the exceptional service of the Turbans 4 Australia Inc volunteers who continue to go above and beyond in supporting and caring for vulnerable and isolated communities.

- (b) That the City of Parramatta donate \$5,000 to the Turbans 4 Australia Inc registered charity to support its local food relief program for families in need.
- (c) That in light of the two drownings at Kurnell on the weekend, the Lord Mayor reach out to Turbans 4 Australia Inc to pass on condolences on behalf of Council, noting that both of the deceased were members of the Turbans 4 Australia Community.

**Record of Voting:**  
**CARRIED**

#### 8.4 **International Make Music Day in City of Parramatta**

(Lord Mayor, Councillor Pierre Esber)

4737 **RESOLVED:** Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council acknowledge City of Parramatta's 'Best of the West: Battle of the Bands' competition and 'Pass the Mic' event to be held on Make Music Day on 21 June 2024, an annual international celebration of music and its creative power to unite people everywhere.
- (b) That Council congratulate the finalists and winner of the 'Best of the West: Battle of the Bands' competition, noting that the winner will receive a recording session with a Western Sydney producer, the opportunity to perform their own set during Parramatta Lanes and have their track played on Sydney's FBi Radio (94.5FM).
- (c) That Council commend all staff involved for successfully empowering Parramatta's young people with opportunities to make their artistic debut, aligning with Parramatta's Youth Inclusion Framework.

**Record of Voting:**  
**CARRIED**

#### 8.5 **Congratulations on Winning NSW Local Government Professionals Excellence Award**

(Lord Mayor, Councillor Pierre Esber)

**RESOLVED:** Lord Mayor, Councillor Esber and Councillor Garrard

- (a) That Council congratulate City of Parramatta Council staff on winning the 'People, Workplace, Wellbeing with a Population over 150,000' Award at the 2024 NSW Local Government Professionals Excellence Awards for its 'People Connect HR System Transformation Project'.
- (b) That Council recognise that City of Parramatta's 2023 'Health & Wellbeing Action Plan' was also nominated as finalist in the same category.

- (c) That Council commend the Council staff involved in these excellent projects on their outstanding efforts.

**Record of Voting:**  
**CARRIED**

## 8.6 Kings Birthday Honours in City of Parramatta

(Lord Mayor, Councillor Pierre Esber)

4738 **RESOLVED:** Lord Mayor, Councillor Esber and Councillor MacLean

- (a) That Council congratulate current and former members of the Parramatta community and those who have made significant contributions to the City of Parramatta who have been recognised in the 2024 King's Birthday Honours list, namely:
- a. Ms Anne Maree STANFIELD AM of Northmead
  - b. Mr Raymond Hunter KIDD OAM of Beecroft
  - c. Mrs Diana Margaret KIDD OAM of Beecroft
  - d. Reverend Dr Graham Joseph HILL OAM of Epping
  - e. Mrs Penelope Elizabeth GILLIES OAM of Epping
  - f. Mr Henry Leonard JONES OAM of Eastwood
  - g. Ms Judith Kathleen KING OAM of Eastwood
  - h. Ms Anne Elizabeth TUNKS OAM of Wentworth Point
  - i. Mrs Marie-Louise Marisa PREVITERA OAM of Greystanes
  - j. Mrs Kerrye Suzanne KATZ OAM of Northmead
- (b) That Council congratulate notable members of the community recognised for service to local government in the 2024 King's Birthday Honours list, including:
- a. Ms Wendy Jean WALLER OAM
  - b. The Honourable Shelley Elizabeth HANCOCK OAM
- (c) That the Lord Mayor write to award recipients acknowledging their contributions and congratulating them on their recognition in the Order of Australia King's Birthday Honours.

**Record of Voting:**  
**CARRIED**

## 9. PUBLIC FORUM

	Speaker	Report No.	Report Title
1.	Tony Khoury (read out by staff)	14.1	Update on James Hardies Sites

Note: All Councillors were provided with a copy of the Public Forum submission prior to the Council Meeting.

**PROCEDURAL MOTION  
SUSPENSION OF STANDING ORDERS  
ORDER OF BUSINESS AND DEALING WITH MATTERS BY EXCEPTION**

**RESOLVED:** Councillor MacLean and Councillor Garrard

- (a) That in accordance with Clause 8.2 of Council's Code of Meeting Practice, that Council amend the Order of Business for this meeting to allow for the consideration of the following items prior to any other business on the agenda.
- Item 13.9 Wentworth Point Playground and Social Space
  - Item 14.1 Update on James Hardie Sites
  - Item 16.1 Adoption of the Parramatta River Flood Study
- (b) That in accordance with Section 13 of Council's Code of Meeting Practice, Council resolve to adopt the following items in accordance with the recommendations as printed, without debate;
- Item 13.4 Public Exhibition of Draft Pensioner Rates Rebate Policy 2024
  - Item 13.5 Approval of Scope of Works – Bennelong Parkway Bridge and Connecting Paths Project, Wentworth Point
  - Item 13.7 Adoption of Social Sustainability Strategy 2024 -2033
  - Item 15.1 Annual Fire Safety Statements and Fire Safety in City of Parramatta
  - Item 15.3 Questions Taken on Notice at the 27 may 2024 Council Meeting
  - Item 16.2 Riverside Theatres – Appointment of Lead Architect

**Record of Voting:  
CARRIED**

13.9 **Wentworth Point Playground and Social Space**  
(Project Officer)

4739 **RESOLVED:** Councillor Noack and Councillor Siviero

- (a) That Council approve a contribution of \$200,000 from the Better Neighbourhoods Program (BNP) FY23/24 budget allocation to Billbergia (for the purpose of exercising Council's functions) for the delivery of a temporary playground and social space for community use in the 'Town Square' located at Wentworth Place and Footbridge Boulevard, Wentworth Point 2127;
- (b) That Council enter into an agreement for Billbergia to deliver and maintain the project on its land for a minimum period of two years as part of its temporary development of the Town Square, and require the play equipment to be returned to Council at the completion of the project;
- (c) That Council endorse the concept design plan proposed by Billbergia at Attachment 1; and

- (d) That Council delegate authority to the Chief Executive Officer to finalise and execute all legal and other necessary documents.

**Record of Voting:**  
**CARRIED**

Note: Councillor Wang left the meeting at 7.07pm.

Note: Due to Councillor Green disclosing a Pecuniary interest in the following item (Item 14.1: Update on James Hardie Sites), Councillor Green left the meeting at 7.07pm.

14.1 **Update on James Hardie Sites**  
(Councillor Kellie Darley)

4740 Note: Councillor Green disclosed a Pecuniary interest in this Item and he did not participate in the consideration or voting on the matter.

**MOTION:** Councillor Darley and Councillor MacLean

- (a) That Council provide an update on the remediation program for James Hardie legacy sites, including work done to date, projected schedule of work remaining and cost of the remediation program.
- (b) That the Lord Mayor and CEO advocate to the NSW Premier, State Member for Parramatta and relevant Ministers for the NSW Government to cover the expense of remediating James Hardie legacy sites in the City of Parramatta as recommended by the NSW Ombudsman report “Asbestos - How NSW government agencies deal with the problem - A Special Report to Parliament” (April 2017).
- (c) That the Lord Mayor and the CEO meet with James Hardie CEO to discuss the ongoing impact of asbestos contamination across the City of Parramatta and request their assistance with the remediation of the James Hardie legacy sites.
- (d) Further, that following this advocacy, the CEO provide a report to Council by the end of 2024 on funding sources for the remediation of all known James Hardie legacy sites in the Parramatta LGA.

**AMENDMENT:** Councillor Garrard and Councillor Wearne

That Council provide a report on the remediation program for James Hardie legacy sites, including work done from 2005 to date, projected schedule of work remaining and cost of the remediation program.



**Record of Voting:  
CARRIED**

On being PUT to the meeting Voting on the Amendment was ten (10) votes FOR and one (1) vote AGAINST. The Amendment became the Motion.

**RESOLVED:** Councillor Garrard and Councillor Wearne

That Council provide a report on the remediation program for James Hardie legacy sites, including work done from 2005 to date, projected schedule of work remaining and cost of the remediation program.

**Record of Voting:  
CARRIED**

Councillor Darley requested that she be recorded as a vote AGAINST the above resolution.

Note: Due to Councillor Pandey disclosing a Pecuniary interest in the following item (Item 16.1: DEFERRED FROM OCM 27 May 2024 - Adoption of the Parramatta River Flood Study), Councillor Pandey left the meeting at 7.51pm.

Note: Due to the Lord Mayor, Councillor Esber disclosing a Pecuniary interest in the following item (Item 16.1: DEFERRED FROM OCM 27 May 2024 - Adoption of the Parramatta River Flood Study), the Lord Mayor, Councillor Esber vacated the Chair left the meeting at 7.51pm.

Note: With the departure of the Lord Mayor, Councillor Esber from the meeting and the absence of the Deputy Lord Mayor, Councillor Prociv, the Chief Executive Officer conducted an election for the position Chairperson.

**PROCEDURAL MOTION  
ELECTION OF CHAIRPERSON**

The following Councillors were nominated to assume the position of Chair;

- Councillor Wearne – Nominated by Councillor Garrard
- Councillor MacLean – Nominated by Councillor Humphries

Councillor Wearne received four (4) votes from Councillors Garrard, Siviero, Valjak and Wearne.

Councillor MacLean received five (5) votes from Councillors Bradley, Darley, Humphries, MacLean, and Noack.

Councillor MacLean was elected as Chairperson and assumed the Chair at 7.53pm

## PROCEDURAL MOTION MOVE TO CLOSED SESSION

**RESOLVED:** Councillor Bradley and Councillor Darley

That at this time of the meeting, being 7.53pm, the Chairperson, Councillor MacLean advised that the meeting would move into Closed Confidential Session to allow consideration of matters in Closed Session in accordance with Section 10A of the *Local Government Act 1993*. Accordingly, members of the press and public are excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the Closed Session will be withheld.

This action is taken to discuss:

**Item 16.1 DEFERRED FROM OCM 27 May 2024 - Adoption of the Parramatta River Flood Study** (Stormwater Management Coordinator)

*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.*

Note: Council moved into closed session at 7.53pm

## CLOSED SESSION

Note: Councillor Wang returned to the meeting at 8.00pm.

16.1 **DEFERRED FROM OCM 27 MAY 2024 - Adoption of the Parramatta River Flood Study**  
(Stormwater Management Coordinator)

4741 Note: Lord Mayor, Councillor Esber disclosed a Pecuniary interest in this Item and he did not participate in the consideration or voting on the matter.

Note: Councillor Green disclosed a Pecuniary interest in this Item and he did not participate in the consideration or voting on the matter.

Note: Councillor Pandey disclosed a Pecuniary interest in this Item and he did not participate in the consideration or voting on the matter.

**MOTION:** Councillor Bradley and Councillor Darley

(a) That Council adopt the Parramatta River Flood Study 2024 as shown at Attachment 1.

(b) That the CEO notify the community of the adoption of the Flood Study and make copies available on the website and via the usual communication channels.

- (c) That Council immediately commences the development of the Floodplain Risk Management Study and Plan.
- (d) That the adopted Parramatta River Flood Study 2024 is continuously reviewed when major changes occur in the catchment or every 5 years in accordance with DCCEEW recommended guidelines

**AMENDMENT:** Councillor Garrard and Councillor Wearne

- (a) That Council adopt the Parramatta River Flood Study 2024 as shown at Attachment 1.
- (b) That the CEO notify the community of the adoption of the Flood Study and make copies available on the website and via the usual communication channels.
- (c) That the officers report be made publicly available with the exclusion of those components of the report that the CEO considers to be confidential pursuant to section 10a of the *Local Government Act 1993*.

**Record of Voting:**

For the Amendment: Councillors Garrard, Humphries, MacLean, Noack, Siviero, Valjak, Wang and Wearne

Against the Amendment: Councillors Bradley and Darley

On being PUT to the meeting Voting on the Amendment was eight (8) votes FOR and two (2) votes AGAINST. The Amendment became the Motion.

Note: The Council requested the meeting return to Open Session prior to taking the on the Motion.

**PROCEDURAL MOTION  
RETURN TO OPEN SESSION**

**RESOLVED:** Councillor Garrard and Councillor Siviero

That Council move into open session prior to voting on the recommendation from Closed Session.

**Record of Voting:  
CARRIED**

Note: Council returned to Open Session at 8.17pm.

**RESOLVED:** Councillor Garrard and Councillor Wearne

- (a) That Council adopt the Parramatta River Flood Study 2024 as shown at Attachment 1.
- (b) That the CEO notify the community of the adoption of the Flood Study and make copies available on the website and via the usual communication channels.
- (c) That the officers report be made publicly available with the exclusion of those components of the report that the CEO considers to be confidential pursuant to section 10a of the *Local Government Act 1993*.

**Record of Voting:**  
**CARRIED**

Note: At 8.20pm the Lord Mayor, Councillor Esber returned to the meeting and resumed the role of Chairperson.

Note: Councillors Green and Pandey returned to the meeting at 8.20pm.

## 10. PETITIONS

Councillor Noack tabled a petition appeal from Harris Park's businesses to the City of Parramatta Council requesting;

1. Review of zoning of the streets within the Little India precinct (a City of Parramatta Council entity).
2. Regulatory actions to be put on hold whilst the review is in progress
3. The fines issued so far be withdrawn and
4. An urgent meeting with the Lord Mayor, the CEO and executives.

Note: A copy of the Petition is on FILE.

## 11. RESCISSION MOTIONS

Nil

## REPORTS TO COUNCIL - FOR DECISION

13.4 **Public Exhibition of Draft Pensioner Rates Rebate Policy 2024**  
(Policy Officer)

4742 **RESOLVED:** Councillor MacLean and Councillor Garrard

- (a) That the draft Pensioner Rates Rebate Policy 2024 be placed on public exhibition for a period of 28 days.
- (b) That Council authorises the Chief Executive Officer to make any necessary editorial and content changes to the draft Pensioner Rates Rebate Policy 2024 for public exhibition to give effect to Council's resolution.
- (c) That following public exhibition, officers submit the final Pensioner Rates Rebate Policy 2024 be reported to Council for adoption.

**Record of Voting:**  
**CARRIED**

13.5 **Approval of Scope of Works - Bennelong Parkway Bridge and Connecting Paths Project, Wentworth Point**  
(Senior Project Officer Transport Planning)

4743 **RESOLVED:** Councillor MacLean and Councillor Garrard

- (a) That Council note the feedback from the community consultation (provided at Attachments 1 and 2).
- (b) That Council approve the scope of works to support walking and cycling along Bennelong Parkway, as set out below, for submission to the Parramatta Traffic Committee for its consideration:
  - i. Install a new 5m wide pedestrian and cyclist bridge over Haslams Creek,
  - ii. Install a separated bike path on the northern verge of Bennelong Parkway between the Badu Mangroves and Hill Road,
  - iii. Install a wide footpath on the northern verge of Bennelong Parkway between the Badu Mangroves and Foreshore Promenade access path,
  - iv. Install two new raised pedestrian and cyclist priority crossings of Bennelong Parkway at the Archery Centre and Wentworth Common,
  - v. Install new center median planting,
  - vi. Install new raised bicycle priority crossing over The Piazza,
  - vii. Re-build the roundabout at the intersection of The Piazza and Bennelong Parkway to meet modern standards, improve circulation and reduce vehicle speeds,
  - viii. Retain the westbound bike lane and shared path on southern side of Bennelong Parkway.
- (c) That Council note that the full cost of construction of the project is not currently budgeted and commencement is subject to the receipt of external grant funding.

**Record of Voting:  
CARRIED**

13.7 **Adoption of the Social Sustainability Strategy 2024 – 2033**  
(Strategy Manager)

4744 **RESOLVED:** Councillor MacLean and Councillor Garrard

- (a) That Council notes the community feedback received during public exhibition of the draft Social Sustainability Strategy 2024 - 2033.
- (b) That Council adopts the Social Sustainability Strategy 2024-2033 at Attachment 1 to this report.
- (c) That Council delegate authority to the Chief Executive Officer (CEO) to make any administrative and/or non-policy editorial amendments to the Social Sustainability Strategy 2024 - 2033 during its publication.

**Record of Voting:  
CARRIED**

15.1 **Annual Fire Safety Statements and Fire Safety in City of Parramatta**  
(Councillor Georgina Valjak)

4745 **QUESTION WITH NOTICE**

The NSW Government requires body corporates to provide an Annual Fire Safety Statement that confirms that each essential fire safety measure installed in the building has been assessed and found to be performing to the standard requirement.

Specifically, can Officers advise:

1. [When did the State Government legislation commence?](#)

**Executive Director City Assets and Operations response:**

The State Government Legislation commenced on 1 July 1998.

2. [What level of involvement does Council have in enforcing the fire safety requirements?](#)

**Executive Director City Assets and Operations response:**

- a. Council is the legislated Appropriate Regulatory Authority for fire safety-related matters within its Local Government Area.
- b. Council has administrative oversight of record management from an AFSS perspective to ensure an accurate annual submission is received for each license, in a timely manner.

- c. Issue orders to address fire safety deficiencies through the avenues established by legislation.

3. [What resources does Council need to provide to comply with NSW government requirements?](#)

**Executive Director City Assets and Operations response:**

Council currently has three (3) approved and budgeted technical positions which share the responsibilities related to fire safety matters in general. The three (3) technical positions are also supported by two (2) administrative positions to manage the AFSS submissions.

Notwithstanding, these resources are currently subject to the service delivery review being undertaken in Regulatory Services, to ensure they are appropriate to service customers' needs and are aligned with the growth of the city.

4. [What fines can be imposed for non-compliance?](#)

**Executive Director City Assets and Operations response:**

There are a number of potential avenues to address non-compliance such as fines, Orders and Court Attendance Notices.

The fines are regulated by the NSW government and include:

- a. Failing to maintain each essential fire safety measure (reference Clause 81(1) of the Env. Planning and Assessment (Dev. Certification and Fire Safety) Reg 2021 **(EP&A (DCFS) Reg)** ) – Individual \$3,000 / corporation \$6,000
- b. Issuing an invalid fire safety certificate (ie date discrepancies) (reference Clause 84(1) of the EP&A (DCFS) Reg) – Individual and corporation \$3,000
- c. Practitioner issuing fire safety certificate without inspecting/testing each measure (reference Clause 84(3) of the EP&A (DCFS) Reg) – Individual \$1,500 / corporation \$3,000
- d. Not displaying fire safety certificate and schedule as prescribed (reference Clause 85(1)(b) of the EP&A (DCFS) Reg) – Individual \$1,500 / corporation \$3,000
- e. Issuing fire safety certificate incorrectly (ie not in the approved form, incorrect details, etc) (reference Clause 86(1) of the EP&A (DCFS) Reg) – Individual \$1,500 / corporation \$3,000

- f. Issuing fire safety certificate without a fire safety schedule (reference Clause 86(3) of the EP&A (DCFS) Reg) – Individual \$1,500 / corporation \$3,000
- g. Practitioner issuing Annual Fire Safety Statement (**AFSS**) without inspecting/testing each measure (reference Clause 88(4) of the EP&A (DCFS) Reg) – Individual \$1,500/ corporation \$3,000
- h. Failing to submit AFSS 1<sup>st</sup> week after expiry (reference Clause 89(1) of the EP&A (DCFS) Reg) \$1,000
- i. Failing to submit AFSS 2<sup>nd</sup> week after expiry (reference Clause 89(1) of the EP&A (DCFS) Reg) \$2,000
- j. Failing to submit AFSS 3<sup>rd</sup> week after expiry (reference Clause 89(1) of the EP&A (DCFS) Reg) \$3,000
- k. Failing to submit AFSS 4<sup>th</sup> week after expiry (reference Clause 89(1) of the EP&A (DCFS) Reg) \$4,000
- l. Not displaying AFSS and schedule as prescribed (reference Clause 86(4)(b) of the EP&A (DCFS) Reg) - \$580
- m. Issuing AFSS incorrectly (ie not in the approved form, incorrect details, etc) (reference Clause 92(1) of the EP&A (DCFS) Reg) – Individual \$1500 / Corporation \$3,000
- n. Issuing AFSS without a fire safety schedule (reference Clause 92(2) of the EP&A (DCFS) Reg) Individual \$1,500 / Corporation \$3,000.

5. What education has been provided to residents and whose responsibility is it to provide education – Local or State government?

**Executive Director City Assets and Operations response:**

Education is undertaken by both State and Local Governments and includes matters such as:

- a. Council reminds strata managers of their obligations on an annual basis.
- b. FRNSW distributes resident awareness leaflets for residential dwellings and strata complexes with respect to smoke alarm maintenance.

There is no specific area of responsibility with respect to fire safety matters. The maintenance responsibilities rest with owners (body corporates) and are appropriately handled by strata managers.



Thus strata management companies should employ staff appropriately qualified to manage the legal regulatory requirements for their buildings.

6. How many Fire Safety Officers does Council currently employ?

**Executive Director City Assets and Operations response:**

Council has three Fire Safety Officers.

7. What is the cost to Council to implement this legislation (including staff, education, Court and other costs)?

**Executive Director City Assets and Operations response:**

The average cost to Council to provide this service is approximately \$570,000 per year. This includes salaries plus overheads of implementing the legislation but excludes any specific legal or court costs. It also does not include the time spent by the Business Unit Manager or Group Manager to oversee the service.

15.3 **Questions Taken on Notice at the 27 May 2024 Council Meeting**  
(Council Secretariat & Policy Officer)

4746 **QUESTIONS TAKEN ON NOTICE**

**Councillor Pandey** asked a question in relation to Item 8.3 Parramatta Light Rail daylight testing

- Could staff provide an update in a few weeks' time on how the businesses near the light rail are feeling in relation to the light rail?

**Acting Director City Planning and Design Response:**

The Transport for NSW (TNSW) Place Manager is the liaison between businesses on Church Street/Eat Street and the NSW government. TNSW has been requested to provide feedback to Council on the views of local businesses. Once a response is received details will be provided to Councillors.

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**Councillor Darley** asked a question in relation to Item 8.3 Parramatta Light Rail daylight testing;

- Could staff provide an update on the improvements made to the difficulties faced by people with poor and low vision with guide dogs when using the light rail?

**Acting Director City Planning and Design Response:**

TNSW, Guide Dogs Australia, the rail operator and Council reached agreement to the placement of reflective tape on the existing bollards as an additional measure to help with locating the street crossings for those with limited vision.

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**Councillor Darley** asked a question in relation to Item 12.3 Library Opening Times - Customer Feedback;

- Do we know the qualitative reasons why people were dissatisfied with the Library Hours?

**Acting Executive Director Community and Culture Response:**

The 5% of 1,604 respondents who responded that new Library hours were 'poor' were asked a follow up question about why they responded that way. 49% of those respondents said that their library closed too early; 42% responded that weekend hours were not long enough and 19% said that longer hours were needed.

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**Councillors Darley and Garrard** asked questions in Closed Session in relation to Item 16.1 Stage 2 Parramatta Light Rail Enabling Works - Archer Park Memorandum Of Understanding

Questions and staff responses have been published as a Confidential Attachment to this report.

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16.2 **Riverside Theatres - Appointment of Lead Architect**  
(Group Manager Project Delivery)

4747 **RESOLVED:** Councillor MacLean and Councillor Garrard

- (a) That Council approve the appointment of Cox Architecture as the Lead Consultant including secondary consultancy services, for the contract sum of \$10,655,935 (excl. GST).
- (b) That Council note a Budget and Funding Strategy is to be developed for the Riverside Theatres Redevelopment with a report to Council prior to progressing to a Head Contract Tender.
- (c) That Council delegate authority to the Chief Executive Officer to negotiate, execute contracts and sign all necessary documentation and statutory documentation to engage consultants to participate in the design development and procurement for the Project to the maximum value of \$17 million as detailed in this report.

**Record of Voting:**  
**CARRIED**

## 12. REPORTS TO COUNCIL - FOR NOTATION

### 12.1 Annual Christmas/New Year Close Down Period

(Acting Executive Director People Culture & Workplace)

4748 **RESOLVED:** Councillor Wearne and Councillor Garrard

That Council note the dates for the annual Christmas/New Year close down period for 2024/25, being Monday 23 December 2024 until Friday 3 January 2025, inclusive.

**Record of Voting:**

**CARRIED**

## 13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

### 13.1 DEFERRED FROM OCM 12 FEBRUARY 2024 - Adoption of the Parramatta Bike Plan 2024

(Senior Project Officer Transport Planning)

4749 **RESOLVED:** Councillor Green and Councillor Garrard

- (a) That Council note the outcome of the public exhibition of the draft Parramatta Bike Plan 2024 as detailed in this report and Attachment 2.
- (b) That Council,
  - 1 Adopt the Parramatta Bike Plan 2024 as provided at Attachment 1 with the removal of the Marsden Street Cycleway and O'Connell Street route identified as the regional route;
  - 2 Seek advice from the Minister for Planning and Public Spaces about whether the removal of the Marsden Street cycleway is supported given it is identified in the State Government's Greater Sydney Strategic Cycleways Corridors Plan 2023 and was also part of Council's justification for the higher densities in the Parramatta CBD Planning Proposal and supporting Integrated Transport Plan 2022.
  - 3 Receive a report detailing the Minister's response to Council's request detailed in (2) above; and the action Council should take (including timeframes and cost) to:
    - amend the CBD Contributions Plan 2023 to remove the Marsden Street Cycleway from the Works Program,
    - approve an amendment to the Land Reservation Acquisition (LRA) Map in Parramatta Local Environmental Plan 2023 to remove the Regional Cycleways on the Marsden Street alignment; and that this amendment to the LRA Map occur as part of the next Housekeeping Local Environmental Plan (LEP).
    - approve an amendment to Parramatta Development Control Plan 2023 to remove controls and amend diagrams that incorporate the Marsden Street Cycleway;

and that this amendment to the DCP occur as part of the next Housekeeping Development Control Plan.

- (c) That Council approve the Cycling Projects Development Procedure provided at Attachment 5.
- (d) That where contact details have been provided, Council officers write to submitters advising them of the adoption of the Bike Plan and thank them for their submission.

**Record of Voting:**  
**CARRIED**

13.2 **DEFERRED FROM OCM 27 MAY 2024 - Adoption of Media Policy 2024**

(Group Manager Communications & Customer Engagement)

4750 **MOTION:** Councillor Bradley and Councillor Darley

- (a) That Council notes the submissions received during the public exhibition of the draft Media Policy 2024.
- (b) That Council adopt the Media Policy 2024 as attached to this report. with the inclusion of an amendment to clause 3.6.2(c) to read 'should act in accordance with the Media Procedures Guide.'

**AMENDMENT:** Councillor Garrard and Councillor Wang

- (a) That Council notes the submissions received during public exhibition of the draft Media Policy 2024.
- (b) That Council adopt the Media Policy 2024 as attached to this report.

**Record of Voting:**  
**CARRIED**

Councillor Bradley and Darley requested that they be recorded as voting AGAINST the above Amendment.

**RESOLVED:** Councillor Garrard and Councillor Wang

- (a) That Council notes the submissions received during public exhibition of the draft Media Policy 2024.
- (b) That Council adopt the Media Policy 2024 as attached to this report

**Record of Voting:**  
**CARRIED**

Councillor Darley requested that she be recorded as voting AGAINST the above Motion.

Councillor Bradley requested that he be recorded as ABSTAINING from the above Motion.

13.3 **2025 Annual Community Grants Program**  
(Community Capacity Building Officer)

4751 **RESOLVED:** Councillor Pandey and Councillor Wang

- (a) That the 2025 Community Grants Program proceed with the categories and timeframes identified in this report, and the objectives and assessment criteria contained within Attachment 1.
- (b) That the 2025 Community Grants program be offered over two rounds across the 2024/2025 Financial Year and ongoingly, made up of:
  - i. a Community Round, running from July to December 2024, and
  - ii. a Cultural Round, running from January to June 2025.
- (c) That Council notes the following changes to the Annual Community Grants program:
  - i. grant funding pools have been increased due to historic CPI increases;
  - ii. the base funding cap for the Community Capacity Building grants is increased from \$10,000 to \$12,500;
  - iii. the addition of the Nighttime Creative Economy grant and the Heritage Activation Grant in the annual Community Grants program;
  - iv. the name change of the Cultural Heritage and History Projects Grants to the History, Culture and Stories Fund;
  - v. the increase in the Parramatta Representative Sports Grants pool (funded from a reallocation of funds from the Sport and Recreation Grants); and
  - vi. the Community Event grant will be offered across both the Community Round and the Cultural Round and includes a 10% weighting for events held outside the Parramatta CBD.
- (d) That Council note the 2025 Community Grants program will be administered in accordance with the Grants and Donations Policy (ie: the outcomes of the assessment process will be submitted to the Grants Committee prior to the officer's report to Council by December 2024 for the Community Round and prior to June 2025 for the Cultural Round).

**Record of Voting:**  
**CARRIED**

Question Taken on Notice (Councillor Pandey ) regarding Item 13.3 2025 Annual Community Grants Program;

- Could staff provide Councillors, with wording that is used in our Grants Agreement?

13.4 **Public Exhibition of Draft Pensioner Rates Rebate Policy 2024**  
(Policy Officer)

Item dealt with earlier in the Meeting as detailed in these Minutes.

13.5 **Approval of Scope or works – Bennelong Parkway Bridge and Connecting Paths Project Wentworth Point**  
(Policy Officer)

Item dealt with earlier in the Meeting as detailed in these Minutes.

13.6 **Gateway Request - Parramatta CBD Supplementary Matters Planning Proposal**  
(Senior Project Officer)

4752 **RESOLVED:** Councillor Wearne and Councillor MacLean

- (a) That Council approve the recommended pathways for resolving the outstanding “Orange Matters” arising from the exhibition of the Parramatta CBD Planning Proposal, as detailed in the table at Attachment 1.
- (b) That Council approve the Parramatta CBD Supplementary Matters Planning Proposal at Attachment 2, subject to it being updated to include “creative industries” as permitted with consent in the E2 Commercial Centre zone, for the purpose of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure.
- (c) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (d) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.
- (e) That Council note the Parramatta Local Planning Panel’s advice to Council (refer to Attachment 3) is consistent with Council officers’ recommendation in the report.
- (f) That Council resolve to prepare a separate strategic precinct planning proposal for the Westfield site at 142 and 171 Church Street, Parramatta, given its strategic significance to the Parramatta CBD, and that Council officers prepare further urban

design, land use and economic analysis to inform the policy framework for this planning proposal.

**Record of Voting:**

For the Motion: Lord Mayor, Councillor Esber, Councillors Bradley, Darley, Garrard, Green, Humphries, MacLean, Noack, Pandey, Siviero, Valjak, Wang and Wearne (Unanimous)

**13.7 Adoption of Social Sustainability Strategy 2024 -2033**

Item dealt with earlier in the Meeting as detailed in these Minutes..

**13.8 Lord Mayor and Councillor Remuneration for 2024/25**  
(Executive Officer)

4753 **RESOLVED:** Councillor MacLean and Councillor Noack

- (a) That Council adopt the maximum fees applicable for the Major CBD category for the period 1 July 2024 to 30 June 2025, being \$37,960 for each Councillor and \$122,640 for the Lord Mayor.
- (b) That Council note the resolution of 7 June 2022 (resolution no. 4341) which resolved that the Lord Mayor and Councillors will receive superannuation contribution payments, in addition to their annual fees, from 1 July 2022, in accordance with Section 254B of the *Local Government Act 1993*.
- (c) That Council note that effective from 1 July 2024, the superannuation guarantee rate will increase from 11 per cent to 11.5 per cent.
- (d) That the Chief Executive Officer apply to the Local Government Remuneration Tribunal for Council's classification to be amended from Major CBD to Principal CBD (the highest category of general purpose councils).

**Record of Voting:**  
**CARRIED**

**13.9 Wentworth Point Playground and Social Space**  
(Project Officer)

Item dealt with earlier in the Meeting as detailed in these Minutes..

Note: Councillor Noack left the meeting at 8.56pm.

## 14. NOTICES OF MOTION

### 14.1 **Update on James Hardie Sites** (Councillor Kellie Darley)

Item dealt with earlier in the Meeting as detailed in these Minutes.

## 15. QUESTIONS WITH NOTICE

### 15.1 **Annual Fire Safety Statements and Fire Safety in City of Parramatta** (Councillor Georgina Valjak)

Item dealt with earlier in the Meeting as detailed in these Minutes.

### 15.2 **NSW Civil and Administrative Tribunal – Councillor Legal Action** (Councillor Georgina Valjak)

#### 4754 **QUESTION WITH NOTICE**

1. In regard to the matter listed in the April 2024 Legal Report:

*NSW Civil and Administrative Tribunal*

*Councillor Kellie Darley v City of Parramatta*

*Application under the Government Information (Public Access) Act 2009*

can you please advise the specific matter that this legal action brought by Councillor Darley against the Council relates to?

**Acting Executive Director Finance and Information Response:**

The NSW Civil and Administrative Tribunal (**NCAT**) matter referred to in the April 2024 Litigation Report (see [April 2024-Legal Status List-Public Website.pdf \(nsw.gov.au\)](#)) relates to an application made by Councillor Kellie Darley who is seeking a review of Council's decision on two applications to Council to access documents under the *Government Information (Public Access) Act 2009* (NSW) (**GIPA**) in relation to the Parramatta Eels strategic partnership.

2. The matter is listed for hearing before the Tribunal on 31 July 2024, Can you please advise the costs to date (and estimated future costs) to Council in defending this legal action?

**Acting Executive Director Finance and Information Response:**



The NSW Civil and Administrative Tribunal (**NCAT**) matter referred to in the April 2024 Litigation Report (see [April 2024- Legal Status List-Public Website.pdf \(nsw.gov.au\)](#)) relates to an application made by Councillor Kellie Darley who is seeking a review of Council's decision on two applications to Council to access documents under the *Government Information (Public Access) Act 2009 (NSW)* (**GIPA**) in relation to the Parramatta Eels strategic partnership.

3. The matter is listed for hearing before the Tribunal on 31 July 2024, Can you please advise the costs to date (and estimated future costs) to Council in defending this legal action?

**Acting Executive Director Finance and Information Response:**

Legal costs incurred by Council in current proceedings are confidential and are not released to the public. However, the costs for all of Council's legal proceedings are available to Councillors on the confidential Councillor Portal.

4. What information has been withheld (that requires a GIPA application) that has not already been provided to Councillors?

**Acting Executive Director Finance and Information Response:**

This information is confidential, noting that the information sought in each application relates to Council's partnership with the Parramatta Eels.

5. Are any other parties involved in this legal action?

**Acting Executive Director Finance and Information Response:**

NCAT has directed Council to contact the Parramatta Eels about the proceedings to determine if they wish to be heard. The Legal Report on the Councillor Portal will be updated should any party be joined to the proceedings.

Question Taken on Notice (Councillor Valjak ) regarding Item 15.2 Question with Notice NSW Civil and Administrative Tribunal – Councillor Legal Action;

- Will a precedent be set if NCAT makes a decision in relation to the matter?
- Does this mean that there is a likelihood of confidential information being made public?

Question Taken on Notice (Councillor Garrard ) regarding Item 15.2 Question with Notice NSW Civil and Administrative Tribunal – Councillor Legal Action;

- Where on the Councillor Portal, is the Legal Report relating to this matter?

**15.3 Questions Taken on Notice at the 27 May 2024 Council Meeting**  
(Council Secretariat & Policy Officer)

Item dealt with earlier in the Meeting as detailed in these Minutes..

**PROCEDURAL MOTION**  
**MOVE TO CLOSED SESSION**

**RESOLVED:** Councillor MacLean and Councillor Humphries

That at this time of the meeting, being 9.01pm, the Lord Mayor, Councillor Esber advised that the meeting would move into Closed Confidential Session to allow consideration of matters in Closed Session in accordance with Section 10A of the *Local Government Act 1993*. Accordingly, members of the press and public are excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the Closed Session will be withheld. This action is taken to discuss:

**Item 16.3 – Progress Report - Grant Application for the Upgrade of Belmore Park (Richie Benaud Oval)** (Group Manager Infrastructure Grants and Major Projects)

*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*

**Item 16.4 - Riverflow Public Art Prototype** – (Group Manager Project Delivery)

*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.*

**Record of Voting:**  
**CARRIED**

Note: Council moved into closed session at 9.02pm.

**16.2 Riverside Theatres - Appointment of Lead Architect**  
(Group Manager Project Delivery)

Item dealt with earlier in the Meeting as detailed in these Minutes..

**16.3 Progress Report - Grant Application for the Upgrade of Belmore Park (Richie Benaud Oval)**  
(Group Manager Infrastructure Grants and Major Projects)

**RECOMMENDATION:** Councillor Pandey and Councillor Garrard

- (a) That Council note the current progress on the PCIP grant application for Belmore Park.
- (b) That Council note the construction milestones submitted in the grant funding application and that any options to fast track the project would require renegotiation of the grant funding application, leading to further delays in the application process.
- (c) That if the grant funding application is successful, Council proceed with the delivery timeframes as set by the Commonwealth Government.

**Record of Voting:**  
**CARRIED**

16.4 **Riverflow Public Art Prototype**  
(Group Manager Project Delivery)

**RECOMMENDATION:** Councillor Garrard and Councillor Wang

- (a) That Council acknowledges the issues and risks arising from the 2023 installation of the Riverflow artwork prototype.
- (b) That the Riverflow artwork prototype be removed from Parramatta Square and the impacted area be immediately reinstated to its original condition.
- (c) That Council roll over the remaining capital budget allocation for the Riverflow project into the 2024/25 capital works budget; and
- (d) That the Council re-establish the Public Domain Committee, utilising the previously adopted Terms of Reference for the Committee and that membership of the Committee be determined after the September 2024 Local Government Election.

**Record of Voting:**  
**CARRIED**

**PROCEDURAL MOTION**  
**RETURN TO OPEN SESSION**

**RESOLVED:** Councillor MacLean and Councillor Wearne

That Council move into open session.

**Record of Voting:**  
**CARRIED:**

Note: Council returned to Open Session at 9.23pm.

## **PROCEDURAL MOTION CONSIDERATION OF RECOMMENDATIONS FROM CLOSED SESSION**

**RESOLVED:** Councillor MacLean and Councillor Garrard

That the recommendations in relation to the following items be received and noted as resolutions of Council without any alteration and amendment thereto:

- Item 16.3: Progress Report - Grant Application for the Upgrade of Belmore Park (Richie Benaud Oval)
- Item 16.4 Riverflow Public Art Prototype

**Record of Voting:**

**CARRIED:**

16.3 **Progress Report - Grant Application for the Upgrade of Belmore Park (Richie Benaud Oval)**

(Group Manager Infrastructure Grants and Major Projects)

4755 **RESOLVED:** Councillor Pandey and Councillor Garrard

- (a) That Council note the current progress on the PCIP grant application for Belmore Park.
- (b) That Council note the construction milestones submitted in the grant funding application and that any options to fast track the project would require renegotiation of the grant funding application, leading to further delays in the application process.
- (c) That if the grant funding application is successful, Council proceed with the delivery timeframes as set by the Commonwealth Government.

**Record of Voting:**

**CARRIED**

16.4 **Riverflow Public Art Prototype**

(Group Manager Project Delivery)

4756 **RESOLVED:** Councillor Garrard and Councillor Wang

- (a) That Council acknowledges the issues and risks arising from the 2023 installation of the Riverflow artwork prototype.
- (b) That the Riverflow artwork prototype be removed from Parramatta Square and the impacted area be immediately reinstated to its original condition.
- (c) That Council roll over the remaining capital budget allocation for the Riverflow project into the 2024/25 capital works budget; and

- (d) That the Council re-establish the Public Domain Committee, utilising the previously adopted Terms of Reference for the Committee and that membership of the Committee be determined after the September 2024 Local Government Election.

**Record of Voting:  
CARRIED**

## **CONCLUSION OF MEETING**

The meeting concluded at 9.24pm.

This page and the preceding 28 pages are the Minutes of the Ordinary Council Meeting held on Tuesday, 11 June 2024 and confirmed on Monday, 24 June 2024.



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Chairperson