

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA ON MONDAY, 24 APRIL 2023 AT 6:30PM

PRESENT

The Lord Mayor, Councillor Donna Davis and Councillors Phil Bradley, Kellie Darley, Pierre Esber, Michelle Garrard, Henry Green, Ange Humphries, Cameron Maclean, Paul Noack, Sameer Pandey, Dr Patricia Prociw, Dan Siviero, Georgina Valjak, Donna Wang and Lorraine Wearne.

1. OPENING MEETING

The Lord Mayor, Councillor Donna Davis, opened the meeting at 6:52PM.

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 except for the confidential part of the meeting and streamed live on the internet. The recording will also be archived, except for the confidential part of the meeting, 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 ANOUNCEMENT

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

There were no apologies tabled for this meeting.

Note: Council notes and acknowledges the attendance of Dr Andrew Charlton MP.

6. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 11 April 2023

4270 RESOLVED (Noack/Bradley)

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

Note: A question was taken on notice on Item 6 on the Urgent Matter – Little India.

7. DISCLOSURES OF INTEREST

Councillor Garrard declared a non-pecuniary less than significant interest in Item 16.3 - 9 Wentworth St, Lease Surrender Department of Home Affairs and remained in the Chamber during consideration of the Item and voted thereon.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Coronation of His Majesty King Charles III

REFERENCE F2022/03176 - D08954291

REPORT OF Lord Mayor, Councillor Donna Davis

4271 RESOLVED (Davis/Garrard)

That the Lord Mayor on behalf of the City of Parramatta request the Governor General of the Commonwealth of Australia to convey Council's best wishes to His Majesty King Charles III on his Coronation Day, 6 May 2023, and to wish him a long and successful reign.

8.2 SUBJECT ANZAC Day 2023

REFERENCE F2022/03176 - D08953588

REPORT OF Lord Mayor, Councillor Donna Davis

4272 RESOLVED (Davis/Prociv)

(a) **That** Council recognise 2023 ANZAC Day commemorations across the City of Parramatta.

(b) **That** Council notes the program of activities commemorating ANZAC Day across the City of Parramatta.

(c) **Further, that** Council hold a minute's silence to pay respects to the Australian and New Zealand men and women who have served and died in wars, conflicts, and peacekeeping operations to protect the freedoms enjoyed.

Note: Council observed a minute's silence.

8.3 SUBJECT Condolence Motion for Mr Bruce Astill

REFERENCE F2022/03176 - D08954060

REPORT OF Lord Mayor, Councillor Donna Davis

4273 RESOLVED (Davis/Bradley)

- (a) **That** Council acknowledge the passing of Bruce Astill, former member of Council's Aboriginal and Torres Strait Islander Advisory Committee, long-time local community volunteer and loyal Parramatta Eels supporter.
- (b) **That** a letter of condolence be sent from the Lord Mayor to Bruce's family on behalf of the City of Parramatta.
- (c) **Further, that** the Chamber hold a minute's silence as a gesture of respect on Mr Astill's passing and in recognition of his contributions to the Parramatta community.

Note: Council observed a minute's silence.

Note: Councillor Bradley left the Chamber at 7:13 pm prior to consideration of Item 8.4.

8.4 SUBJECT Declaration of Little India Precinct

REFERENCE F2022/03176 - D08954185

REPORT OF Lord Mayor, Councillor Donna Davis

4274 RESOLVED (Davis/Noack)

- (a) **That** Council notes its resolution of the 11 April 2023 Council Meeting, supporting the objective to make the Little India precinct in Harris Park a national and international destination and its invitation to the Prime Minister of India to visit Little India in May 2023.
- (b) **Further, that** Council reaffirm its commitment to the Little India precinct by inviting the Prime Minister of India to lay a commemorative stone as the first step towards the construction of the Gateway to commemorate the establishment of the 'Little India' precinct in Harris Park.

8.5 SUBJECT Youth Week 2023

REFERENCE F2021/02779 - D08950646

REPORT OF Lord Mayor, Councillor Donna Davis

4275 RESOLVED (Davis/Garrard)

- (a) **That** Council acknowledge City of Parramatta's Youth Week being held from 20-30 April 2023 and celebrate the important perspectives and contributions of youth in the Parramatta community.

- (b) **Further, that** the CEO bring back a report to Council before 1 August 2023 and investigate drafting a Youth Strategy as part of the Youth Engagement Framework for the City of Parramatta. This report should consider:
 - i. Consultation with young people and relevant stakeholders in developing strategic priorities and action plans;
 - ii. Focus areas for consideration including: mental health and wellbeing, employment, apprenticeships/traineeships, justice and safety, the arts, technology hub, community connections, as well as voice, empowerment and engagement;
 - iii. and the financial and resourcing implications of developing a youth strategy, and potential timeframes for consultation, development and delivery.

Note: Councillor Bradley returned to the Chamber at 7:35pm during consideration of Item 8.5.

8.6 SUBJECT Heart Week 2023

REFERENCE F2022/03176 - D08954004

REPORT OF Lord Mayor, Councillor Donna Davis

4276 RESOLVED (Davis/Wang)

- (a) **That** Council recognise Heart Week, held from 1 – 7 May 2023, which promotes national heart health awareness.
- (b) **That** Council note the availability of lifesaving defibrillators at various community facilities across the City of Parramatta.
- (c) **That** Council donate \$2,500 to the Michael Hughes Foundation to support their work promoting heart health awareness and the community response to cardiac arrest;
- (d) **That** Council donate \$2,500 to The Heart Foundation to support their work to save lives and improve health through cardiovascular research; and
- (e) **Further, that** the Lord Mayor write to Julie Hughes of the Michael Hughes Foundation and to the Heart Foundation to acknowledge their important work and inform them of Council's donation.

Note: Councillor Darley left the Chamber at 7:52pm and returned to the Chamber at 7:54pm during consideration of Item 8.6.

9. PUBLIC FORUM

There were no public forums submitted for this meeting.

10. PETITIONS

10.1 SUBJECT Signage Changes Relating to Blue Gum Drive

FROM Sameer Pandey

Install, remove and relocate various "No Stopping" signs in Bungaree Road Pendle Hill.

It was indicated that arrangements had been made to install the approved signs in approximately 1-3 weeks from the date of the advice.

While urgent action may not necessarily be required in relation to the signage change for the driveway of No. LZL or Banksia Drive, the fact that nothing has been done in relation to the proposal involving Blue Gum Drive is fast approaching a critical stage.

Blue Gum drive is the host driveway for the Retirement Village Residents, their guests, carers and various tradespeople including taxi's, Woolworths and Coles delivery vans. It is also used by the Garbage contractors and removalists.

Of late, numerous vehicles have been parking close to the driveway and some actually extend part of the vehicle beyond the current signage. On occasions, these can be small trucks, SUV's and Utilities.

In addition to the fact that the house at 159 Bungaree Road is now occupied and the residents need safe ingress and egress from their garages, the soon to be opened Child Care Centre will add a great deal of new traffic to Bungaree Road.

There is significant and growing concern within the Village community that a failure to implement the changes specified by the Parramatta Traffic Committee could result in a serious and possibly fatal accident. The current signage which allows parking close to the driveway impedes vision of vehicles coming over the crest from Wentworth Ave as well as cars moving at speed along Bungaree Road towards Wentworth Ave.

It would be greatly appreciated if urgent attention could be given to this matter with action taken to implement the previous decision. The attachment contains the signatures of a number of residents who support request.

Note: As a matter of practice, the petition will be referred to the relevant Council officer/s, and a copy of the petition distributed to all Councillors, upon receipt of the petition from the Councillor.

11. RESCISSION MOTIONS

Nil

12. REPORTS TO COUNCIL - FOR NOTATION

12.1 SUBJECT Investment Report for March 2023

REFERENCE F2022/03176 - D08935819

REPORT OF Tax and Treasury Accountant

4277 RESOLVED (Maclean/Garrard)

That Council receive and note the Investment Report for March 2023.

13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 SUBJECT Minutes of the Parramatta Traffic Committee meeting held on 15 March 2023

REFERENCE F2022/03176 - D08824687

REPORT OF Traffic and Transport Manager

4278 RESOLVED (Noack/Green)

(a) **That** Council note the minutes of the Parramatta Traffic Committee held on 15 March 2023, provided at Attachment 1 subject to Item 2 the Charles Street being removed.

(b) **Further, that** Council approve the recommendations of the Parramatta Traffic Committee from the meeting held on 15 March 2023 provided at Attachment 1 of this report, noting the following financial implications for each item.

I. ITEM 2303 A1 DEVON STREET, ROSEHILL – PROPOSED RELOCATION OF EXISTING CHICANE

The proposed relocation of the chicane in Devon Street is to be undertaken by the developer of the Central Sydney Industrial Estate and the Downer Sustainable Road Resource Centre at no cost to Council. Therefore, this proposal has no direct financial impact on Council's budget.

II. ITEM 2303 A2 REVIEW OF ON-STREET PARKING WITHIN PARRAMATTA CBD

The cost of installing the signs will be 100% funded by Transport for NSW Block Grant Funds for installation and maintenance of traffic signs and line markings in 2022/23. The cost to update the parking meters will be covered as part of an existing contract with Secure Parking and will have negligible impact on Council's budget. It is anticipated that the changes will have a net positive impact on income generated from the affected parking meters.

The Traffic Committee's recommendation in relation to Charles Street which is Item IV not proceed at this time.

Note:

1. **Councillor Maclean left the Chamber at 8:10pm and returned to the Chamber at 8:13pm during consideration of Item 13.1.**
2. **Questions were taken on notice in relation to this item.**

13.2 SUBJECT Minutes of the Traffic Engineering Advisory Group meeting held on 15 March 2023

REFERENCE F2022/03176 - D08824791

REPORT OF Traffic and Transport Manager

4279 RESOLVED (Noack/Green)

- (a) **That** Council note the minutes of the Traffic Engineering Advisory Group meeting held on 15 March 2023, as provided at Attachment 1.
- (b) **Further, that** Council approve the recommendations of the Traffic Engineering Advisory Group meeting held 15 March 2023 as provided at Attachment 1 and in this report, noting the following financial implications of each item.

13.3 SUBJECT Street Crossing on the Corner of Hill Road and Burroway Road, Wentworth Point

REFERENCE F2022/03176 - D08943491

REPORT OF Traffic and Transport Manager

4280 RESOLVED (Noack/Siviero)

- (a) **That** Council allow Sekisui House Australia (Sekisui) to complete the planned and required project for a roundabout and pedestrian facilities at the intersection of Hill Road and Burroway Road, Wentworth Point, as this is the quickest and lowest cost option for the overall project based on advice from the developer.
- (b) **That** Council note that construction for this Traffic facility is forecast to be completed in the second half of 2023.
- (c) **Further, that** Council continue to work with the Parramatta Light Rail (PLR) project team of Transport for NSW (TfNSW) and Sekisui as a priority, to finalise the design for the proposed median island in Hill Road immediately north of Footbridge Boulevard, and the pedestrian crossing in Wattlebird Road, independently of the proposed works at the intersection of Hill Road and Burroway Road.

13.4 SUBJECT Heritage Grants

REFERENCE F2022/03176 - D08918009

REPORT OF Project Officer Land Use

4281 RESOLVED (Bradley/Esber)

That Council approve the Heritage Grant recommendations, as detailed in paragraph 4 of this report as follows:

- 1) Make a grant of \$3,300 for 61 Eleanor Street, Rosehill.
- 2) Make a grant of \$704 for 3 Kent Street, Epping.
- 3) Make a grant of \$3,300 for 59 Kirby Street, Rydalmere.
- 4) Make a grant of \$3,300 for 18 Galloway Street, North Parramatta.
- 5) Make a grant of \$2,179.38 for 9 Bago Street, Pendle Hill.

Note: A question was asked on this Item.

14. NOTICES OF MOTION

PROCEDURAL MOTION

4282 RESOLVED (Humphries/Noack)

That Council amend the order of business to consider Item 14.4 – Position of the Lord Mayor prior to Item 14.1.

14.4 SUBJECT Position of the Lord Mayor

REFERENCE F2022/03176 - D08940097

FROM Councillor Lorraine Wearne

4283 RESOLVED (Wearne/Garrard)

- (a) **That** the current Lord Mayor Councillor Donna Davis be requested to resign from the position of Lord Mayor.
- (b) **That** the chamber does not support that the position of Lord Mayor is held concurrently with the position of an elected member of the State Government of New South Wales.
- (c) **Further, that** an elected member of the City of Parramatta Council may concurrently hold the position of an elected member of the parliament of New South Wales in accordance with state law.

The motion moved by Councillor Wearne and seconded by Councillor Garrard on being put was declared LOST.

DIVISION A division was called, the result being:-

AYES: Councillors Garrard, Green, Siviero, Valjak, Wang and Wearne

NOES: Councillors Bradley, Darley, Davis, Esber, Humphries, Maclean, Noack, Pandey and Procriv

Note: Councillor Humphries retired from the meeting at 8:58pm.

14.1 SUBJECT Wentworth Point Public School - Pedestrian Crossing

REFERENCE F2022/03176 - D08926446

FROM Councillor Paul Noack

4284 RESOLVED (Noack/Siviero)

- (a) **That** Council call on the Minns Government to immediately direct the Sydney Olympic Park Authority (SOPA) to build a raised pedestrian crossing on Hill Rd, Wentworth Point (also known as Ferry Rd Circuit) at the main entrance to Wentworth Point Public School. The location of the safe crossing to be negotiated with the School Principal, School P&C representatives & Rosehill Ward Councillors.
- (b) **Further, that** the Lord Mayor is authorised to contact the Minister for Education, Prue Car, & the Deputy Lord Mayor be authorised to contact the elected member for Parramatta, to lobby for the crossing.

Note: Councillor Pandey left the Chamber at 8:58pm and returned to the Chamber at 9:01pm during the consideration of Item 14.1.

14.2 SUBJECT PHIVE Transcription

REFERENCE F2022/03176 - D08939204

FROM Councillor Dan Siviero

4285 RESOLVED (Siviero/Garrard)

- (a) **That** Council explore options for live transcription and recordings during the Ordinary Council Meetings for members of the gallery and anyone joining via livestream.
- (b) **That** a report be tabled to Council by August 2023 on the costs, benefits and risks of human transcription compared with automated transcription software solutions.

- (c) **That** Council engage with Community Groups representing the interests of people affected by hearing loss to seek their feedback and input on appropriate transcription solutions.
- (c) **Further, that** Council seek the advice of the Access Advisory Committee in developing a policy to entrench transcription across Council's audio-visual services.

Note:

1. **Councillor Esber left the Chamber at 9:04pm and returned to the Chamber at 9:09pm during the consideration of Item 14.2.**
2. **Councillor Maclean left the Chamber at 9:11pm and returned to the Chamber at 9:12pm during the consideration of Item 14.2.**
3. **Councillor Prociv left the Chamber at 9:14pm during the consideration of Item 14.2.**

PROCEDURAL MOTION

4286 RESOLVED (Esber/Maclean)

That the meeting be adjourned for a short recess.

Note:

1. **The meeting was adjourned at 9:15 pm for a short recess.**
2. **Councillor Wearne retired from the meeting at 9:15pm.**

The meeting resumed at 9:30 pm with the following Councillors attendance: The Lord Mayor, Councillor Donna Davis, and Councillors Phil Bradley, Kellie Darley, Pierre Esber, Michelle Garrard, Henry Green, Cameron Maclean, Paul Noack, DLM Sameer Pandey, Dr Patricia Prociv, Dan Siviero, Georgina Valjak and Donna Wang.

14.3 SUBJECT Parramatta LGA Primary/HighSchool Precincts

REFERENCE F2022/03176 - D08940026

FROM Councillor Georgina Valjak

4287 RESOLVED (Valjak/Wang)

- (a) **That** the Lord Mayor writes on behalf of the chamber to the incoming State Member for Parramatta, Donna Davis, the incoming State Member for Epping Dominic Perrottet and the Minister for Education, Hon Prue Car, requesting a briefing be provided by School Infrastructure NSW / Department of Education to outline the current plans to address continued growth beyond current capacity including Carlingford West Public School/Cumberland High School, and also plans to improve nearby schools that could be better utilised in the Parramatta LGA.
- (b) **Further, that** the Lord Mayor writes to the incoming State Member for Parramatta and the Minister for Education & Early Learning

advocating for a high school and critical infrastructure for the proposed Telopea Precinct Redevelopment instead of sending students to the overpopulated Cumberland High School.

14.5 SUBJECT DEFERRED ITEM from OCM 11 April 2023 - Parramatta Light Rail Stage 2 - \$200 million additional funding

REFERENCE F2022/03176 - D08946064

FROM Councillor Dan Siviero

4288 RESOLVED (Siviero/Garrard)

- (a) **That** the Lord Mayor, Councillor Donna Davis write to the incoming State Member Donna Davis, Member for Parramatta, Hon Chris Minns, Premier of New South Wales, and Hon Jo Haylen, Minister for Transport for NSW, conveying the views of Council.
- (b) **That** Council note the NSW Government's announcement in January 2023 (if elected) that it would fund an additional \$200 million towards the Parramatta Light Rail Stage 2 and welcome this announcement but express concern that this does not fully commit to the entire project.
- (c) **That** Council express concern that this does not fully commit to the entire project and accordingly, call on the NSW State Government to fully commit and fully fund the Parramatta Light Rail Stage 2 project during its first term of Government.
- (d) **That** all Councillors be provided a copy of correspondence sent by the Lord Mayor.
- (e) **That** work commence on the Parramatta Light Rail Stage 2 as soon as possible aiming for a completion date earlier than 2031.
- (f) **Further, that** Council advocate for additional Metro Stations in Newington and Camellia.

15. QUESTIONS WITH NOTICE

15.1 SUBJECT Questions Taken on Notice - 11 April 2023 Council Meeting

REFERENCE F2022/03176 - D08943985

REPORT OF Governance Manager

1. Paragraph 9.23 of Council's Code of Meeting Practice states:

"Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is

put, they may take it on notice and report the response to the next meeting of the Council.”

STAFF RESPONSE

Urgent Matter - Little India

During discussion on the urgent Matter - Little India, Councillor Garrard asked the following question:

Could staff provide at the workshop, all the instances of when Council through its media and any publication has referred to it as Little India?

Acting Executive Director City Engagement and Experience response

The CEO responded to the Councillors via email after the meeting.

Urgent Matter – Easter Celebrations

During discussion on the urgent Matter – Easter Celebrations, Councillor Siviero asked the following question:

Does the Lord Mayor usually write to community leaders of religious organisations to recognise a celebration?

Executive Director Community Services response

Historically, it has not been standard practice that letters be sent to religious leaders to recognise religious celebrations. The Lord Mayor publishes a weekly column and issues community messages through paid advertising in local newspapers acknowledging significant cultural and religious days.

A summary of some of the ways cultural days of significance have previously been recognised is provided below:

- In 2018, a general Easter best wishes message was sent by email to local religious leaders from the then Lord Mayor Cr Wilson, but this was not done as a formal letter.
- In 2022, the Lord Mayor recorded and posted community video messages to her Facebook for Easter and Ramadan, among other significant days including National Youth Week, Volunteer Week etc.
- Each year, the Lord Mayor of the day sends out Christmas cards (digital or hard copy) to local leaders and community groups, and assistance with compiling the community stakeholder portion of the list is provided from multiple areas within Council. The final list is at the determination of the Lord Mayor.

Item 13.1 - Post-Exhibition: Housekeeping Amendment to City of Parramatta (Outside CBD) Development Contributions Plan 2021.

During discussion on Item 13.1 Post-Exhibition: Housekeeping Amendment to City of Parramatta (Outside CBD) Development Contributions Plan 2021, Councillor Esber asked the following question

How far back does the register for VPA monies go? If staff could provide the information to Councillors.

Acting Executive Director City Planning and Design response

A joint staff response provided below for Item 13.1

During discussion on Item 13.1 Post-Exhibition: Housekeeping Amendment to City of Parramatta (Outside CBD) Development Contributions Plan 2021, Councillor Prociv asked the following question

Will Wentworth Point and any VPAs that came out of the old Auburn Council be included in the Register?

Acting Executive Director City Planning and Design response

The VPA Register includes high level information relating to all Planning Agreements executed by Council (or predecessor Council in case of amalgamated areas) since 2010.

For completeness the register also includes an earlier Deed of Agreement that was made in 2008 where works were completed in lieu of payment of Development Contributions in relation to the University of Western Sydney.

The VPA Register is a requirement of Council in accordance with section 206 of the Environmental Planning & Assessment Regulation, as follows:

- (1) A planning authority must keep a register of all relevant planning agreements and record the following information in the register for each relevant planning agreement—*
 - (a) the day on which the agreement was entered into,*
 - (b) the names of the parties to the agreement,*
 - (c) a description of the development to which the agreement relates, if relevant,*
 - (d) the land to which the agreement applies.*

A copy of the Register is provided on Council's website <https://www.cityofparramatta.nsw.gov.au/sites/council/files/2023-04/VPA-Register-as-at-6-April-2023.pdf>

The register includes all executed VPAs including those of the former Councils relating to amalgamated areas transferred to City of Parramatta.

Item 13.3 - Draft Councillor and Staff Interaction Policy for Public Exhibition

During discussion on Item 13.3 - Draft Councillor and Staff Interaction Policy for Public Exhibition, Councillor Darley asked the following question:

Recently with the Improvement Notice there has been some changes when Councillors meet with certain staff. This has not been identified in this policy; should this be included in the policy?

Executive Director Finance and Information response

The draft Councillor and Staff Interaction Policy, as currently on public exhibition, was drafted in accordance with the Office of Local Government's Model Councillor and Staff Interaction Policy 2022. The Model Policy provides a recommended best-practice framework for these interactions, which Council officers have determined should be implemented. Council's draft Policy was further reviewed by the Internal Ombudsman, with recommendations incorporated accordingly. The draft Policy includes Schedule 1 – Authorised Staff Contacts for Councillors, which has been updated to provide clarity for all parties regarding identified appropriate staff contacts.

The draft Councillor and Staff Interaction Policy was re-assessed by the Executive Team in light of the Improvement Notice, and it was determined that Council's Policy content should remain consistent with the OLG Model Policy direction.

Councillors and staff are further reminded that the core policy framework for general conduct obligations is established by Council's Code of Conduct, which is referred to in clause 5.2 of the draft Policy.

Item 13.3 - Draft Councillor and Staff Interaction Policy for Public Exhibition

During discussion on Item 13.3 - Draft Councillor and Staff Interaction Policy for Public Exhibition, Councillor Darley asked the following question:

At an event are Councillors allowed to interact with staff outside the authorised list?

Executive Director Finance and Information response

The Policy applies to interactions between Council staff and Councillors at a Council or non-Council event. Schedule 1 establishes a list of authorised staff who have direct contact with Councillors to provide advice about matters that are related to the Staff member's area of responsibility; see clauses 2.1 and 3.27. It is acknowledged that staff outside of the authorised list may still come into contact with Councillors, such as at public events; Councillors and non-authorised staff should familiarise themselves with the Policy to understand the parameters

limiting their level of appropriate interaction, and appropriate channels for forwarding to an authorised staff any requests for information or advice. Conduct obligations as applicable to all staff and Councillors set out by the Code of Conduct also applies.

Item 15.1 - DEFERRED ITEM FROM OCM 27 MARCH 2023: Damaged Stormwater Drains/Pits.

During discussion on DEFERRED ITEM FROM OCM 27 MARCH 2023: Damaged Stormwater Drains/Pits, Councillor Garrard asked the following question:

Are Councillors allowed to speak to QWN?

Executive Director Finance and Information response

There is no provision for Councillors to speak on any response made by the Chief Executive Officer to a Question on Notice. The Question is considered to be asked and answered. This is outlined under clauses 3.13 -3.15 of the Code of Meeting Practice.

All a Councillor may do is ask a supplementary question in accordance with the provisions of clauses 9.20 - 9.26 of the Code of Meeting Practice.

Item 16.3 – Endorsement of 9 Wentworth Street, Parramatta Design, Fitout, Basebuild DA Works & Project Budget

During discussion on Endorsement of 9 Wentworth Street, Parramatta Design, Fitout, Basebuild DA Works & Project Budget, Councillor Garrard asked the following question:

Could staff to organise a workshop and provide details of the fit out and provide samples?

Acting Executive Director Property and Place response

Council staff are arranging to present the 9 Wentworth material and finishes palette, for Council's office fitout, to Councillor's at the next PDG bi-monthly update.

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.

16. CLOSED SESSION

4289 RESOLVED (Noack/Maclean)

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:-

16.1 ITT/26/2022 Parramatta Aquatic Centre Merchandise Supply tender. (D08914860) - *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 (Outcome of evaluation process for tender - contains commercial information).*

16.2 Legal fees, City of Parramatta vs Sydney Metro. (D08928816) - *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.*

16.3 9 Wentworth St, Lease Surrender Department of Home Affairs. (D08928435) - *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.*

16.1 SUBJECT ITT/26/2022 Parramatta Aquatic Centre Merchandise Supply tender

REFERENCE F2023/00276 - D08914860

REPORT OF Aquatics and Wellness Manager

4290 RESOLVED (Garrard/Noack)

(a) **That** Council approve the appointment of Speedo Australia and HEAD Oceania t/a Zoggs as suppliers of merchandise for resale within Parramatta Aquatic Centre on the submitted schedule of rates and within the approved budgets.

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

16.2 SUBJECT Legal fees, City of Parramatta vs Sydney Metro

REFERENCE F2023/00276 - D08928816

REPORT OF Acting Executive Director Property and Place

4291 RESOLVED (Pandey/Maclean)

- (a) **That** Council approve an additional \$320,000 to settle the legal account for the Land & Environment Court case, City of Parramatta vs Sydney Metro, which will be allocated from the Property Reserve.
- (b) **Further, that** Council delegate to the Chief Executive Officer approval to provide additional legal fees contingency as detailed in the paragraph 6 of the report.

Note: Councillor Garrard declared a non-pecuniary less than significant interest in Item 16.3 - 9 Wentworth St, Lease Surrender Department of Home Affairs and remained in the Chamber during consideration of the Item and voted thereon.

16.3 SUBJECT 9 Wentworth St, Lease Surrender Department of Home Affairs

REFERENCE F2023/00276 - D08928435

REPORT OF Acting Executive Director Property and Place

4292 RESOLVED (Prociv/Valjak)

- (a) **That** Council agree to the Department of Home Affairs lease surrender date of 30 June 2023 on the basis they pay all rent up to 31 August 2023. Total \$437,000 plus GST.
- (b) **That** Council accept a cash payment of \$1,352,000 plus GST a in lieu of the Department of Home Affairs makegood obligations.
- (c) **That** the payment of \$1,352,000 plus GST in Recommendation (b) to be allocated to the 9 Wentworth capital budget for Council's fitout and building upgrade.
- (c) **Further, that** the CEO be authorised to negotiate the terms and execute the Deed of lease surrender with the Department of Home Affairs.

PROCEDURAL MOTION

4293 RESOLVED (Noack/Siviero)

That the meeting resume in Open Session.

17. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION


The Chief Executive Officer read out the resolutions for Items 16.1 to 16.3.

Note: Councillor Esber and Councillor Noack retired from the meeting at 10:29pm

18. CONCLUSION OF MEETING

The meeting closed at 10:32pm.

THIS PAGE AND THE PRECEDING 16 PAGES ARE THE MINUTES OF THE
ORDINARY COUNCIL MEETING HELD ON Monday, 24 April 2023 AND
CONFIRMED ON Monday, 8 May 2023.



Chairperson