



CITY OF PARRAMATTA

MINUTES

**Ordinary Council Meeting
Monday, 9 September 2024
6.30pm**

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

COUNCILLORS PRESENT

The Lord Mayor, Councillor Pierre Esber, Deputy Lord Mayor Councillor Patricia Prociw and Councillors Phil Bradley, Kellie Darley, Michelle Garrard, Henry Green, Cameron MacLean, Paul Noack, Sameer Pandey, Georgina Valjak, Donna Wang and Lorraine Wearne.

STAFF PRESENT

Chief Executive Officer - Gail Connolly, Executive Director City Engagement and Experience - Angela Jones-Blayney, Executive Director City Assets & Operations - George Bounassif, Executive Director Finance and Information - John Angilley, Executive Director City Planning and Design – Jennifer Concato, Executive Director Community & Culture, Jonathan Greig, Chief People Culture & Performance Officer - Brendan Clifton, Group Manager Office of the Lord Mayor and CEO - Roxanne Thornton, Chief Information Officer and Acting Chief Governance and Risk Officer - John Crawford, ICT Service and Delivery Manager - Ian Vong, Council Secretariat – Marina Cavar, Governance and Procurement Manager – Gwendolyn Hughes, Business Manager - Michelle Samuel, Group Manager, Community Hubs & Parramatta Square - Christopher Snelling, Senior Policy and Advocacy Adviser - Renee Attard, Civic Advisor - Georgia Luk, Lord Mayor and Councillor Support Officer - Gabrielle Myssy, and Secretariat Support Officer - Adrianna Hokin.

1. OPENING MEETING

The Lord Mayor, Councillor Esber, opened the meeting at 6.35pm

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.

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

RESOLVED: Councillor Garrard and Councillor Noack

That and apology be accepted on behalf of Councillor Humphries and a leave of absence be granted.

Record of Voting:
CARRIED

6. CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 26 August 2024

4875 **RESOLVED:** Councillor Noack and Councillor MacLean

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

Recording of Voting:
CARRIED

Question on Notice in regards to Item 15.2 (Questions taken on Notice at the 12 August 2024 Council Meeting) within the Minutes of the 26 August 2024 Council Meeting by Councillor Noack

- Has Council received a reply to the second letter sent to Minister Scully on the Little India matter? If not has anyone picked up the phone to contact the Minister?

Question on Notice in regards to the Urgency Motion on the Success of Greater Western Sydney Giants AFL Team within the Minutes of the 26 August 2024 Council Meeting by Councillor Noack

- What days and how often will the Giants colours be lit up on the PHIVE building?

7. DISCLOSURES OF INTEREST

There were no Declarations of Interest made at this meeting.

8. MINUTES OF THE LORD MAYOR

8.1 Vale Uncle Wes Marne

(Report of Lord Mayor Councillor Pierre Esber)

4876 **RESOLVED:** The Lord Mayor, Councillor Esber and Councillor Bradley

- (a) That Council acknowledge the death of Uncle Westley (Wes) Marne AM, a First Nations storyteller, Bigambul man, HMAS Murchison navy serviceman, centenarian and community leader, on 31 August 2024.

- (b) That Council express its sincere condolences to Uncle Wes' family and friends at this sad time.
- (c) That Council observe one minute of silence in honour of Uncle Wes Marne AM.

**Recording of Voting:
CARRIED**

Note: At 6.46pm, at the request of the Lord Mayor, all those present stood to observe a minute's silence.

8.2 **Recognising Councillor Lorraine Wearne's Service**

(Report of Lord Mayor Councillor Pierre Esber)

4877 **RESOLVED:** The Lord Mayor, Councillor Esber and Councillor Garrard

- (a) That Council recognise Lorraine Wearne, the first female Lord Mayor in Sydney, for her considered, passionate advocacy, longstanding service of 29 years of service as a Councillor, including two terms as Lord Mayor (2000/01 and 2011/12), and outstanding legacy to the people of City of Parramatta;
- (b) host a farewell event for Councillors with more than 20 years' service, who are not running for re-election in the September 2024 Local Government Election, to commemorate their service to the City of Parramatta; and
- (c) endorse Boronia Park Community Centre in Epping as the location of a commemorative plaque in honour of Councillor Wearne's significant contributions to the history and evolution of the City of Parramatta, and Epping Ward in particular.

**Recording of Voting:
CARRIED**

8.3 **Thank You to City of Parramatta Staff**

(Report of Lord Mayor Councillor Pierre Esber)

4878 **RESOLVED:** The Lord Mayor, Councillor Esber and Councillor Garrard

That Council formally recognise and thank the Chief Executive Officer, the Executive Team and all staff of the City of Parramatta for the exceptional work they do every day in delivering services to the community and for their commitment to helping Councillors achieve the goals and outcomes identified in the Community Strategic Plan.

**Recording of Voting:
CARRIED**

8.4 **End of Lord Mayoral Term Report**

(Report of Lord Mayor Councillor Pierre Esber)

4879 **RESOLVED:** The Lord Mayor, Councillor Esber and Councillor Garrard

- (a) That Council note I thank Council, the community, Council staff, and my family for their support during my term as Lord Mayor; and
- (b) Further, that Council note the significant achievements and milestones of Council during this period, some of which are outlined in this Minute.

Record of Voting:
CARRIED

PROCEDURAL MOTION

SUSPENSION OF STANDING ORDERS - MATTER OF URGENCY

Deputy Lord Mayor, Councillor Prociv sought a Suspension of Standing Orders to raise a Matter of Urgency regarding the Lord Mayor Councillor Pierre Esber's Service to Council.

The Lord Mayor, Councillor Esber agreed that the matter for Recognition of the Lord Mayor, Councillor Pierre Esber service to City of Parramatta was a Matter of Urgency, and allowed the matter to be considered by Council.

MATTER OF URGENCY

RECOGNITION OF THE LORD MAYOR, COUNCILLOR PIERRE ESBER

MATTER OF URGENCY - Recognition of the Lord Mayor, Councillor Pierre Esber service to City of Parramatta

(Deputy Lord Mayor Councillor Patricia Prociv)

4880 **RESOLVED:** Deputy Lord Mayor Councillor Prociv and Councillor MacLean

- (a) That Council recognise Councillor Pierre Esber, Lord Mayor from 2023-2024, for his longstanding service of 25 years of service as a Councillor, and remarkable legacy to the people of City of Parramatta.
- (b) Further, that Council host a farewell event to commemorate Pierre Esber's service and highlight his enduring legacy to the City of Parramatta.
- (c) Finally, that the CEO be authorised to install a commemorative plaque in a suitable location in honour of Councillor Esber's significant contributions to the history and evolution of the City of Parramatta, and Dundas Ward in particular.

**Record of Voting:
CARRIED**

**PROCEDURAL MOTION
SUSPENSION OF STANDING ORDERS - MATTER OF URGENCY**

Councillor Noack sought a Suspension of Standing Orders to raise a Matter of Urgency regarding the Illegal parking in Harris Park.

The Lord Mayor, Councillor Esber agreed that the matter of Illegal parking in Harris Park was a Matter of Urgency, and allowed the matter to be considered by Council.

**MATTER OF URGENCY
ILLEGAL PARKING IN HARRIS PARK**

MATTER OF URGENCY - Illegal Parking in Harris Park

(Councillor Noack)

4881 **RESOLVED:** Councillor Noack and the Lord Mayor, Councillor Esber

- (a) That council officers immediately hold discussions with local police to see how we can assist our residents when their entrance is blocked by illegal parking
- (b) Further that there be a report back to the incoming council and to the resident concerned"

**Record of Voting:
CARRIED**

**PROCEDURAL MOTION
SUSPENSION OF STANDING ORDERS - MATTER OF URGENCY**

Councillor Wearne sought a Suspension of Standing Orders to raise a Matter of Urgency regarding a Public Forum submission that was not approved to be included on the Order of Business for this Council meeting.

The Lord Mayor Councillor Esber did not agree that the matter of a Public Forum submission was a Matter of Urgency, and the matter was not considered by Council.

**PROCEDURAL MOTION
SUSPENSION OF STANDING ORDERS - MATTER OF URGENCY**

Councillor Pandey sought a Suspension of Standing Orders to raise a Matter of Urgency to recognise Councillor Phil Bradley and Councillor Ange Humphries for their service to the City of Parramatta.

The Lord Mayor, Councillor Esber agreed that the matter Recognising Councillors Phil Bradley and Ange Humphries and their service to the City of Parramatta was a Matter of Urgency, and allowed the matter to be considered by Council.

MATTER OF URGENCY RECOGNITION OF COUNCILLOR PHIL BRADLEY AND COUNCILLOR ANGE HUMPHRIES

MATTER OF URGENCY - Recognising Councillors Phil Bradley and Ange Humphries for their service to the City of Parramatta

(Deputy Lord Mayor Councillor Prociv)

4882 **RESOLVED:** Councillor Pandey and Councillor Noack

That Council thanks Councillors Bradley and Humphries for their services to City of Parramatta.

**Record of Voting:
CARRIED**

9. PUBLIC FORUM

There were no public speakers.

10. PETITIONS

There were no petitions tabled at this meeting.

11. RECISSION MOTIONS

Nil

12. REPORTS TO COUNCIL – FOR NOTATION

Nil

PROCEDURAL MOTION SUSPENSION OF STANDING ORDERS – PRESENTATION TO COUNCILLORS

RESOLVED: Councillor Pandey and Deputy Lord Mayor Councillor Prociv

That Council suspend Standing Orders to allow the CEO, Gail Connolly PSM, to make a presentation to all Councillors.

**Record of Voting:
CARRIED**

Note: The CEO, Gail Connolly PSM, made a presentation to all Councillors commemorate their service to the City of Parramatta as Councillors for the 2021-2024 term.

PROCEDURAL MOTION DEALING WITH ITEMS BY EXCEPTION

RESOLVED: Councillor Garrard and Councillor Noack

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:

- 13.1 PHIVE Public Holiday Opening Trial
- 15.1 Questions Taken on Notice at the 26 August 2024 Council Meeting
- 16.1 Tender Exemption - Continuation of Engagement of Specialist Property Consultant

**Record of Voting:
CARRIED**

13.1 PHIVE Public Holiday Opening Trial

(Report of Group Manager Community Hubs and PHIVE)

4883 RESOLVED: Councillor Garrard and Councillor Noack

- (a) That Council receive and note the results of the 2023/2024 PHIVE public holiday opening trial.
- (b) That Council extend the trial for a further 12 months with PHIVE opening on two select public holidays (9am to 5pm) being Monday 7 October 2024 (Labour Day) and Monday 9 June 2025 (King's Birthday).
- (c) That Council note the estimated costs for the 12 month extension to the trial are between \$36,000 to \$40,000 and these costs are not currently budgeted in the 2024/25 operational budget.
- (d) That Council fund the costs associated with the 12 month extension to the trial from the General Reserve.
- (e) That Council receive a post-trial report on the results of the two-year trial of public openings of PHIVE in financial year 2025/26.

**Recording of Voting:
CARRIED**

15.1 Questions Taken on Notice at the 26 August 2024 Council Meeting

(Report of Governance Manager)

4884 QUESTIONS TAKEN ON NOTICE

Councillor Pandey asked a question in relation to Item 12.4 Status Report: Entrepreneur Grants Program

- Could staff provide in the next Council meeting an itemised list of every unbudgeted item that has come out of general reserve in this term of Council?

Executive Director Finance and Information response:

Officers have attempted to obtain the answer for the period 2021-2024, being the current term of Council. However, it is not possible in the time available and without diverting significant resources to determine an accurate list of every unbudgeted item. A response to this Question Without Notice will be provided after officers have completed the audited Financial Statements for October 2024.

Councillor Bradley asked a question on notice in relation to Item 13.3 NSW Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024

- Could staff clarify whether the new legislation will double the fines for tree removal and damage?

Executive Director City Assets and Operations response:

Neither of the two abovementioned activities is captured under the relevant legislation (POEO Act). Tree removal or tree damage falls under the EPA Act 1979.

Councillor Bradley asked a question on notice in relation to Item 13.3 NSW Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024

- Could staff clarify what tier 1 and Schedule 6 of General Regulation involve? This information will assist with the education program.

Executive Director City Assets and Operations response:

Tier 1 offence refers to a classification of offences pursuant to s114 of the POEO Act

- Tier 1 offences are those captured under Part 5.2 of the POEO Act and are considered the most serious type of offences.

Examples of a Tier 1 include:

Disposal of waste—harm to environment

- (1) Offence If a person wilfully or negligently disposes of waste in a manner that harms or is likely to harm the environment—
 - (a) the person, and
 - (b) if the person is not the owner of the waste, the owner, are each guilty of an offence.

Schedule 6 of POEO (General) Regulation 2022 has the following roles:

- a. determines which offences in connection with Section 224 of the POEO Act can be dealt with by way of issuing a Penalty Notice
- b. sets rules on how and/or for which offences can penalty notices be issued as well as specific restrictions related to those offences
- c. sets the amount applicable for each offence depending on the offence and the type of offender i.e. individual or corporation
- d. identifies the different classes of enforcement officers
- e. identifies what offences can be issued by each class of enforcement officers.

Councillor Valjak asked a question on notice in relation to Item 13.3 NSW Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024

- [There was a recent spillage of lithium batteries and potential for hot load. What other legislation deals with these types of waste and the penalties?](#)

Executive Director City Assets and Operations response:

1. Protection of the Environment Operations Act 1997 (POEO Act): This legislation deals with the regulation of waste management, including the handling of contaminated waste. It outlines the responsibilities for waste producers and handlers and provides the framework for environmental protection.
2. Protection of the Environment Operations (Waste) Regulation 2014: This regulation provides specific guidelines and requirements for waste classification, tracking, and disposal.
3. Environmental Planning and Assessment Act 1979 (EP&A Act): This Act governs land use planning and development in NSW, including the approval of facilities that handle or treat contaminated waste.
4. Waste Avoidance and Resource Recovery Act 2001: This Act encourages waste minimisation and promotes recycling, reuse, and the proper disposal of waste. It sets targets for reducing waste and promotes the development of sustainable waste management practices.

5. Public Health Act 2010: This Act also plays a role in managing domestic waste by ensuring that waste disposal practices do not pose a risk to public health.

Councillor Wang asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys

- Paragraph 18 of the report identifies 70% reduction in the number of abandoned shopping trolleys. Could staff provide the number of trolleys which represents the 70%?

Executive Director City Assets and Operations response:

Over the last 5 years the number of requests that included abandoned trolleys received by Council reduced from 513 to 154. Some of these requests included multiple abandoned trolleys per location.

Councillor Wang asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys

- Could staff organise and train community volunteers to collect abandoned trolleys?

Executive Director City Assets and Operations response:

Council staff will workshop this idea with major supermarkets as they have the responsibility for trolley collection and they also have the necessary public liability and workers compensation insurances which would protect persons who may become injured when collecting abandoned trolleys on behalf of supermarkets.

Councillor Wang asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys

- Could staff investigate a reward program for people to collect abandoned trolleys?

Executive Director City Assets and Operations response:

This may not be the most effective program for the following reasons:

1. Liability Concerns: Encouraging residents to collect abandoned trolleys could expose Council to injury and liability issues. There are safety risks associated with handling trolleys, particularly in areas with high traffic or difficult terrain. If a participant were to be injured while collecting a trolley, the responsibility could rest with Council.
2. Resource Allocation: Administering a reward program would require additional resources, both in terms of staffing and

financial management. These resources might be better directed toward more sustainable and long-term solutions, such as working with local retailers to improve trolley management and retrieval processes.

3. Potential for Misuse: A reward system could inadvertently encourage misuse, such as individuals intentionally moving trolleys to later claim rewards for their retrieval. This could exacerbate the problem rather than solve it.
4. Some supermarkets already offer trolley tracker incentive programs which include cash prizes/rewards.

Councillor Garrard asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys.

- [Could the Lord Mayor provide Councillors the letter dated September 2023, to the Minister for Local Government and to the Shadow Minister for Local Government?](#)

Group Manager Lord Mayor and CEO Office response:

A copy of the letters has been provided on the Councillor Portal (refer Council Resolutions/Correspondence page, dated 12 October 2023).

Councillor Garrard asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys

- [Could staff consult with Councillor Wang before the report is provided back to Council?](#)

Executive Director City Assets and Operations response:

Yes.

Councillor Garrard asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys.

- [Please provide the locations of the signage installed in the hot spots.](#)

Executive Director City Assets and Operations response:

- Sorrell and Lamont St Parramatta
- Smith St Parramatta – between the Sydney Water building and the University
- Market and Church St Parramatta – in front of the Riverside Theatre
- Marsden St – near the building at 146 Marsden St
- Morton St Parramatta – near the building at 1A Morton St
- Rangihou St Parramatta – Near No. 12 adjacent to the laneway connecting Morton St

Councillor Garrard asked a question on notice in relation to Item 13.4 Proactive Management of Abandoned Shopping Trolleys

- [When did Council last collect shopping trolleys?](#)

Executive Director City Assets and Operations response:

Council stopped impounding trolleys in 2016. However, when necessary, staff still remove trolleys that pose a significant risk to public safety and/or the environment.

Councillor Darley asked a question on notice in relation to Item 13.5 Q4 Progress Report – Delivery Program and Operational Plan 2023/24

- [The Tree Canopy Plan is an interim action plan to set the target, but it has been ticked off as being completed, could the CEO review the KPI?](#)

Executive Director City Planning and Design response:

Council adopted the Tree Canopy Interim Action Plan 2024 on 8 July 2024. The KPI was marked as complete as Council adopted the Plan.

The Plan includes actions to:

- (a) finalise a canopy plan and funding strategy in 2025; and
- (b) report on canopy targets for individual town centres.

Councillor Darley asked a question on notice in relation to Item 13.5 Q4 Progress Report – Delivery Program and Operational Plan 2023/24

- [Could the CEO consider reinstating the Councillor Workshop on the Quarterly Progress Reports, prior to them being reported to Council? This will provide Councillors an opportunity to ask questions.](#)

Chief Executive Officer response:

Yes – quarterly updates (in addition to the 6 monthly updates) can be considered for inclusion on the workshop calendar during the next term of Council.

Councillor Pandey asked a question on notice in relation to Item 13.5 Q4 Progress Report – Delivery Program and Operational Plan 2023/24

- [Could staff update the next term of Council the accuracy and costs involved in getting the technology that detects potholes?](#)

Executive Director City Assets and Operations response:

TfNSW in partnership with the IPWEA Roads and Transport Directorate and Canterbury-Bankstown Council are currently undertaking a trial of a new digital platform "Asset AI". This technology attempts to detect road asset defects (like potholes and cracks) using advanced AI analysis of footage captured from cameras mounted on Council vehicles.

The accuracy of the defect data obtained is still under review as part of the current trial with Canterbury-Bankstown Council. Staff will assess the results from the outcome of the trial prior to determining whether to participate in the scheme.

Councillor Pandey asked a question on notice in relation to Item 13.5 Q4 Progress Report – Delivery Program and Operational Plan 2023/24

- [Could staff also consider having trials of the technology?](#)

Executive Director City Assets and Operations response:

Refer answer above.

Councillor Garrard asked a question on notice in relation to Item 13.7 Preparation of the Comprehensive Heritage Review (Scope)

- [Could staff provide Councillors regular updates on the Comprehensive Heritage Review?](#)

Executive Director City Planning and Design response:

Council staff will provide Councillors with updates at key project milestones via briefing notes, workshops, reports, etc.

Councillor Bradley asked a question on notice in relation to Item 13.7 Preparation of the Comprehensive Heritage Review (Scope)

- [Is there a heritage grant program that may refer to natural heritage?](#)

Executive Director City Planning and Design response:

There may be opportunities throughout the life of the Review to apply for funding as grants programs are announced. The most likely source of grant funding will be through the NSW Heritage Grants Program administered by Heritage NSW. Grant funding would allow consideration of both built and natural heritage issues.

16.1 **Tender Exemption - Continuation of Engagement of Specialist Property Consultant**

(Report of Executive Director Finance and Information)

4885 **RESOLVED:** Councillor Garrard and Councillor Noack

That Council:

- (a) approves the exemption to the tendering requirements for continuation of the Property Consultant engagement, pursuant to section 55(3)(i) of the *Local Government Act 1993*.
- (b) notes that Council has identified the need for ongoing significant strategic property advice (including for the completion of the Property Strategy and acquisition, property/planning agreements, development-related and other matters) that the Property Consultant is currently working on, which require expert guidance and negotiation to enable completion to Council's satisfaction.
- (c) notes that to engage another suitably qualified and expert property consultant would burden Council with additional costs, loss of productivity and negotiating opportunities and risks to Council's reputation.
- (d) approves the ongoing engagement of Knight Frank as the Property Consultant as detailed in this report.

Record of Voting:

CARRIED

13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 **PHIVE Public Holiday Opening Trial**

(Report of Group Manager Community Hubs and PHIVE)

This matter was dealt with earlier in the meeting as detailed in these Minutes.

14. NOTICES OF MOTION

Nil

15. QUESTIONS WITH NOTICE

15.1 Questions Taken on Notice at 26 August 2024 Council Meeting

(Council Secretariat & Policy Officer)

This matter was dealt with earlier in the meeting as detailed in these Minutes.

16. CLOSED SESSION

16.1 Tender Exemption - Continuation of Engagement of Specialist Property Consultant

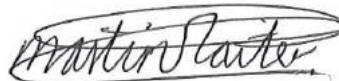
(Executive Director Finance and Information)

This matter was dealt with earlier in the meeting as detailed in these Minutes.

17. CONCLUSION OF MEETING

The meeting concluded at 8.39 pm.

This page and the preceding 15 pages are the Minutes of the Ordinary Council Meeting held on Monday, 9 September 2024 and are to be confirmed on Monday, 28 October 2024.



Chairperson