

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

PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak (6:48pm), Phil Bradley (6:33pm), Donna Davis, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Steven Issa (6:32pm), Andrew Jefferies (6:34pm), Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter.

1. OPENING MEETING

The Lord Mayor, Councillor Bob Dwyer, opened the meeting at 6.30pm.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL LAND OWNERS

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

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 8 March 2021

3117 RESOLVED (Tyrrell/Garrard)

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

6. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

There were no apologies / requests for leave of absence made at this meeting.

7. DECLARATIONS OF INTEREST

Councillor Pandey declared a non-pecuniary but significant interest in Item 17.3 – Post Gateway – Proposed Amendment to the Wentworth Point Precinct DCP 2014 and Draft Planning Agreement for 14-16 Hill Road, Wentworth Point (Sekisui Planning Proposal) (Deferred Item), being that he was a member of the Planning Panel for another application that was brought to the Panel in June 2018, for 14-16 Hill Road, Wentworth Point. He retired from the Chamber and took no part in the debate or vote thereon.

Councillor Tyrrell declared a non-pecuniary and less than significant interest in Item 17.6 – Post Exhibition – Planning Proposal, Development Control Plan and Planning Agreement – 197 and 207 Church St and 89 Marsden St, Parramatta, being that 13 years ago he was an employee of a supplier that provided financial services to the applicant and / or associates. He remained in the Chamber during debate and voting on the matter.

Note: Councillor Issa arrived at 6:32pm during consideration of Declaration of Interests.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Condolence Motion: James Law

REFERENCE F2019/03630 - D07960724

REPORT OF Lord Mayor, Councillor Bob Dwyer

3118 RESOLVED (Dwyer)

- (a) **That** Council acknowledge the passing of City of Parramatta officer James Law, offering our condolences to his family, friends and colleagues.
- (b) **That** Council write a letter of condolence to the family of Mr Law, acknowledging his service to the City of Parramatta Council.
- (c) **Further, that** the Chamber hold a minute's silence as a gesture of respect on Mr Law's passing.

Note: The Chamber observed a minutes silence.

Note:

- 1. **Councillor Bradley arrived at 6:33pm during consideration of Item 8.1.**
- 2. **Councillor Jefferies arrived at 6:34pm during consideration of Item 8.1.**

8.2 SUBJECT March 2021 NSW Floods

REFERENCE F2019/03630 - D07960734

REPORT OF Lord Mayor, Councillor Bob Dwyer

MOTION (Dwyer/Zaiter)

- (a) **That** Council note the current significant wet weather occurring across eastern NSW, resulting in impacts from flood and storm conditions in the City of Parramatta.
- (b) **That** Council note the impacts to residents and businesses in our community, with many facing potential damage to property due to rainfall and localised flooding.
- (c) **That** Council note all Childcare Centres, Libraries, Riverside Theatres, Recreation and Aquatic facilities are open as planned, with the exception of Epping Library, and remote services including Meals on Wheels and Active Parramatta are also operational.
- (d) **That** Council thanks the NSW SES, NSW Police, emergency services personnel and other agencies who have responded to calls for help across the City.
- (e) **That** Council thanks the Council staff who have worked throughout the weekend, day and night, to inspect sites, assist emergency services, provide resources and commence the clean-up.
- (f) **Further, that** Council note that Council officers are continuing to work with the NSW SES, NSW Police and other agencies to continue to address the impacts of the wet weather event.

3119 RESOLVED (Zaiter/Tyrrell)

That the motion be put.

The motion moved by Lord Mayor, Councillor Dwyer and seconded by Councillor Zaiter on being put was declared CARRIED.

3120 RESOLVED (Dwyer/Zaiter)

- (a) **That** Council note the current significant wet weather occurring across eastern NSW, resulting in impacts from flood and storm conditions in the City of Parramatta.
- (b) **That** Council note the impacts to residents and businesses in our community, with many facing potential damage to property due to rainfall and localised flooding.
- (c) **That** Council note all Childcare Centres, Libraries, Riverside Theatres, Recreation and Aquatic facilities are open as planned, with the exception of Epping Library, and remote services including Meals on Wheels and Active Parramatta are also operational.
- (d) **That** Council thanks the NSW SES, NSW Police, emergency services personnel and other agencies who have responded to calls for help across the City.

- (e) **That** Council thanks the Council staff who have worked throughout the weekend, day and night, to inspect sites, assist emergency services, provide resources and commence the clean-up.
- (f) **Further, that** Council note that Council officers are continuing to work with the NSW SES, NSW Police and other agencies to continue to address the impacts of the wet weather event.

Note: Councillor Barrak arrived at 6:48pm during consideration of Item 8.2.

8.3 SUBJECT 100 Years of Rotary in Australia

REFERENCE F2019/03630 - D07960835

REPORT OF Lord Mayor, Councillor Bob Dwyer

3121 RESOLVED (Dwyer/Davis)

- (a) **That** Council note that Rotary in Australia and New Zealand celebrates its first 100 years of service in 2021.
- (b) **That** Council acknowledge the work Rotary have done and continue to do in the City of Parramatta.
- (c) **Further, that** Council write to our local Rotary Clubs to acknowledge this significant milestone, and thank them for their commitment and contributions to the community.

8.4 SUBJECT Bicentenary of Greek Independence Day - 25 March 2021

REFERENCE F2019/03630 - D07961711

REPORT OF Lord Mayor, Councillor Bob Dwyer

3122 RESOLVED (Dwyer/Tyrrell)

- (a) **That** Council note that Thursday, 25 March 2021, is the Greek National Day of Independence.
- (b) **That** Council note that in 2021, Greeks across the world will be celebrating 200 years of Modern Greece.
- (c) **That** Council acknowledge the contributions made to the City of Parramatta by Greek Australians to our vibrant multicultural community.
- (d) **Further, that** Council fly the Greek flag supplied by St Ioannis Greek Orthodox Church at the Parramatta CBD River Foreshore flagpole on their National Day of Independence, Thursday 25 March.

Note: Councillor Davis left the Chamber at 7:02pm and returned at 7:02pm during consideration of Item 8.4.

8.5 SUBJECT Attracting Retail to Parramatta

REFERENCE F2019/03630 - D07961011

REPORT OF Lord Mayor, Councillor Bob Dwyer

3123 RESOLVED (Dwyer/Issa)

That a Lord Mayor Retail Roundtable be held before the end of June 2021, to engage with the retail industry and the arts and culture sector stakeholders for the purpose of promoting Parramatta as a destination of choice for retailers.

9. PUBLIC FORUM

9.1 SUBJECT PUBLIC FORUM: Petition Received 22 February 2021 -
Yummi Pet Food Products, 115-121 Ballandella Road,
Pendle Hill

REFERENCE F2021/00521 - D07956424

FROM Matthew Chalmers

I wish to speak before you this evening in relation to an illegal pet food manufacturing operation, Yummi Pet Food Products, at 115-121 Ballandella Road, Pendle Hill. I am here tonight on behalf of many residents of Burrabogee Road, and surrounding streets who have had their quality of life severely impacted by the foul and offensive smell that has been coming from this factory. I refer to a petition that was tabled during your meeting held on 22 February 2021.

The residents of our street have been complaining to City of Parramatta Council about the smell and noise from this operation for many months. We have pleaded for somebody from the council to come and investigate the smell. The smell is present at all hours of the day and night and on weekend. It is a smell like dead rotting meat at a garbage dump. The smell has affected all aspects of our daily life. We can't enjoy our back yards; my children do not want to play outside. visitors to our home comment on the smell. We can't open the windows, otherwise the smell fills the whole house. It has affected our health and mental wellbeing. I also believe that it is now affecting the values of our homes.

We understand that council confirmed that Yummi Pet Food Products is operating a manufacturing, and packing operation at this location without DA approval, in November 2020, and that an intent to issue a development control order was issued to Yummi Pet Food Products. We also understand that that a control order was issued in February 2021. The control order required that the operation cease, and the illegal manufacturing equipment removed by 12 March 2021. During this time, Yummi Pet Food Products made no attempt to cease operations. In fact

it has appeared that lately the traffic has increased, and the smell has worsened.

During this time the site has been opening normally at 5:30am each morning Monday to Saturday and is often open on Sunday. I believe there is at least 15-30 workers currently at Yummi Pet Food Products alone. They regularly load and unload trucks before 6am. We have large, refrigerated semi-trailers parking in our street overnight with the motors running and the drivers sleeping in the cabins waiting for the operation to open so they can unload.

It is also worth highlighting that even though the address is 115-121 Ballendella Road, the actual entrance to the site is on Burrabogee Road, which is residential on one side of the street.

We have repeatedly contacted council asking for some investigation to the smell to occur, but we have been meeting with an answer that nothing can be done until after the control order expired on 12 March. Meanwhile we must live with the smell and noise.

It is very concerning, that during this whole time, we were able to get one ranger to come to the site once. That required many phone calls. We were lucky to meet the ranger and they confirmed the smell was obviously coming from 115-121 Ballendella Road. Now the 12th of March has been and gone, the site is still operating, and the foul smell is still coming from the site. Refrigerate trucks are still delivering raw meat to the site for processing, and there is still too many workers at the site for this location to be simply operating as a warehouse.

It has also come to our attention that Yummi pet foods is now in discussions with Council DA team to lodge a DA. From understanding means they will be able to continue operating during the review phase.

We are all highly concerned that Yummi Pet food is blatantly ignoring all of councils control orders. We are concerned that they have receive little or no punishment for operating illegally, polluting the environment, and ignoring the councils control orders. We are now also very worried that council will approve any DA application they submit, and then the residents of our street will suffer for the rest of our lives with the foul smell and operation.

The smell not only effects our street, but many residents in the direction of the wind at the time.

We feel that council is favouring the commercial operations in the area and not listening to the concerns of the residents in the area.

We are also very upset by the lack of communication that council staff have given the residents. We have been provided the "case managers" details however the case manager rarely answers the telephone or emails. For the past three months the reply we have been receiving is "please wait until 12th March". Now that 12th of march has passed the

case officer has not answered any calls from any resident in the street and has not acknowledged or answered any emails we have sent.

I purchased my home at 59 Burrabogee Road, in 2011, the site at 115-121 Ballandella road is DA approved for Warehousing activities only. At that time there was no Yummi pet foods operating at the site. I did not and would not have ever purchased a house next to a pet food factory.

We implore Parramatta Council to not allow any approval for any Development application for this illegal operation to continue at Yummi Pet Food. We ask that Yummi pet food should also suffer some consequences for ignoring council DA process and control orders. Approval of any DA would simply be a reward to a commercial activity for breaking the law.

We also ask Parramatta Council to investigate the cause of the smell, and to check internally what it has been so difficult for this smell issue to be investigated.

Finally we request that hours of operation for the existing warehouses be enforced in line with State Environmental Planning Policy, and that the warehouses cannot operate before 7am on weekdays, 8am on Saturdays, and no work on Sundays or public holidays.

EXECUTIVE DIRECTOR CITY ASSETS & OPERATIONS

Regulatory Services have carried out an investigation in respect to operation of Yummy Pet Food Products. The investigation confirmed that the manufacturing of food products is an unapproved use. As required by the legislation, a Notice of Intention to give an Order was given on 7 January 2021 with the order having been issued on 3 February 2021. The Order had a due date of Friday 12 March 2021. An inspection carried out on Monday 15 March 2021 revealed that the unauthorised use had not ceased thus a Penalty Infringement Notice was issued on the same day as well as a new Notice of Intention to Give an Order with a one week compliance date. As soon as the Notice due date passes, the Order will be served with only one week period of compliance. If the use does not cease by the due date of the Order, Regulatory Services will initiate the process required for starting enforcement procedures in the Land and Environment Court.

Note:

- 1. Councillor Esber left the Chamber at 7:08pm and returned at 7:11pm during the public forum.**
- 2. Councillor Issa left the Chamber at 7:12pm and returned at 7:13pm during the public forum.**
- 3. Councillor Issa left the Chamber at 7:15pm and returned at 7:17pm during the public forum.**

9.2 SUBJECT PUBLIC FORUM: Item 17.6 - Post Exhibition - Planning Proposal, Development Control Plan and Planning Agreement - 197 and 207 Church St and 89 Marsden St, Parramatta

REFERENCE F2021/00521 - D07958049

FROM Adam Byrnes

- Think Planners represent Holdmark, and speak in support of the recommendation and seek your adoption of the Planning Proposal and DCP.
- We do however bring one matter before the Councillors for their attention and amendment.
- The subject sites proximity to Parramatta Square, Parramatta Light Rail and Parramatta Metro Station is well known to you. The vision for this site for an A Grade Commercial Building and a 5 Star Hotel is also known to you. Our client is motivated to undertake a Design Competition (the brief is with the Council staff) and to commence and complete these significant projects speedily.
- We object to the DCP acting as a quasi prohibition to the potential to provide below grade retail or commercial space. Please refer to paragraphs 13 -15 of the report.
- The Council staff have pre-determined that this significant site is incapable of providing below ground retailing and commercial because of “flood management issues”.
- A DCP cannot predetermine this. It is appropriate that these detailed flood investigations occur at the Development Application stage. At that stage it may well be determined that flooding cannot be resolved, or the opposite.
- Why is this relevant? Our client is in discussions with a number of parties who are interested in pursuing activities such as Woolworths Metro or Coles Express below the commercial building; a wellness centre below the 5 start hotel; and a fine dining restaurant and cocktail bar in a unique partly below street level configuration. These activities contribute to a CBD and warrant careful investigation, thorough flood analysis, detailed development assessment. They should not be struck out on the basis of a DCP declaring that retail should be providing on ground floor only and restricting the sub ground areas to services and basement use only.
- The State Government has not sought to prohibit below ground activity, in fact it proposes a Metro Station below ground that will have thousands of people circulate through it. Flooding is no prohibition to that venture and will of course require detailed analysis and assessment through the approval stages. Just as it should for the Holdmark site.
- The Council staff have suggested that the drafting of the DCP is not a prohibition but just a guideline. But you and we expect

- There is no detailed flood study completed for this site that would justify a DCP containing a quasi prohibition. That work is yet to be done. It will happen at the DA stage.
- We seek that Council adopt the recommendation and include the following additional resolution: *That the DCP be amended to remove references to retailing and commercial uses being only above ground and remove any inference that the only below ground use is for carparking or servicing. These are matters for development assessment.*

This matter is addressed in paragraphs 11 to 16 in the Officer Report. Council Officers do not support habitable floor space below ground due to flood management concerns. The DCP seeks to put in place a policy framework that seeks to make assessment of future applications as efficient as possible. Council Officers are of the opinion that habitable floor space below ground is a significant risk and would only be permitted in exceptional circumstances where it can be demonstrated that risk can be managed. The control is able to be varied if it can be justified at Development Application stage that appropriate site-specific measures can be put in place to manage the risk. The DCP wording should be retained as amending it as suggested in the applicants submission would send the wrong message to the development market and may result in more applicants seeking floor space below ground in conditions that are unlikely to be supported. A potential impact of this could be increased processing times for Development Applications in the CBD if proposals for habitable floor space below the flood planning level are then lodged which have a low likelihood of being supported.

10.1	SUBJECT	Development of 1-7 Simpson Street, Dundas Valley NSW 2117
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FROM Pierre Esber

"Help us preserve the character and charm of our street - Proposal: Demolition, tree removal and construction of a 6 storey mixed use

building comprising 44 residential apartments and a ground floor child care centre accommodating 90 children over 2 levels of basement parking.”

3124 RESOLVED (Esber/Pandey)

- (a) **That** the petition be received and a copy of the petition be circulated to all Councillors.
- (b) **Further, that** the petitioners be informed of the progress of the development application.

10.2 SUBJECT Yummi Pet Food Products, Pendle Hill, NSW 2145

REFERENCE F2021/00521

FROM Sameer Pandey

A petition signed by residents of Pendle Hill and Toongabbie, NSW 2145 reads:

“We the residents of Pendle Hill and Toongabbie, NSW 2145 petition Parramatta City Council to act on the offensive odour and noise that is coming from Yummi Pet Foods and the industrial units that operate from the same site. We are aware that this factory has been operating illegally and manufacturing pet foods without an approved DA on a location that is only approved for warehousing activities. For a number of years there has been becoming progressively worse and for at least the last 6 months there has been a persistent foul and offensive odour coming from this factory. This odour has significantly impacted the quality of life and mental wellbeing of the residents of the street. There has also been a significant increase in the number of trucks operating out of this factory. This includes trucks parking in the street day and night, trucks entering and leaving, trucks being loaded and unloaded, industrial garbage trucks and fork trucks operating at the factory at all hours of the day and night including weekends and Sundays. There is also a significant increase number of factory workers and staff now working at the site, who arrive and congregate in Burrabogee Road and enter the premises before 5am and 6am each day and on weekends. The entrance to the entire estate at this address is located on Burrabogee Road. It has come to our attention that the owners of this site may submit a Development application to allow their operation to continue and this is of great concern, as our well-being is already severely effected. We request that all the residents of Burrabogee Road are included in any consultation and approval process relating to any proposed DA for this location.

We petition Parramatta City Council to investigate and enforce action against this illegal pet food factory that is operating without approval. We petition Parramatta City Council to enforce operating hours and days on this warehouse site. We petition Parramatta Council to reject any DA application to allow this illegal Pet Food Factory to continue operating and manufacturing at this location.”

- 3125 RESOLVED (Pandey/Esber)
- (a) **That** the petition be received and a copy of the petition be circulated to all Councillors.
- (b) **Further, that** all Councillors be advised of the outcome of the investigation.

MATTER OF URGENCY

- 3126 RESOLVED (Esber/Garrard)
- That** a procedural motion be granted to allow consideration of a matter of urgency in relation to Harmony Day.
- The Lord Mayor ruled the matter urgent.

- 3127 RESOLVED (Esber/Garrard)
- That** Council formally recognise Harmony Day celebrated on 21 March each year by tabling a Lord Mayoral Minute and including the date on the Council's corporate calendar.
- Note: Councillor Wilson left the Chamber at 7:27pm during consideration of the matter of urgency.**

MATTER OF URGENCY

- 3128 RESOLVED (Issa/Zaiter)
- That** a procedural motion be granted to allow consideration of a matter of urgency in relation to seeking Council's support for the running of a Holy Week Procession by Our Lady of Lebanon Cathedral.
- The Lord Mayor ruled the matter urgent.
- 3129 RESOLVED (Issa/Zaiter)
- That** Council write a letter of support to the Our Lady of Lebanon Cathedral in support of the Holy Week Procession.
- Note: Councillor Wilson returned to the Chamber at 7:29pm during consideration of the matter of urgency.**

11. RESCISSION MOTIONS

Nil

12. FAIR

- 12.1 SUBJECT FOR NOTATION: Investment Report for February 2021

REFERENCE F2009/00971 - D07936139

REPORT OF Tax and Treasury Accountant

3130 RESOLVED (Tyrrell/Garrard)

That Council receive the Investment Report for February 2021.

13. ACCESSIBLE

13.1 SUBJECT FOR APPROVAL: Response to NOM - Safety of Pedestrians and Food Delivery Bike Riders

REFERENCE F2021/00077 - D07838433

REPORT OF Road Safety Officer

3131 RESOLVED (Pandey/Davis)

That Council defer consideration of this matter for a period of four (4) weeks to investigate what tangible actions Council can take to improve the safety within our Local Government Area.

14. GREEN

14.1 SUBJECT FOR APPROVAL: Belmore Park Masterplan

REFERENCE F2021/00521 - D07920401

REPORT OF Manager Open Space and Natural Resources

MOTION (Zaiter/Tyrrell)

- (a) **That** Council adopts the Belmore Park Masterplan Report as amended in response to submissions received during the recent public exhibition.
- (b) **That** copies of the adopted Belmore Park Masterplan Report be made available to the public at the City of Parramatta Library and on Council's website.
- (c) **That** all those who provided submissions during the public exhibition period be advised of Council's decision and thanked for their contribution to the development of the Masterplan.
- (d) **That** detail design for the implementation of the adopted Belmore Park Masterplan Report commence in preparation for the application of funding opportunities.
- (e) **Further, that** in addition to this detailed design, further community consultation take place regarding the potential community garden identified within the Belmore Park Masterplan and that this consultation should include consideration of Sherwin Park and all

other possible locations within the vicinity of Belmore Park, and the 'Friends of Belmore Park Community Garden' be invited to participate in this process.

AMENDMENT (Bradley/Barrak)

That Council defer consideration of this matter for a period of four (4) weeks.

3132 RESOLVED (Issa/Zaiter)

That the motion be put.

The amendment moved by Councillor Bradley and seconded by Councillor Barrak being put was LOST.

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

3133 RESOLVED (Zaiter/Tyrrell)

- (a) **That** Council adopts the Belmore Park Masterplan Report as amended in response to submissions received during the recent public exhibition.
- (b) **That** copies of the adopted Belmore Park Masterplan Report be made available to the public at the City of Parramatta Library and on Council's website.
- (c) **That** all those who provided submissions during the public exhibition period be advised of Council's decision and thanked for their contribution to the development of the Masterplan.
- (d) **That** detail design for the implementation of the adopted Belmore Park Masterplan Report commence in preparation for the application of funding opportunities.
- (e) **Further, that** in addition to this detailed design, further community consultation take place regarding the potential community garden identified within the Belmore Park Masterplan and that this consultation should include consideration of Sherwin Park and all other possible locations within the vicinity of Belmore Park, and the 'Friends of Belmore Park Community Garden' be invited to participate in this process.

Note: Councillor Bradley and Councillor Barrak requested that their names be recorded as having voted against the decision taken in this matter.

Note:

1. **Councillor Garrard left the Chamber at 7:36pm and returned at 7:38pm during consideration of Item 14.1.**

2. Councillor Issa left the Chamber at 7:39pm and returned at 7:45pm during consideration of Item 14.1.
3. Councillor Esber left the Chamber at 7:42 and returned at 7:49pm during consideration of Item 14.1.
4. Councillor Wilson left the Chamber at 7:49pm and returned at 7:51pm during consideration of Item 14.1.

15. WELCOMING

Nil

16. THRIVING

Nil

17. INNOVATIVE

17.1 SUBJECT FOR APPROVAL: Submission to DPIE on draft Westmead Place Strategy

REFERENCE F2021/00521 - D07842149

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

MOTION (Issa/Davis)

- (a) **That** Council approve the submission on the draft Westmead Place Strategy to the Department of Planning, Industry, and Environment (DPIE) at Attachment 2.
- (b) **That** Council note that a key element of Councils response to the draft Strategy is the need for the Department to complete the traffic and transport work proposed in the draft Strategy prior to any Strategy being endorsed by the Minister.
- (c) **That** Council endorse staff preparing a report on the risks and benefits of Council suspending consideration of Planning Proposals and assessment of Development Applications, unless the proposals or applications relate solely to increasing and/or supporting community health services, until the Minister for Planning and Public Spaces has approved the Strategy based on a comprehensive traffic and transport study, and Council has completed the analysis and consultation required to determine land use and density controls that are consistent with the Strategy.
- (d) **Further, that** the Lord Mayor and Ward Councillors meet the Minister and relevant officers with a view to putting forward Council's position as to costs and opportunities in Westmead.

An amendment was moved by Councillor Bradley, which was accepted by Councillor Issa and Councillor Davis, the mover and seconder of the original motion.

Councillor Bradley stated that he wished to move a formal amendment.

AMENDMENT (Bradley/)

- (a) **That** Council approve the submission on the draft Westmead Place Strategy to the Department of Planning, Industry, and Environment (DPIE) at Attachment 2, subject to it being amended to:
 - Include a request that the Heritage Precinct containing the Former Female Factory and associated nationally listed items be formally recognised as part of the Parramatta Park to be managed by the Parramatta Park Trust in conjunction with the World Heritage Listed Old Government House;
 - Include a recommendation that tourism opportunities, including heritage based tourism and medical tourism be investigated as part of the proposed Place Brand Strategy or in a separate Tourism Strategy for Westmead.
- (b) **That** Council note that a key element of Councils response to the draft Strategy is the need for the Department to complete the traffic and transport work proposed in the draft Strategy prior to any Strategy being endorsed by the Minister.
- (c) **That** Council endorse staff preparing a report on the risks and benefits of Council suspending consideration of Planning Proposals and assessment of Development Applications, unless the proposals or applications relate solely to increasing and/or supporting community health services, until the Minister for Planning and Public Spaces has approved the Strategy based on a comprehensive traffic and transport study, and Council has completed the analysis and consultation required to determine land use and density controls that are consistent with the Strategy.
- (d) **Further, that** the Lord Mayor and Ward Councillors meet the Minister and relevant officers with a view to putting forward Council's position as to costs and opportunities in Westmead.

The amendment moved by Councillor Bradley lapsed without a seconder.

The mover and seconder of the original motion accepted the amendments into the original motion.

The motion moved by Councillor Issa and seconded by Councillor Davis was put to the vote.

Councillor Bradley raised a point of order in relation to the meeting proceedings. The Lord Mayor ruled against the point of order.

MOTION (Bradley/)

That Council dissent from the ruling of the Chairperson.

The motion of dissent moved by Councillor Bradley lapsed without a seconder.

The motion moved by Councillor Issa and seconded by Councillor Davis on being put was declared CARRIED.

3134 RESOLVED (Issa/Davis)

- (a) **That** Council approve the submission on the draft Westmead Place Strategy to the Department of Planning, Industry, and Environment (DPIE) at Attachment 2 subject to it being amended to :
- Include a request that the Heritage Precinct containing the Former Female Factory and associated nationally listed items be formally recognised as part of the Parramatta Park to be managed by the Parramatta Park Trust in conjunction with the World Heritage Listed Old Government House
 - Include a recommendation that tourism opportunities, including heritage based tourism and medical tourism be investigated as part of the proposed Place Brand Strategy or in a separate Tourism Strategy for Westmead.
- (b) **That** Council note that a key element of Councils response to the draft Strategy is the need for the Department to complete the traffic and transport work proposed in the draft Strategy prior to any Strategy being endorsed by the Minister.
- (c) **That** Council endorse staff preparing a report on the risks and benefits of Council suspending consideration of Planning Proposals and assessment of Development Applications, unless the proposals or applications relate solely to increasing and/or supporting community health services, until the Minister for Planning and Public Spaces has approved the Strategy based on a comprehensive traffic and transport study, and Council has completed the analysis and consultation required to determine land use and density controls that are consistent with the Strategy.
- (d) **Further, that** the Lord Mayor and Ward Councillors meet the Minister and relevant officers with a view to putting forward Council's position as to costs and opportunities in Westmead.

Note: Councillor Tyrrell left the Chamber at 7:52pm and returned at 7:53pm during consideration of Item 17.1

PROCEDURAL MOTION

3135 RESOLVED (Dwyer/Garrard)

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

Note: The meeting was adjourned at 8:06pm for a short recess.

3136 RESOLVED (Dwyer/Wilson)

That the meeting resume.

The meeting resumed at 8:16pm with the following Councillors in attendance: The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter.

17.2 SUBJECT FOR APPROVAL: Pre Gateway - Planning Proposal for 64 Victoria Road, North Parramatta

REFERENCE RZ/2/2020 - D07902200

REPORT OF Project Officer Land Use

3137 RESOLVED (Esber/Davis)

- (a) **That** Council endorse for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment (DPIE), the Planning Proposal (at Attachment 1) for land at 64 Victoria Road, North Parramatta which seeks to amend Schedule 1 of the Parramatta Local Environmental Plan 2011 (PLEP 2011) to allow '*take away food and drink premises*' as an additional permitted use (limited to a maximum gross floor area of 100m²).
- (b) **That** the Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.
- (c) **That** Council advises the DPIE 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) **Further, 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.

DIVISION A division was called, the result being:-

AYES: Councillors Barrak, Bradley, Davis, Dwyer, Esber, Issa, Jefferies, Pandey, Prociv, Tyrrell, Wearne, Wilson and Zaiter

NOES: Nil

Note: Councillor Pandey declared a non-pecuniary but significant interest in Item 17.3 and left the Chamber at 8:19pm prior to the consideration of the matter.

17.3 SUBJECT FOR APPROVAL: Post Gateway - Proposed Amendment to the Wentworth Point Precinct DCP 2014 and Draft Planning Agreement for 14-16 Hill Road,

Wentworth Point (Sekisui Planning Proposal) (Deferred Item)

REFERENCE F2021/00521 - D07940398

APPLICANT/S SEKISUI HOUSE AUSTRALIA PTY LTD

OWNERS SH HOMEBUSH PENINSULA PTY LTD

REPORT OF Land Use Planning Manager

3138 RESOLVED (Prociv/Esber)

- (a) **That** Council note the issues addressed in the 22 February 2021 Council Report in Attachment 1 and those raised at the 3 March 2021 Councillor Workshop.
- (b) **That** Council endorse the draft amendments to the Wentworth Point Development Control Plan (DCP) 2014 at Attachment 2 that have been prepared in response to Council's resolution on 26 August 2019 for the purposes of public exhibition.
- (c) **That** Council endorse the drafting of a Planning Agreement to reflect the following items included in the letter of offer at Attachment 3:
 - i) Dedication and embellishment of foreshore reserve;
 - ii) Dedication of future public transit corridor;
 - iii) Burroway Road/Hill Road intersection upgrade works;
 - iv) Community Infrastructure Maintenance agreement (5 years).
- (d) **That** Council delegate authority to the Chief Executive Officer to negotiate and determine the specific terms around the delivery of the proposed Planning Agreement items in accordance with Council's Planning Agreements Policy (2018) including, but not limited to, staging, delivery, registration, defect rectification, security and the maintenance schedule prior to the Planning Agreement being placed on public exhibition. In addition, the Applicant be requested to include facilities for a broad age range of children within the proposed foreshore park.
- (e) **That** the draft DCP and draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal (including the currently approved concept plan for the site as supporting information and specific consultation with the community on the concept plan and facilities to be provided in the foreshore park) for a period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.
- (f) **That** Council write to the Department of Planning, Industry and Environment seeking to remain the Planning Proposal Authority for the application, in accordance with Resolution 2346 of the 26 August 2019 Council Meeting which endorsed the Planning Proposal for Gateway.

- (g) **Further, that** Council delegate authority to the Chief Executive Officer to correct any anomalies of an administrative nature relating to the draft DCP and draft Planning Agreement documentation that may arise during the drafting and exhibition processes.

DIVISION A division was called, the result being:-

AYES: Councillors Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Prociv, Tyrrell, Wearne, Wilson and Zaiter

NOES: Councillors Barrak and Bradley

Note:

1. **Councillor Garrard returned to the Chamber at 8:19pm during consideration of Item 17.3.**
2. **Councillor Pandey returned to the Chamber at 8:33pm after the consideration of Item 17.3.**

17.4 SUBJECT FOR APPROVAL: Post Gateway - Draft Development Control Plan and Letter of Offer (Planning Agreement) - 135 George St and 118 Harris St, Parramatta (Albion Hotel site)

REFERENCE RZ/3/2017 - D07788396

REPORT OF Project Officer-Land Use Planning

3139 RESOLVED (Tyrrell/Garrard)

- (a) **That** Council endorse the site-specific draft Development Control Plan (DCP) at Attachment 1 for public exhibition.
- (b) **That** a draft Planning Agreement document be prepared to reflect the terms outlined at Attachment 2 and that the Chief Executive Officer be delegated authority to negotiate and finalise the legal drafting of the Planning Agreement on behalf of Council for the purposes of public exhibition.
- (c) **That** the draft DCP and draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal for 135 George Street and 118 Harris Street previously endorsed by Council on 23 March 2020.
- (d) **That** the applicant update the reference design for the purpose of public exhibition so as to reflect the controls in the endorsed Planning Proposal and the draft DCP.
- (e) **That** Council requests the Department of Planning, Industry and Environment amend the Gateway determination for the related Planning Proposal to remove the requirement to include a satisfactory arrangements clause.

- (f) **Further that** Council authorises the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft DCP and draft Planning Agreement documentation that may arise during the drafting and exhibition processes.

DIVISION A division was called, the result being:-

AYES: Councillors Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Tyrrell, Wearne and Zaiter

NOES: Councillors Barrak, Bradley, Davis, Prociv and Wilson

17.5 SUBJECT FOR APPROVAL: Post Gateway - Amended Melrose Park North Planning Proposal and Draft Site-Specific Development Control Plan and Planning Agreement

REFERENCE F2021/00521 - D07906858

REPORT OF Senior Project Officer Land Use Planning

MOTION (Esber/Tyrrell)

- (a) **That** Council endorse the following amendments to the Melrose Park North Planning Proposal:

- 1) Amend the site area to include 27 Hughes Avenue, Ermington
- 2) Rezone 27 Hughes Avenue from R2 Low Density Residential to R4 High Density Residential
- 3) Amend the applicable floor space ratio on 27 Hughes Avenue from 0.5:1 to 1.85:1
- 4) Amend the maximum building height from 9m to 0m on 27 Hughes Avenue
- 5) Include 'Residential Flat Buildings' as an additional permitted use within the B2 Local Centre zone
- 6) Amend the existing Design Excellence provision to apply to Lots E, EA and G as identified by a blue outline in Figure 4 without the provision of floor space and height bonuses
- 7) Appoint a Design Excellence Panel to provide design advice for all development applications within the northern precinct. Floor space and height bonuses are not to be awarded on any development lot
- 8) Add an additional 1,523m² of residential floor space be permitted within the land area under Payce ownership and that the residential floor space across the entire planning proposal site area not exceed 508,768m².

- (b) **That** Council endorse the draft Melrose Park North Site-Specific Development Control Plan (DCP) provided in Attachment 1 for the purposes of public exhibition.
- (c) **That** Council endorse the draft Planning Agreement based on the Letter of Offer provided in Attachment 2 for the purposes of public exhibition
- (d) **That** Council grant the CEO delegation to negotiate the terms of planning agreements with the landowners of 8 Wharf Road and 15-19 Hughes Avenue & 655 Victoria Road to an equivalent per unit contribution rate to that proposed for the Payce development and that these planning agreements be publicly exhibited and reported back to Council post-exhibition along with the planning proposal, draft DCP and Payce planning agreement.
- (e) **That** Council endorse the updated Melrose Park North Planning Proposal provided at Attachment 3 as detailed in the report for forwarding to the Department of Planning, industry and Environment for approval to be placed on public exhibition.
- (f) **That** the draft DCP and Planning Agreement be placed on public exhibition concurrently for a period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.
- (g) **Further, that** Council delegate authority to the Chief Executive Officer to correct any anomalies of a minor non-policy nature that may arise during the review and public exhibition processes.

AMENDMENT (Esber/Bradley)

That Council defer consideration of this matter for a period of two (2) weeks.

Note: Councillor Davis left the Chamber at 8:42pm and returned at 8:43pm during consideration of Item 17.5.

PROCEDURAL MOTION

3140 RESOLVED (Esber/Tyrrell)

That Council amend the order of business to consider Item 17.5 later in the Council Meeting.

Note: Item 17.5 was considered following Item 17.7.

17.6 SUBJECT FOR APPROVAL: Post Exhibition - Planning Proposal, Development Control Plan and Planning Agreement - 197 and 207 Church St and 89 Marsden St, Parramatta

REFERENCE RZ/4/2015 - D07788529

APPLICANT/S Think Planners Pty Ltd

OWNERS Holdmark Properties Pty Ltd

REPORT OF Project Officer Land Use

3141 RESOLVED (Esber/Pandey)

That Council defer consideration of this matter to a Councillor Workshop to be held within four (4) weeks, following which a report be brought back to Council.

DIVISION A division was called, the result being:-

AYES: Councillors Barrak, Bradley, Davis, Esber, Jefferies, Pandey, Prociv, Tyrrell, Wearne and Zaiter

NOES: Councillors Dwyer, Garrard, Issa and Wilson

Note: Councillor Wilson left the Chamber at 8:48pm and returned at 8:51pm during the consideration of Item 17.6.

17.7 SUBJECT FOR NOTATION: Minutes of the Smart City Advisory Committee Meeting held on 23 February 2021

REFERENCE F2017/00685 - D07932396

REPORT OF Project Officer

3142 RESOLVED (Tyrrell/Garrard)

(a) **That** Council note the minutes of the Smart City Advisory Committee meeting held on 23 February 2021 (provided at Attachment 1).

(b) **Further, that** Council note the discussion regarding potential initiatives for the State Government Smart Places Acceleration Program, and the opportunity to submit these following review by Council's Executive.

PROCEDURAL MOTION

3143 RESOLVED (Dwyer/Esber)

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

Note: The meeting was adjourned at 8:55pm for a short recess.

PROCEDURAL MOTION

3144 RESOLVED (Esber/Tyrrell)

That the meeting resume.

The meeting resumed at 9:11pm with the following Councillors in attendance: The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter.

17.5 SUBJECT FOR APPROVAL: Post Gateway - Amended Melrose Park North Planning Proposal and Draft Site-Specific Development Control Plan and Planning Agreement

REFERENCE F2021/00521 - D07906858

REPORT OF Senior Project Officer Land Use Planning

Upon resumption of the Council Meeting, Mr Brett Newman, Chief Executive Officer provided Councillors with options for consideration of Item 17.5.

The amendment moved by Councillor Esber and seconded by Councillor Bradley was withdrawn.

The motion moved by Councillor Esber and seconded by Councillor Tyrrell on being put was declared CARRIED.

3145 RESOLVED (Esber/Tyrrell)

(a) **That** Council endorse the following amendments to the Melrose Park North Planning Proposal:

- 1) Amend the site area to include 27 Hughes Avenue, Ermington
- 2) Rezone 27 Hughes Avenue from R2 Low Density Residential to R4 High Density Residential
- 3) Amend the applicable floor space ratio on 27 Hughes Avenue from 0.5:1 to 1.85:1
- 4) Amend the maximum building height from 9m to 0m on 27 Hughes Avenue
- 5) Include 'Residential Flat Buildings' as an additional permitted use within the B2 Local Centre zone
- 6) Amend the existing Design Excellence provision to apply to Lots E, EA and G as identified by a blue outline in Figure 4 without the provision of floor space and height bonuses
- 7) Appoint a Design Excellence Panel to provide design advice for all development applications within the northern precinct. Floor space and height bonuses are not to be awarded on any development lot

- 8) Add an additional 1,523m² of residential floor space be permitted within the land area under Payce ownership and that the residential floor space across the entire planning proposal site area not exceed 508,768m².
- (b) **That** Council endorse the draft Melrose Park North Site-Specific Development Control Plan (DCP) provided in Attachment 1 for the purposes of public exhibition.
- (c) **That** Council endorse the draft Planning Agreement based on the Letter of Offer provided in Attachment 2 for the purposes of public exhibition
- (d) **That** Council grant the CEO delegation to negotiate the terms of planning agreements with the landowners of 8 Wharf Road and 15-19 Hughes Avenue & 655 Victoria Road to an equivalent per unit contribution rate to that proposed for the Payce development and that these planning agreements be publicly exhibited and reported back to Council post-exhibition along with the planning proposal, draft DCP and Payce planning agreement.
- (e) **That** Council endorse the updated Melrose Park North Planning Proposal provided at Attachment 3 as detailed in the report for forwarding to the Department of Planning, industry and Environment for approval to be placed on public exhibition.
- (f) **That** the draft DCP and Planning Agreement be placed on public exhibition concurrently for a period of 28 days and that a report be provided to Council on the outcomes of the public exhibition.
- (f) **Further, that** Council delegate authority to the Chief Executive Officer to correct any anomalies of a minor non-policy nature that may arise during the review and public exhibition processes.

DIVISION A division was called, the result being:-

AYES: Councillors Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter

NOES: Councillors Wearne and Wilson

Note: Councillor Garrard returned to the meeting at 9:12pm during consideration of Item 17.5.

18. NOTICES OF MOTION

18.1 SUBJECT NOTICE OF MOTION: \$300+ Million at Risk from Council's Essential Community Infrastructure Program due to the NSW Government's New Infrastructure Contributions System

REFERENCE F2021/00521 - D07944057

FROM Councillor Bradley

3146 RESOLVED (Bradley/Pandey)

- (a) **That** Council notes that:
- i. Council decided at its meeting of 9 June 2020 at Item 18.1 in regard to the NSW Government's Infrastructure Contributions Review inter alia that, *"The proposals on value sharing are strongly opposed as they threatened to undermine Council's current policy framework for Planning Agreements, which adopt value sharing as an equitable, transparent and evidence based policy approach"*.
 - ii. At this same meeting Council supported its submission which expressed concern about the threat to its 50% share of value uplift outside the CBD and included this reference, *"Council staff estimate that the proposed draft Community Infrastructure provisions in the Parramatta CBD Planning Proposal could potentially facilitate approximately \$300 million worth of community infrastructure in the CBD. This would make a significant contribution to Council's approximate \$1.5 billion works program for new community infrastructure in the Parramatta CBD and would be at risk if the proposed system is brought into effect."*
 - iii. Despite the Department of Planning noting that *"The clarification and position on value capture drew out the strongest comments and opposing positions from stakeholders. Many councils, peak bodies and community representatives objected to the changes"* (Ref.1), it has recently announced that *"the exhibited position on value capture is maintained, as it is the Government's policy position that planning agreements (Ref.1) cannot be used for the primary purpose of value capture"* and that *"they should not be used to capture land value uplift resulting from rezoning or variations to planning controls."* (Ref.2)
- (b) **That** Council prepare a report to be brought back to Council at a May meeting:
- i. To advise an estimate of the public value share funds at risk from planning proposal agreements outside the CBD;
 - ii. To give an update on the review of Council's development contributions plan framework to account for the loss of land value uplift sharing; and
 - iii. To identify funding options including the possibility of government grants, to provide the community infrastructure needed for the planned residential growth.
- (c) **Further, that** Council contact the NSW Member for Parramatta The Hon Dr Geoff Lee and the Minister for Planning and Public Spaces The Hon Rob Stokes urging them to work with Council to find a mechanism to address this \$300+ million cut in community infrastructure funding necessary for the rapid inflow of additional residents to Parramatta.

18.2 SUBJECT NOTICE OF MOTION: Interpretive Signs

REFERENCE F2021/00521 - D07944187

FROM Councillor Pandey

3147 RESOLVED (Pandey/Zaiter)

That:

- (a) A report be brought back to Council on significant sites around Parramatta where interpretive signs could be erected.
- (b) The report also to include the possibility of creating a registry of all interpretive signs.
- (c) The report should consider, setting up detailed historical/cultural/natural information about the sites identified to be stored on our website with a QR Code link from the Interpretive signs.
- (d) The report should also include recommendation on how we can encourage owners/operators of sites of heritage significance to adopt interpretive signs.

18.3 SUBJECT NOTICE OF MOTION: Report on Misuse of Mobility Parking Scheme

REFERENCE F2021/00521 - D07944293

FROM Councillor Pandey

3148 RESOLVED (Pandey/Issa)

- (a) **That** Council note that there is ongoing misuse of Mobility Parking Scheme (MPS) within the Parramatta CBD and other heavy development and/or suburban CBD areas creating a barrier for vulnerable members of our community to visit these areas.
- (b) **Further, that** a report be brought back to Council within eight (8) weeks on the current misuse of the Mobility Parking Scheme within Parramatta CBD and other heavy development and/or suburban CBD areas, the report should outline measures available to streamline usage of disability parking within these areas.

Note:

1. **Councillor Wilson left the Chamber at 9:32pm and returned at 9:40pm during consideration of Item 18.3.**
2. **Councillor Davis left the Chamber at 9:44pm and returned at 9:47pm during consideration of Item 18.3pm**

19. QUESTIONS WITH NOTICE

Nil

Note: Prior to moving into Closed Session, the Lord Mayor invited members of the public gallery to make representations as to why any item had been included in Closed Session. No member of the gallery wished to make representations

20. CLOSED SESSION

3149 RESOLVED (Esber/Bradley)

That members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items listed come within the following provisions:-

- 1 FOR APPROVAL: Tender 53/2018 - Unified Booking System. (D07880596) - *This report is confidential in accordance with section 10A (2) (c) (d) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
- 2 FOR APPROVAL: Tender 04/2020 - Aquatic Leisure Centre Parramatta - Design and Construct Contract. (D07879972) - *This report is confidential in accordance with section 10A (2) (c) (d) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*
3. QUESTION WITH NOTICE: Questions Taken on Notice from Council Meeting - 8 March 2021. (D07943405) - *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.*
4. LATE REPORT FOR APPROVAL: Winterlight 2021 Event Proposal. (D07953861) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the*

person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

20.1 SUBJECT FOR APPROVAL: Tender 53/2018 - Unified Booking System

REFERENCE F2021/00197 - D07880596

REPORT OF Business Engagement & Solutions Consultant

3150 RESOLVED (Issa/Tyrrell)

- (a) **That** Council approve the appointment of the preferred proponent for the delivery of a unified booking and ticketing system for the contract sum as outlined in paragraph 25 of this report.
- (b) **Further, that** Council delegate authority to Chief Executive Officer to finalise and execute all necessary documents.

20.2 SUBJECT FOR APPROVAL: Tender 04/2020 - Aquatic Leisure Centre Parramatta - Design and Construct Contract

REFERENCE F2017/02999 - D07879972

REPORT OF Project Manager

3151 RESOLVED (Zaiter/Garrard)

- (a) **That** Council note the current budget of \$77,000,000 in the adopted Delivery Program and Operational Plan for Aquatic Leisure Centre Parramatta (ALCP).
- (b) **That** Council approve the revised project budget of \$88,649,295 for the ALCP and the allocation of budget and funding sources as set out in the table below:

Description	Budget	Funding Source	Ref.
ALCP	\$38,500,000	NSW State Government grant	
ALCP	\$37,400,000	Property Reserve	
ALCP	\$8,600,000	Sec 7.11 Leisure Centre upgrade	
Public Art & Heritage	\$1,449,295	Sec 7.11 Civic Improvement plan	Para 18
Fit Out	\$2,700,000	General Reserve	Para 29

- (c) **That** Council note modifications to the Development Application (DA) conditions set out in paragraphs 17 and 18 of this report will be sought to integrate the relevant conditions into the existing design and scope of ALCP and thereby reduce the cost.
- (d) **That** Council accepts the tender of the preferred proponent for the Design and Construction of the ALCP for the contract sum outlined

in paragraph 15 of the report and note all unsuccessful tenderers will be advised of Council's decision

- (e) **That** Council note, the following budgeted provisions for ALCP operating costs:
- i. set costs of \$368,275 for FY 21/22 and \$1,932,255 for FY 22/23;
 - ii. annual net operating loss of \$2.0M and \$3.1M depreciation thereafter, and a report will be bought back to Council to approve a model and the operating costs, based on the options in paragraph 31, table b) and d).
- (f) **Further, that** the Chief Executive Officer be given delegated authority to finalise and sign all necessary legal, contractual and statutory documentation in connection with the completion of the Aquatic Leisure Centre Parramatta.

Note: Councillor Barrak and Councillor Issa requested that their names be recorded as having voted against the decision taken in this matter.

20.3 SUBJECT QUESTION WITH NOTICE: Questions Taken on Notice from Council Meeting - 8 March 2021

REFERENCE F2020/03849 - D07943405

FROM Councillor Barrak

A response was provided to a confidential question taken on notice from the Council Meeting of 8 March 2021.

20.4 SUBJECT LATE REPORT FOR APPROVAL: Winterlight 2021 Event Proposal

REFERENCE F2021/00521 - D07953861

REPORT OF Acting Group Manager, City Experience

3152 RESOLVED (Garrard/Tyrrell)

- (a) **That** Council approve the staging of the Winterlight – The Winter Village event for 12 weeks within the date period of 17 May and 10 September 2021.
- (b) **That** Council enter into an agreement with the event proponents to deliver the event, including providing the value in-kind benefits as outlined in this report.
- (c) **Further, that** Council delegate authority to the Chief Executive Officer to undertake further negotiations as necessary and execute the agreement on behalf of Council.

PROCEDURAL MOTION

3153 RESOLVED (Tyrrell/Esber)

That the meeting resume into Open Session.

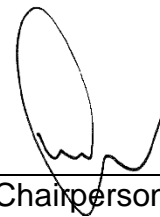
21. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

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

22. CONCLUSION OF MEETING

The meeting terminated at 10:14 pm.

THIS PAGE AND THE PRECEDING 28 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 22 MARCH 2021 AND CONFIRMED ON MONDAY, 12 APRIL 2021.



Chairperson