

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD VIA
AUDIO-VISUAL ON MONDAY, 9 AUGUST 2021 AT 6.30PM

PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Steven Issa, Andrew Jefferies, 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.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

Nil

5. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 26 July 2021

3380 RESOLVED (Tyrrell/Bradley)

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

6. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE

3381 RESOLVED (Esber/Wilson)

That the request to attend the Ordinary Council Meeting dated 9 August 2021 via remote means submitted by the following Councillors due to personal reasons, be accepted:

- Councillor Barrak
- Councillor Bradley
- Councillor Davis
- Councillor Esber
- Councillor Garrard
- Councillor Issa
- Councillor Jefferies

- Councillor Pandey
- Councillor Prociv
- Councillor Tyrrell
- Councillor Wearne
- Councillor Wilson
- Councillor Zaiter

7. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Condolence Motion: Ronald 'Ron' Wright OAM

REFERENCE F2019/03630 - D08176729

REPORT OF Lord Mayor, Councillor Bob Dwyer

3382 RESOLVED (Dwyer/Wilson)

- (a) **That** Council acknowledge the passing of Ronald 'Ron' Wright OAM, offering our condolences to his family, friends and the Parramatta District Cricket Club.
- (b) **That** Council note a memorial service will be held by the Parramatta District Cricket Club following the lifting of COVID-19 restrictions.
- (c) **That** Council write to the Parramatta District Cricket Club offering our sincere condolences on Ron Wright's passing.
- (d) **Further, that** a minute's silence be observed by the Chamber as a gesture of respect on his passing and in recognition of his dedication and contributions to the Parramatta and Western Sydney community.

Note: Council observed a minutes' silence.

9. PUBLIC FORUM

There were no public forums submitted for this meeting.

10. PETITIONS

There were no petitions tabled at this meeting.

11. RESCISSION MOTIONS

Nil

PROCEDURAL MOTION

MOTION (Tyrrell/Esber)

That Items 12.1, 12.2, 12.3 and 16.1 be resolved en bloc.

AMENDMENT (Wilson/Bradley)

That Items 12.1, 12.2 and 12.3 be resolved en bloc.

During debate, the mover of the motion accepted the wording of the amendment, which then became the motion.

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

3383 RESOLVED (Tyrrell/Esber)

That Items 12.1, 12.2 and 12.3 be resolved en bloc.

12. FAIR

12.1 SUBJECT FOR NOTATION: Major Projects Advisory Committee (MPAC) Annual Report

REFERENCE F2014/00413 - D08129752

REPORT OF Business Governance Officer

3384 RESOLVED (Tyrrell/Esber)

That the Major Projects Advisory Committee (MPAC) Annual Report 2020/21 at Attachment 1 be received and noted.

12.2 SUBJECT FOR APPROVAL: Council Meeting Schedule for September - December 2021

REFERENCE F2021/00521 - D08162316

REPORT OF Governance Manager

3385 RESOLVED (Tyrrell/Esber)

(a) **That** Council adopt the revised schedule of Ordinary Council Meeting dates from September through to December 2021 as follows:

Date	Notes
Monday, 13 September	New
Monday, 27 September	New
Monday, 11 October	Existing
Monday, 25 October	Existing
Monday, 8 November	Existing
Monday, 22 November	Existing
Monday, 6 December	Cancel

Monday, 13 December	Cancel
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- (b) **That**, in the event that *stay at home orders* are lifted and in person face to face meetings can resume, the above Council Meetings be held at St Patrick's Cathedral, 1 Marist Place, Parramatta.
- (c) **Further, that** notice be provided to the public of all Council Meetings, including Extraordinary Meetings, in accordance with Part B, Section 3.5 of Council's Code of Meeting Practice.

12.3 SUBJECT FOR APPROVAL: Minutes of the Aboriginal and Torres Strait Islander Advisory Committee

REFERENCE F2021/00521 - D08112485

REPORT OF Community Capacity Building Officer

3386 RESOLVED (Tyrrell/Esber)

- (a) **That** Council note the minutes of the Aboriginal and Torres Strait Islander Advisory Committee Meetings held on 27 April and 25 May 2021.
- (b) **That** Council delegate authority to the Chairperson of the Aboriginal and Torres Strait Islander Advisory Committee to make representation by sending a letter to the Museum of Art and Applied Sciences conveying the Committee's resolution in support of the rights of the traditional custodians of the Parramatta area, the Dharug people, to have a voice in whatever happens on the Willow Grove land and the area around it.
- (c) **That** Council note the Committee's endorsement of the renaming of the 'Sorry Day Garden' in Lake Parramatta to the 'Marcia Donovan Sorry Day Garden'.
- (d) **Further, that** Council note the Committee's resolution to congratulate and commend the Council and its officers on its achievements in Reconciliation over the past term of Council.

12.4 SUBJECT FOR APPROVAL: Aboriginal Deaths in Custody: Report of the Aboriginal and Torres Strait Islander Advisory Committee

REFERENCE F2021/00521 - D08125049

REPORT OF Community Capacity Building Officer

MOTION (Esber/Davis)

- (a) **That** Council notes the report prepared by the Aboriginal and Torres Strait Advisory Committee on Aboriginal Deaths in Custody and the recommendations contained within that report.

- (b) **That** Council thanks Advisory Committee members for their ongoing concern on this matter and effort in preparing the report.
- (c) **That** Council acknowledges with sadness the ongoing tragedy of Aboriginal deaths in custody and disproportionate rates of incarceration and offers our condolences to those families and communities experiencing trauma or otherwise impacted by these deaths.
- (d) **That** Council notes the work underway to develop a First Nations Strategy as part of the development and consultation on a new Community Strategic Plan within which the report's recommendations will be considered.
- (e) **Further, that** Council submit the following motion proposed by the Aboriginal and Torres Strait Islander Advisory Committee to the 2021 LGNSW Annual Conference:

That Local Government NSW calls on the NSW Government to adopt / implement all cross-jurisdictional reform recommendations contained within the Royal Commission into Aboriginal Deaths in Custody Report that seek to prevent Aboriginal Deaths in Custody and the resultant family trauma.

AMENDMENT (Issa/Wearne)

That Council receive and note the report.

3387 RESOLVED (Tyrrell/Zaiter)

That the motion be put.

The amendment moved by Councillor Issa and seconded by Councillor Wearne on being put was declared CARRIED on the Lord Mayor's casting vote.

The amendment then became the motion.

The motion moved by Councillor Issa and seconded by Councillor Wearne on being put was declared CARRIED on the Lord Mayor's casting vote.

3388 RESOLVED (Issa/Wearne)

That Council receive and note the report.

Note: Councillors Barrak, Bradley and Davis requested that their names be recorded as having voted against the decision taken in Item 12.4.

13. ACCESSIBLE

13.1 SUBJECT FOR APPROVAL: Response to Notice of Motion -
Celebration of International Day of People with Disability

REFERENCE F2021/00521 - D08054910

REPORT OF Community Capacity Building Officer, Community
Capacity Building

3389 RESOLVED (Pandey/Issa)

(a) **That** Council endorse the following activities to acknowledge the International Day of People with Disability (IDPwD) on 3 December 2021:

1. Develop a social media campaign, with the Access Advisory Committee, coinciding with IDPwD 2021 to raise awareness of the Committee, its role in Council, and draw attention to the achievements of the Committee in contributing to more inclusive services and facilities in Parramatta, and that calls for other members of the community with disability to contribute their stories of achievement to the campaign.
2. Deliver a Discovering Parramatta Week through the Heritage Centre to coincide with IDPwD 2021, to raise awareness of accessible activities offered by the Heritage Centre and increase participation in programs.
3. Deliver an Inclusion at Parramatta month (December) of Library based activities and opportunities to raise awareness and participation in inclusive programs of the Library, including education opportunities to increase knowledge of NDIS and facilitate links to relevant support services.
4. Implement a Celebrating Inclusion at Riverside campaign to coincide with IDPwD 2021 to promote Riverside's year-round accessible and inclusive services. Explore the delivery of a Concert and Panel Discussion event as a focal point for this campaign.
5. Council makes a public statement in support of people with disability and the need to address key challenges faced at this time with:

"The City of Parramatta Council calls upon services and all the community to keep the needs and interests of people with disabilities at the centre of each person's support and participation, as everyone is an individual, with individual needs, challenges and goals. There is no single experience of disability."

Note: Councillor Wilson was not present in the meeting for the vote taken in Item 13.1.

14. GREEN

Nil

15. WELCOMING

Nil

16. THRIVING

16.1 SUBJECT FOR APPROVAL: Works on Private Land - Bungaree Road Shops Better Neighborhood Project

REFERENCE F2021/00521 - D08124993

REPORT OF Place Manager

MOTION (Garrard/Zaiter)

That Council approve works to be carried out on private land at Bungaree Road Shops, Toongabbie, in accordance with the Concept Plan shown at Attachment 1.

AMENDMENT (Pandey/Bradley)

That Council approve works to be carried out on private land at Bungaree Road Shops, Toongabbie, in accordance with the Concept Plan shown at Attachment 1 and that Council continue discussions with the landowner to provide access to all six (6) shops.

During debate, the mover of the motion accepted the wording of the amendment, which then became the motion.

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

3390 RESOLVED (Garrard/Zaiter)

That Council approve works to be carried out on private land at Bungaree Road Shops, Toongabbie, in accordance with the Concept Plan shown at Attachment 1 and that Council continue discussions with the landowner to provide access to all six (6) shops.

Note: Councillor Barrak requested that his name be recorded as having voted against the decision taken in Item 16.1.

16.2 SUBJECT FOR APPROVAL: Phillip Street Smart Street Stage 2 Works (Deferred Item)

REFERENCE F2021/00521 - D08160836

REPORT OF Place Manager

3391 RESOLVED (Zaiter/Tyrrell)

- (a) **That** Council approve the Phillip Street Smart Street - Stage 2 detailed concept plan at Attachment 1.
- (b) **That** Council approve the project budget of \$4,321,508 from the CBD Infrastructure Special Rate and Internal CBD Infrastructure Reserve and \$750,000 from 'Your High Street' grant funding (only applicable to this project) for a total project budget of \$5,071,508 as detailed in paragraph 9.
- (c) **Further, that** Council approve the accompanying project delivery plan for completion in December 2022 as outlined in Attachment 2.

Note: Councillors Barrak, Davis and Prociv requested that their names be recorded as having voted against the decision taken in Item 16.2.

16.3 SUBJECT FOR APPROVAL: Naming of 5 Parramatta Square Building (Deferred Item)

REFERENCE F2021/00521 - D08160839

REPORT OF Place Manager

3392 RESOLVED (Issa/Tyrrell)

- (a) **That** Council note the community feedback received on the public exhibition of the proposed names for the 5 Parramatta Square building.
- (b) **That** Council approve further investigation to identify a broader selection of naming options for the 5 Parramatta Square building.
- (c) **Further, that** Council approve:
 - a. a consultant be appointed to coordinate further investigation identified in part (b);
 - b. that the brief provided to the consultant be circulated to Councillors for feedback;
 - c. that Councillors be provided an opportunity to meet with the consultant to provide feedback on naming options.

Note: Councillors Barrak and Jefferies requested that their names be recorded as having voted against the decision taken in Item 16.3.

17. INNOVATIVE

17.1 SUBJECT FOR NOTATION: Minutes of the Heritage Advisory Committee Meeting held on 17 June 2021

REFERENCE F2013/00235 - D08118198

REPORT OF Project Officer Land Use

MOTION (Davis/Issa)

- (a) **That** Council receive and note the minutes of the Heritage Advisory Committee meeting of 17 June 2021.
- (b) **That** Council acknowledges the Advisory Committee's support for Ann Warr Heritage Consulting and Geoffrey Britton's recommendation to proceed with Option 2 East of Wharf for relocating the Subiaco Columns to Eric Primrose Reserve, as the most viable options or installation.
- (c) **Further, that** Council note in point 14 of the report *Committee* should be replaced with *report back to Council*.

AMENDMENT (Tyrrell/)

That Council defer consideration of this matter to the next Council Meeting for further information.

The amendment moved by Councillor Tyrrell was WITHDRAWN.

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

3393 RESOLVED (Davis/Issa)

- (a) **That** Council receive and note the minutes of the Heritage Advisory Committee meeting of 17 June 2021.
- (b) **That** Council acknowledges the Advisory Committee's support for Ann Warr Heritage Consulting and Geoffrey Britton's recommendation to proceed with Option 2 East of Wharf for relocating the Subiaco Columns to Eric Primrose Reserve, as the most viable options or installation.
- (c) **Further, that** Council note in point 14 of the report *Committee* should be replaced with *report back to Council*.

17.2 SUBJECT FOR NOTATION: Minutes of the 5/7 Parramatta Square Advisory Group Meeting held on 17 June 2021

REFERENCE F2021/00521 - D08134326

REPORT OF Business Governance Officer

3394 RESOLVED (Issa/Tyrrell)

That Council receive and note the minutes of the 5/7 Parramatta Square Advisory Group meeting held on 17 June 2021.

17.3 SUBJECT FOR APPROVAL: Public Exhibition - Draft Planning Agreement for land at 1 Windsor Road, North Rocks

REFERENCE F2021/00521 - D07916641

REPORT OF Project Officer Land Use

3395 RESOLVED (Esber/Tyrrell)

(a) **That** Council authorise the Chief Executive Officer to finalise the draft Planning Agreement in accordance with the Letter of Offer as provided in Attachment 1 and terms outlined in this report on behalf of Council, and place the draft Planning Agreement on public exhibition.

(b) **Further, that** Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft Planning Agreement documentation that may arise during the drafting and exhibition process.

DIVISION A division was called, the result being:-

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

NOES: Nil

18. NOTICES OF MOTION

Note: Item 18.1 NOTICE OF MOTION: Moving Art in the Parramatta Local Government Area was moved into Closed Session in accordance with section 10A (2) (c) (d) of the Local Government Act 1993 as the staff response 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.

19. QUESTIONS WITH NOTICE

19.1 SUBJECT QUESTION WITH NOTICE: Powerhouse Museum

REFERENCE F2021/00521 - D08162958

FROM Councillor Davis

At the meeting of 30 November 2020, Council supported the proposal from the Museum of Applied Arts and Sciences for a Community Information Centre to temporarily activate Council's Parramatta Square

Retail 6 tenancy and adjoining public domain under a license agreement for a period of 6 months.

QUESTION

1. What date was the licence agreement and associated documents signed in connection to this matter?
2. When does the licence agreement expire?
3. How much money has the Museum of Applied Arts and Sciences paid the City of Parramatta for this 6-month lease?
4. Has the Museum of Applied Arts and Sciences approached Council to extend this lease?

EXECUTIVE DIRECTOR, PROPERTY & PLACE RESPONSE

1. The licence agreement commenced on 7 December 2020.
2. Council at its meeting of 30 November 2020 resolved at the agreement was to expire after a maximum of six (6) months, the expiry of the agreement was therefore 7 June 2021.
3. Council at its meeting of 30 November 2020 resolved that the license agreement be at a 'peppercorn' rate, therefore Council has received one dollar (\$1) as consideration of the agreement.
4. Yes, the Museum of Applied Arts and Sciences has approached Council to extend the license agreement. Council officers sort full commercial rental and as a result, an agreement was unable to be reached. The Museum of Applied Arts and Sciences will vacate in August 2021 or when the NSW Health orders will allow them to do so.

19.2 SUBJECT QUESTION WITH NOTICE: Willow Grove

REFERENCE F2021/00521 - D08162969

FROM Councillor Davis

In relation to the Powerhouse Parramatta Response to Submissions, at the 9 November 2020 Council meeting it was resolved:

- (c) *That Council note the Response does not include sufficient information on the method of relocation, future location or the impact of the heritage significance of Willow Grove to allow for an assessment of the proposed relocation.*
- (d) *That, if the Proponent's final submission proposes to relocate Willow Grove, then Council conditionally support the relocation of Willow Grove, rather than its demolition, subject to an assessment of the method of relocation, future location and the impact of the heritage significance of Willow Grove.*

QUESTION

1. Has Council received and reviewed any correspondence relating to the deconstruction of Willow Grove including a detailed Relocation Framework and Methodology Plan (RFMP) for the site selection, deconstruction, and relocation of Willow Grove?
2. If Council has received any correspondence from or engaged in any discussions with Infrastructure NSW and the NSW Government about the storage site for Willow Grove what, if anything, has been discussed/resolved to this point?
3. If Council has received any correspondence from or engaged in any discussions with Infrastructure NSW and the NSW Government about site selection for the relocation of Willow Grove what, if anything, has been discussed/resolved to this point?
4. If Council has received any correspondence from or engaged in any discussions with Infrastructure NSW and the NSW Government about the proposed adaptive reuse of St George's Terrace what, if anything, has been discussed/resolved to this point?

EXECUTIVE DIRECTOR, PLANNING & DESIGN RESPONSE

1. Council received correspondence relating to this matter when it was consulted on the Department of Planning, Industry and Environment's publicly exhibited draft Westmead Place Strategy that was the subject of a report to the Council meeting on 22 March 2021. The draft Strategy noted that it supports "the relocation of Willow Grove to the Parramatta North sub-precinct, outside the heritage core, ensuring its future uses and siting integrates with surrounds. Willow Grove reconstruction will be subject to planning approvals." Council's submission on the draft Strategy in response to consultation that was approved at that Council meeting stated that "it is considered premature for the Draft Strategy to identify Parramatta North as the location for Willow Grove at this stage."
2. Council also received a copy of the photographic archival recording of Willow Grove from InfrastructureNSW in March 2021 which was submitted for information purposes only in accordance with the requirements of Condition B1 of the Powerhouse proposal development consent.
3. As far as Council officers are aware, there has been no other correspondence with InfrastructureNSW in relation to this matter since November 2020. However, a detailed search of all Council records held in relation to this matter is being finalised and Councillors will be advised if any further correspondence that is identified.

19.3 **SUBJECT** **QUESTION WITH NOTICE: Industrial Relations**

REFERENCE F2021/00521 - D08162974

FROM Councillor Davis

QUESTION

Broken down by year (ie, 2020, 2021):

1. Have any City of Parramatta staff been stood down under the Splinter Award, and for how long?
2. How many casual staff were stood down? Of these casual staff, how many were employed via labour hire?

EXECUTIVE DIRECTOR, CORPORATE SERVICES RESPONSE

1. Please find below information in response to the questions raised:

Year	Casuals Stood Down	Permanent Staff Stood Down (Splinter Award)
2020	169	0
2021	75	118

2. Casual staff received Special Leave for forward shifts in 2021 and for up to four (4) weeks for regular casuals in 2020 prior to being stood down.
3. Permanent staff currently stood down may not be stood down full time as they are rotating shifts amongst teams to minimise stand down impacts.
4. Permanent staff members have been placed on Special Leave pursuant to the Splinter Award for the following reasons:
 - a. Shutdown of service, no alternate suitable duties available, no opportunity to work from home (sections of library, Riverside Theatre, Aquatics etc);
 - b. Unable to perform duties from home, no alternate suitable duties available (Sections of regulatory services, etc)
 - c. Work not deemed essential/not an authorised worker, no opportunity to work from home, no alternate suitable duties available (Sections of Parks, Civil, etc).
5. Where there is no useful work/suitable alternative duties, an employee is entitled to four (4) weeks paid COVID-19 special leave under the Splinter Award.
6. If Council is unable to provide useful work and a permanent employee is stood down for greater than four (4) weeks they may be entitled to job retention allowance for up to 13 weeks.
7. Job Retention Allowance shall be paid at the rate of \$888.50 per week.

8. Employees may supplement payment of the Job Retention Allowance by applying to take accrued annual leave or long service leave at the same time.
9. Council has also provided paid additional Special Leave for permanent staff in circumstances where an employee has been directed to self isolate by NSW Health and they are unable to work remotely. This provision is made above the Splinter Award and does not contribute to the four (4) weeks special leave related to staff being stood down.
10. Council is supporting staff with this above Award leave payment to ensure sick leave is not exhausted due to forced isolation health orders.
11. Council is also providing additional Special Leave for staff that receive COVID-19 vaccinations during work hours to promote this initiative.
12. Executive Directors are managing redeployment opportunities for staff stood down within their respective area to ensure alternate suitable work is provided as available. This includes rotating available shifts amongst staff to ensure paid Special Leave is spread consistently across the team where lower staffing levels are required.

19.4 SUBJECT QUESTION WITH NOTICE: Delegations

REFERENCE F2021/00521 - D08161200

FROM Councillor Wilson

QUESTION

1. Where would the CEO anticipate needing to have delegated authority in excess of \$250k?
2. Why can't Councillors have a list of projects you expected to approve and show the expected value?
3. What possible emergency could occur to negate the need for Council to consider the expenditure?

EXECUTIVE DIRECTOR CORPORATE SERVICES RESPONSE

1. The Chief Executive Officer (CEO) is delegated to spend any amount within the adopted Operational Plan. During the estimated four (4) week period where no Council exists (being 4 December through to Oath / Affirmation Ceremony of the new Council), if an unforeseeable emergency were to occur then the CEO will not be able to respond without a prior delegation from Council. This is the intention of the proposed temporary delegations during the (anticipated) four weeks post Local Government Election.

2. It is not the intention of the recommendation to provide delegation to the CEO to approve specific business as usual projects. The intention is to provide delegations for unforeseeable and unbudgeted emergencies. Therefore, it is not possible to provide a list of projects.
3. During the period that is proposed to be requested (ie, 4 December through to Oath / Affirmation Ceremony), there is no Council to consider expenditure or make a decision on any matter. If no delegation is provided to the CEO for this period, then decisions of an unforeseeable or emergency nature (that are outside of the adopted Operational Plan) will not be able to be made.

19.5 **SUBJECT** **QUESTION WITH NOTICE: Questions Taken on Notice from Council Meeting - 26 July 2021**

REFERENCE F2021/00521 - D08162287

FROM Governance Manager

QUESTIONS TAKEN ON NOTICE FROM THE COUNCIL MEETING OF 26 JULY 2021

Item	Subject	Councillor	Question
12.1	Investment Report for June 2021	Bradley	<p>1. In reference to Council 26 July 2021 Item 12.1, pages 36, 43-44, & 47-48, why do we have (in round \$ figures) only \$719,000 invested in top S&P rated AAA Suncorp Covered ADI, only \$6.6m in A+ high rated Credit Suisse AG, only \$2.5m in A+ Suncorp, \$6.3m in A+ rated UBS AG, only \$1.0m in A rated Bank China (all fossil fuel free highly rated ADIs - for a total \$17.1m), when we have \$51.2m in much lower BBB+ rated higher risk BoQ and \$25.1m in even lower BBB rated AMP Bank (both fossil fuel exposed, lower rated higher risk ADIs totalling \$76.3m!)? Please provide a copy of the questions asked of Council's investment consultants in respect of the Fossil Fuel related investments.</p> <p>2. Why also as page 36 says "the highest rates amongst the A rated ADIs was yielding between 0.70% – 1.50% per annum" and "the highest deposit rates amongst the BBB and unrated ADIs was yielding [lower] between 0.40% and 1.10% p.a."? NOTE: Council's primary Investment policy objective is to preserve capital of low risk whilst maximising its returns.</p> <p>3. In the item 12.1 Investment Report there is a section on Fossil Fuel Investments which formed the basis of</p>

			<p>the Executive Director Corporate Services' Response to my item 18.1 Notice of Motion on Smart Progressive Divestment from Fossil Fuel Investing Financial Institutions.</p> <p>Could Council please be provided with the questions that were asked of Council's investment advisers to provide the basis of the Executive Director's Response to my Notice of Motion and the related section of the Item 12.1 Investment Report?</p>
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EXECUTIVE DIRECTOR, CORPORATE SERVICES RESPONSE

1. Staff responses to the questions taken on notice at the Council Meeting of 26 July 2021 are provided below:

Item 12.1 – Investment Report for June 2021 (Councillor Bradley)

Question 1

In reference to Council 26 July 2021 Item 12.1, pages 36, 43-44, & 47-48, why do we have (in round \$ figures) only \$719,000 invested in top S&P rated AAA Suncorp Covered ADI, only \$6.6m in A+ high rated Credit Suisse AG, only \$2.5m in A+ Suncorp, \$6.3m in A+ rated UBS AG, only \$1.0m in A rated Bank China (all fossil fuel free highly rated ADIs - for a total \$17.1m), when we have \$51.2m in much lower BBB+ rated higher risk BoQ and \$25.1m in even lower BBB rated AMP Bank (both fossil fuel exposed, lower rated higher risk ADIs totalling \$76.3m!)?

Please provide a copy of the questions asked of Council's investment consultants in respect of the Fossil Fuel related investments.

Answer

Council is required to invest within the Policy limits at the time of investment. The market moves continuously, where the offers on complying products change on a daily basis. Some complying products such as FRNs issued by institutions are only offered within a small window of opportunity and on small volumes e.g. new issuances of securities. The likes of AAA rated covered bonds and senior FRNs issued by the likes of Credit Suisse and UBS are very limited. Fund managers and institutional clients who run billions of dollars are the big investors of such securities and are allocated a larger portion compared to the likes of Parramatta Council.

Council purchases its investments at the time of investment, seeking the best relative value on the day of investment. The investments with AMP (BBB) and BOQ (BBB+) were yielding an attractive yield compared to other complying products at the time of investment. I have summarised Council's outstanding investments with AMP and BOQ here:

AMP (BBB) outstanding investments as at 28/07/2021:

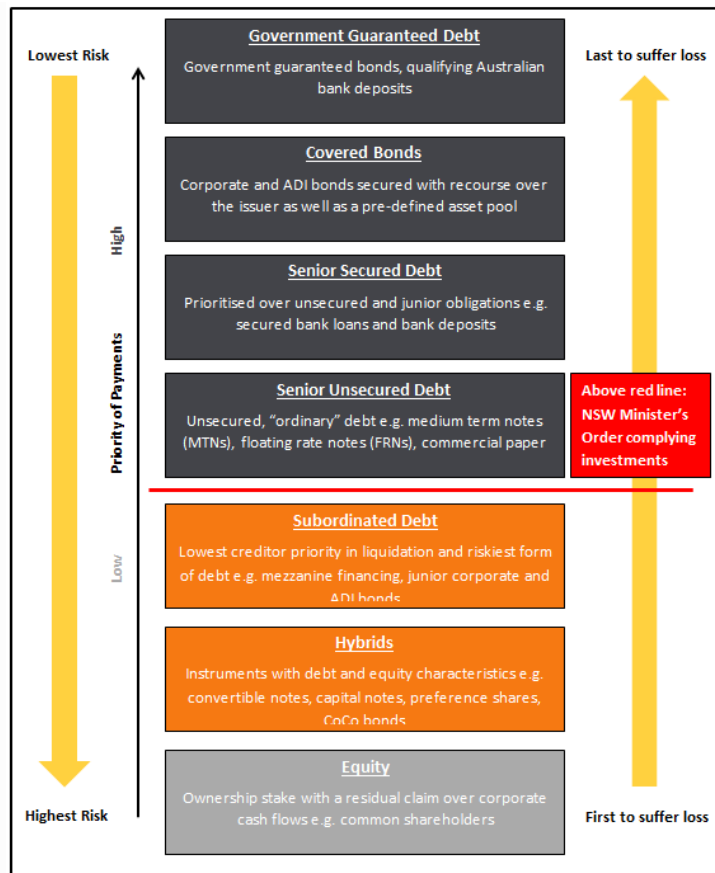
- \$4m in Cash Account earning 0.75% p.a. (NAB earning 0.55% p.a. and cash rate of 0.10% p.a.) -> very attractive
- ~\$21m in fixed T/Ds and senior FRNs: weighted average yield of 1.27% p.a. and a weighted average duration of 204 days (less than 7 months). Note the highest rate you can get from any rated bank for a 7 month term (fossil fuel or non-lending fossil fuel bank) is around 0.40% p.a. So Council is currently earning around 3 times the current market rate

BoQ (BB+) outstanding investments as at 28/07/2021

- ~\$52m in fixed T/Ds and senior FRNs: weighted average yield of 2.18% p.a. and a weighted average duration of 312 days (less than 11 months). Note the highest rate you can get from any rated bank for a 11 month term (fossil fuel or non-lending fossil fuel bank) is around 0.50% p.a. So Council is currently earning more than 4 times the current market rate. The highest rate available today for a 5 year fixed investment from any rated institution is around 1.50% p.a.

It is important to remind Council that the Minister's Order (regulations) ensures that capital preservation is paramount. The combination of the following key points:

1. *The very strict list of approved investments set by the NSW Minister's Order -> NSW councils can only invest in 'senior-ranked' assets issued by authorised deposit-taking institutions (ADIs) regulated by the Australian Prudential Regulation Authority (APRA), or otherwise State or Commonwealth Government securities (the only other exception for investments is through managed funds with TCorp - see the Bank Capital Structure as follows);*



2. *High regulation from APRA across all ADIs that Council invests with (that's all rated, unrated, domestic and international banks, building societies and credit unions). APRA's primary mandate is to "provide financial stability" and "protect depositors".*

Note the lower and unrated ADIs in particular are highly scrutinised by APRA and are forced to hold higher levels of capital against their balance sheet as a proportion of their assets relative to the higher rated banks. The unrated ADIs are only 'unrated' as they receive the majority of their funding through retail deposits and do not need to raise significant amounts of money through the wholesale debt market and pay a rating's agency hundreds of thousands of dollars a year just to get rated;

3. *Unprecedented monetary policy support from the RBA (note the cash rate is at emergency levels of 0.10%, they have provided cheap loans to all ADIs at 0.10% fixed for 3yrs, introducing their bond buying programs to keep rates low for a long period of time), as well as the fiscal support from the Federal Government.*

This has made it very difficult for any fixed interest investor, including the City of Parramatta Council, to lose any capital on its 'senior-ranked' investments, including those with the likes of AMP (BBB) and BoQ (BBB+). That is, with the strict regulation set by the Minister's Order, given NSW Councils can only invest in 'senior-ranked' (direct) assets with ADIs, or otherwise State or Federal Government securities, capital preservation has and always will be paramount, assuming the majority

of Council's investment portfolio will continue to be placed in such 'senior-ranked' assets.

Any ADI, rated or unrated, domestic or international (all are regulated by APRA), can issue different types of securities as depicted by the various boxes in the Bank Capital Structure chart above. The Minister's Order prohibits any NSW Council to invest in the higher risk categories i.e. any assets that are not deemed 'senior-ranked' assets, highlighted by the assets below the red line (with the exception through a managed fund investment through NSW Treasury Corporation).

Question 2

Why also as page 36 says “the highest rates amongst the A rated ADIs was yielding between 0.70% – 1.50% per annum” and “the highest deposit rates amongst the BBB and unrated ADIs was yielding [lower] between 0.40% and 1.10% p.a.”?

NOTE: Council's primary Investment policy objective is to preserve capital of low risk whilst maximising its returns.

Answer

Please note you've cut out the last part where it says “dependent on term”.

The market changes continuously and the rates on offer from most complying products change daily. Capital preservation is one of the key primary objectives and also the reason why Council has predominately invested with the higher rated banks over the past year. Following the RBA's decision to cut rates to emergency levels of 0.10% and offering their term funding facility (TFF) to all ADIs (rated or unrated) at a cost of 0.10% fixed for 3 years, most of the banks are heavily funded and hold too much liquid capital/cash on their balance sheets. This is the reason why the rates on offer from some of the lower rated banks have been lower than the higher rated banks – some of these lower rated banks don't need the funding from 'wholesale' investors such as Council. Naturally, Council has allocated a higher proportion of new investments to the higher rated banks over the past 12 months.

Since 01/07/2020, Council placed around \$172m across fixed T/Ds, senior FRNs and fixed bonds, of which only \$39m (or 23%) has been placed with BBB or BBB+ rated ADIs. Overwhelmingly, the majority of assets have been placed with the higher rated ADIs.

Currently, some of BBB rated ADIs are offering slightly higher rates than the higher rated ADIs for terms up to 12 months. In contrast, the major banks or other AA rated entities are offering slightly higher rates than the BBB rated ADIs for 2-5 year (longer-term) investments. Naturally, for the longer-term, our advisors have recommended placing with the higher rated banks in the current market environment. Should the offer on complying products / market circumstances changes, their recommendations would change accordingly.

Question 3

In the item 12.1 Investment Report there is a section on Fossil Fuel Investments which formed the basis of the Executive Director Corporate Services' Response to my item 18.1 Notice of Motion on Smart Progressive Divestment from Fossil Fuel Investing Financial Institutions.

Could Council please be provided with the questions that were asked of Council's investment advisers to provide the basis of the Executive Director's Response to my Notice of Motion and the related section of the Item 12.1 Investment Report?

Answer

Council's advisors, are regularly consulted about Fossil Fuel investments by the Treasury & Tax Accountant, and have been subsequently asked to include a permanent section of Fossil Fuels as part of our monthly report. Refer to page 13-14 of our June 2021 monthly investment report to council.

The Executive Director of Corporate Services has not requested any information in regard to Councillor Bradley's questions, as the Monthly Comprehensive Investment Report already includes a section on Fossil Fuels and has done so since May 21. Historically Council advisors answered Council questions on an adhoc basis as required.

Fossil Fuel Investments

What is Council's current exposure to institutions that fund fossil fuels?

Using the following link <http://www.marketforces.org.au/banks/compare>, based on the Council's investment portfolio balance as at 30/06/2021 (\$547.45m), we can roughly estimate that ~84% of the investments have some form of exposure. This is likely to drift higher given the new Policy limits imposed by NSW Treasury Corporation.

How would Council modify its Investment Policy to cater for divestment of fossil fuels?

If the major banks were withdrawn from investments, some members of the community may look at that remaining list of ADIs (banks) and say "Why do we have all our money with those no-name institutions? I've never even heard of them. We don't want to take risks with our money after councils lost \$100's of millions speculating in the GFC". It will be difficult to please everyone. We suggest starting the discussion with all Councillors asking "are you comfortable investing all the money with the lower rated regionals and credit unions?" If not, then a full divestment campaign will be complicated.

Some ways to potentially 'make changes' to the policy, or at least have a discussion, includes:

- *"Where possible within policy and without compromising the risk and return profile, we favour..."*
- *"We have not yet made a decision to divest because it will have implications on credit quality, ratings and income, but we are actively discussing..."*

What would be implications on our portfolio credit rating?

By adopting a free fossil fuel policy or an active divestment strategy, this would eliminate the major banks rated "AA-" as well as some other "A" rated banks (AMP, Citigroup and ING). Council would be left with a smaller sub-sector of banks to choose to invest with.

What would be risks and implications on Council's portfolio performance?

Some implications include:

- High concentration risk – limiting Council to a selected number of banks;
- Increased credit/counterparty risk;
- May lead to a reduction in performance (most of the senior FRN issues are with the higher rated ADIs) which could result in a significant loss of income generated – could be in excess of hundreds of thousands of dollars per annum;
- Underperformance compared to other Councils.

It may actually be contrary to Council's primary objective to preserve capital as the investment portfolio's risk would increase (all things being equal). Council may not be maximising its returns – this is one of the primary objectives written in the Investment Policy.

Council's exposure is summarised as follows:

Counterparty	Credit Rating	Funding Fossil Fuel
BoQ Covered	AAA	Yes
Suncorp Covered	AAA	No
TCorpIM Cash Fund ^{^^}	AA+	Yes
ANZ	AA-	Yes
CBA (BankWest)	AA-	Yes
HSBC	AA-	Yes
NAB	AA-	Yes
Northern Territory	AA-	Yes
Westpac	AA-	Yes
Citibank NA	A+	Yes
Credit Suisse	A+	No
Macquarie	A+	Yes
Suncorp	A+	No
UBS AG	A+	No
Bank China Aus.	A	No
CFS Global Credit ^{^^}	A	Yes
ICBC	A	No
ING Bank	A	Yes
Societe Generale	A	No
Bank of Communications	A-	No
Aus Military Bank	BBB+	No
BOQ	BBB+	Yes
Bendigo-Adelaide	BBB+	No
QT Mutual Bank	BBB+	No
AMP Bank	BBB	Yes
Auswide Bank	BBB	No
Bank Australia	BBB	No
CUA	BBB	No
ME Bank	BBB	No
MyState Bank	BBB	No
Newcastle PBS	BBB	No
P&N Bank	BBB	No
Teachers Mutual	BBB	No
QBANK	BBB-	No
Bank of Us	Unrated	No
BNK Bank	Unrated	No
Community First	Unrated	No
Judo Bank	Unrated	No
Warwick CU	Unrated	No
T-CorpIM LTG Fund ^{^^}	Unrated	Yes

^{^^}The underlying exposure in these managed funds includes the domestic major banks.

Source: <https://www.marketforces.org.au/info/compare-bank-table/>

Summary	Amount	Invested %
Yes	\$458,402,693	84%
No	\$89,042,937	16%
	\$547,445,630	100%

Reducing the exposure in BBB/Unrated ADIs and switching into A/AA or higher rated ADIs largely contradicts having a fossil fuel free or transitioning to a fossil fuel free lending investment portfolio. As you can see in the above table, most of the banks/ADIs that are funding fossil fuel are generally the higher rated ADIs including the domestic major banks, TCorp, BoQ, Macquarie, ING, etc. That is, it is currently very difficult to have a fossil fuel free investment portfolio while predominately investing with the higher rated ADIs (A rated or higher), particularly given the lack of complying 'green' assets that Council could invest in.

If the major banks were withdrawn from the investment portfolio, some members of the community may look at that remaining list of ADIs (banks) and say, "Why do we have all our money with those no-name institutions? I've never even heard of them. We don't want to take risks with our money after other councils lost \$100's of millions speculating in the GFC". It will be difficult to please everyone. Our advisors suggest starting the discussion with all Councillors asking "are you comfortable investing the majority of Council's money with the lower rated regionals and credit unions?" If not, then a full divestment campaign will be complicated.

Some ways to potentially 'make changes' to the policy, or at least have a discussion, includes:

- "Where possible within policy and without compromising the risk and return profile, we favour green assets should they be available...."*
- "We have not yet made a decision to divest because it will have implications on credit quality, ratings and income, but we are actively discussing..."*

Another suggestion would be to optimise the returns of the investment portfolio with the current Policy framework and if Council determines it has a pool of surplus funds excess to requirements, then allocate these funds and invest directly in physical assets/projects such as the following, when they become available:

- Sustainable water management*
- Renewable energy*
- Green commercial or residential buildings*
- Clean transportation*
- Pollution prevention and control*
- Climate change adaptation*

This form of investment would generally be offered by the major banks in the form of an FRN or bond; however, such offers are rare.

Please provide a copy of the questions asked of Council's investment consultants in respect of the Fossil Fuel related investments.

The Treasury & Tax Accountant communicates with Council advisors on a weekly basis. These discussions entail review of current market offers, optimum sell timelines on current investment held, and review of policy and strategy.

Most recently in our online policy review, meeting Council asked our advisors to provide additional information concerning;

- What percentage of the portfolio were free of Fossil fuels*
- What the impacts were for both rating and interest income by divesting the current portfolio*
- What opportunities existed in the current market to invest in fossil fuel free investments*

In conclusion, the impact of divesting in the current market would most likely

- *We could invest more with lower rated banks and credit unions thus reducing the overall credit rating of the overall portfolio*
- *Funds would need to be redeemed from all 4 majors, including NSW Treasury Corp and CFS Global Managed fund*
- *The current estimated loss of interest income if Council were to divert 40% of the portfolio to Fossil Fuel free investments is estimated to be approximately \$2.5m per annum – or 0.46%*
- *Limited Fossil Fuel Free investments are offered in the current market. By way of example, Council has invested \$33m in CBA Green Term Deposits in the last 12 months. CBA has now advised council that as these deposit mature, council will need to redeem or roll into standard deposits. CBA siting that insufficient Fossil Fuel free opportunity now exists, thus withdrawing these offers going forward.*
- *Westpac currently offer some Green term deposits ranging from 6 months to 5 years, but are 50-70 basis points below standard term deposits*

PROCEDURAL MOTION

3396 RESOLVED (Davis/Dwyer)

That the meeting be adjourned for five (5) minutes.

Note: The meeting was adjourned at 8:03pm for a short recess.

PROCEDURAL MOTION

3397 RESOLVED (Dwyer/Davis)

That the meeting resume.

The meeting resumed at 8:09pm with the following Councillors in attendance: The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Andrew Wilson and Martin Zaiter.

20. CLOSED SESSION

3398 RESOLVED (Esber/Garrard)

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 NOTATION: Legal Status Report as at 30 June 2021. (D08111772) - *This report is confidential in accordance with section 10A (2) (g) of the Local Government Act 1993 as the report contains advice concerning litigation, or advice that would*

otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

- 2 FOR APPROVAL: Tender 15/2021 Parramatta Road at Marsh Street, Clyde - Traffic Control Signal Upgrade. (D07941697) - *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.*
- 3 FOR APPROVAL: Tender 18/2021 Parramatta Food Services - Meals on Wheels Service. (D08084060) - *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.*
- 4 FOR APPROVAL: Tender 19/2021 Provision of Internal Audit Services. (D08153639) - *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.*
- 5 FOR APPROVAL: Tender 25/2021 Alfred Street at Alice Street Harris Park – Construction of a Raised Pedestrian Crossing and Associated Work. (D08038135) - *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.*
- 6 FOR APPROVAL: Town Hall Redevelopment, 5PS Forecourt and Budget (Deferred Item). (D08160844) - *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.*
- 7 FOR APPROVAL: Parramatta Aquatic & Leisure Centre (ALCP) Operating Model (Deferred Item). (D08160845) - *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.

- 8 NOTICE OF MOTION: Moving Art in the Parramatta Local Government Area. (D08158300) - *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.*

PROCEDURAL MOTION

3399 RESOLVED (Esber/Garrard)

That Items 20.1, 20.2, 20.4, 20.5 and 20.6 be resolved en bloc.

20.1 SUBJECT FOR NOTATION: Legal Status Report as at 30 June 2021

REFERENCE F2021/00521 - D08111772

REPORT OF Group Manager Legal Services

3400 RESOLVED (Esber/Garrard)

That Council note the Legal Status Report as at 30 June 2021

20.2 SUBJECT FOR APPROVAL: Tender 15/2021 Parramatta Road at Marsh Street, Clyde - Traffic Control Signal Upgrade

REFERENCE F2021/00564 - D07941697

REPORT OF Manager Capital Projects

3401 RESOLVED (Esber/Garrard)

- (a) **That** Council approve the appointment of the preferred proponent for the upgrade of the traffic control signals and associated works on Parramatta Road at Marsh Street, Clyde for the contract sum as outlined in paragraph 11 of this report.

- (b) **That** all unsuccessful tenderers be advised of Council's decision in this matter.
- (c) **That** Council delegate authority to the Chief Executive Officer to finalise and execute all necessary documents.
- (d) **Further, that** Council approve a budget of \$881,674 for the financial year of 2021/22 to be adjusted during the Q1 Quarterly Budget Review.

20.3 SUBJECT FOR APPROVAL: Tender 18/2021 Parramatta Food Services - Meals on Wheels Service

REFERENCE F2021/00722 - D08084060

REPORT OF Business Coordinator

MOTION (Garrard/Barrak)

- (a) **That** Council approve the appointment of the preferred proponent for the supply of Pre-Packaged Meal Services (Meals on Wheels) for the cost outlined in paragraph 9 of this report.
- (b) **Further, that**, Council delegate authority to Chief Executive Officer to finalise and execute all necessary documents.

AMENDMENT (Tyrrell/Esber)

That Council defer consideration of this matter to the next Council Meeting for further information.

During debate, the mover of the motion accepted the wording of the amendment, which then became the motion.

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

3402 RESOLVED (Garrard/Barrak)

That Council defer consideration of this matter to the next Council Meeting for further information.

20.4 SUBJECT FOR APPROVAL: Tender 19/2021 Provision of Internal Audit Services

REFERENCE F2021/00710 - D08153639

REPORT OF Coordinator Internal Audit

3403 RESOLVED (Esber/Garrard)

- (a) **That** Council approve the appointment of the preferred proponent for the provision of internal audit services for the fixed contract sum as outlined in paragraph 16 of this report.
- (b) **That** all unsuccessful tenderers be advised of Council's decision in this matter.
- (c) **Further, that** Council delegate authority to the Chief Executive Officer to finalise and execute all necessary documents.

20.5 SUBJECT FOR APPROVAL: Tender 25/2021 Alfred Street at Alice Street Harris Park – Construction of a Raised Pedestrian Crossing and Associated Work

REFERENCE F2021/01230 - D08038135

REPORT OF Manager Capital Projects

3404 RESOLVED (Esber/Garrard)

- (a) **That** Council approve the appointment of the preferred proponent for the construction of a raised pedestrian crossing and associated works in Alfred Street, Harris Park, south of Alice Street, for the contract sum as outlined in paragraph 12 of the report.
- (b) **That** all unsuccessful tenderers be advised of Council's decision in this matter.
- (c) **Further, that** Council delegate authority to the Chief Executive Officer to finalise and execute all necessary documents.

20.6 SUBJECT FOR APPROVAL: Town Hall Redevelopment, 5PS Forecourt and Budget (Deferred Item)

REFERENCE F2019/01435 - D08160844

REPORT OF Project Manager

3405 RESOLVED (Esber/Garrard)

- (a) **That** Council not proceed with the "Activate Parramatta" proposal that was endorsed by the chamber at a Council Meeting on 11th May 2015.
- (b) **That** Council approve the design concept for the 7 Parramatta Square Project (7PS) at Attachment 1.
- (c) **That** Council approve a total budget of \$20M to deliver the current design concept for 7PS as detailed at paragraph 15 of this report.
- (d) **That** Council delegate authority to the Chief Executive Officer to lodge Development Applications and all related applications for the 7PS, consistent with the design provided at Attachment 1.

- (e) **That** Council approve the current concept for the 5 Parramatta Square forecourt, as at Attachment 2.
- (f) **That** Council approve the increase in the 5 Parramatta Square project budget by an additional \$5,900,000 to supplement project contingency as detailed at paragraph 24 of this report.
- (g) **Further, that** Council delegate authority to the Chief Executive Officer to negotiate, execute contracts and sign all necessary documentation required for the design and construction for the 5 & 7 Parramatta Square Project to maximum value of \$156m allocated from the Property Reserve as detailed at paragraph 33 of this report.

20.7 SUBJECT FOR APPROVAL: Parramatta Aquatic & Leisure Centre (ALCP) Operating Model (Deferred Item)

REFERENCE F2021/00521 - D08160845

REPORT OF Client Side Senior Project Manager

MOTION (Garrard/Wilson)

- (a) **That** Council approve Option A: An In-house service delivery model, as the ALCP operating model, noting the financial implications of the chosen model.
- (b) **That** Council approves the financial model and associated operating forecast to guide the long-term operation of the ALCP detailed in the Financial Implications section of this report.
- (c) **That** Council notes that that any delay to the operating model decision later than August 2021 has the potential to impact in a delay (of up to three months) to the opening of the ALCP if direction is not obtained by this time.
- (d) **Further, that** Delegation is given to the CEO to initiate procurement approval / recruitment processes based on the operating model and financial model approval.

AMENDMENT (Issa/Tyrrell)

- (a) **That** Council approve Option B: An outsourced service delivery model for a period of 4 years, with a further option of four years to be exercised at Council's sole discretion, as the ALCP operating model, noting the financial implications of the chosen model.
- (b) **That** Council approves the financial model and associated operating forecast to guide the long-term operation of the ALCP detailed in the Financial Implications section of this report.

- (c) **That** Council notes that that any delay to the operating model decision later than August 2021 has the potential to impact in a delay (of up to three months) to the opening of the ALCP if direction is not obtained by this time.
- (d) **Further, that** Delegation is given to the CEO to initiate procurement approval / recruitment processes based on the operating model and financial model approval.

The amendment moved by Councillor Issa and seconded by Councillor Tyrrell was WITHDRAWN.

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

3406 RESOLVED (Garrard/Wilson)

- (a) **That** Council approve Option A: An In-house service delivery model, as the ALCP operating model, noting the financial implications of the chosen model.
- (b) **That** Council approves the financial model and associated operating forecast to guide the long-term operation of the ALCP detailed in the Financial Implications section of this report.
- (c) **That** Council notes that that any delay to the operating model decision later than August 2021 has the potential to impact in a delay (of up to three months) to the opening of the ALCP if direction is not obtained by this time.
- (d) **Further, that** Delegation is given to the CEO to initiate procurement approval / recruitment processes based on the operating model and financial model approval.

Note: Councillors Dwyer, Barrak, Issa, Jefferies, Tyrrell and Zaiter requested that their names be recorded as having voted against the decision taken at Item 20.7.

18.1 SUBJECT NOTICE OF MOTION: Moving Art in the Parramatta Local Government Area

REFERENCE F2021/00521 - D08158300

FROM Councillor Wilson

3407 RESOLVED (Wilson/Davis)

That Council prepare a report examining the installation and moving of artwork and examine if contractual arrangements can be made so that if Council decides to move the bus or any other artwork, Council is not charged again.

PROCEDURAL MOTION

3408 RESOLVED (Esber/Tyrrell)

That the meeting resume into Open Session.

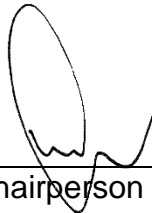
21. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Chief Executive Officer read out the resolutions for Items 20.1 to 20.7 and 18.1.

22. CONCLUSION OF MEETING

The meeting terminated at 9:12 pm.

THIS PAGE AND THE PRECEDING 29 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 9 AUGUST 2021 AND CONFIRMED ON MONDAY, 23 AUGUST 2021.



Chairperson