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, 11 JULY 2022 AT 6:30PM

PRESENT

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

1. OPENING MEETING

The Lord Mayor, Councillor Donna Davis, opened the meeting at 6:34PM.

2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

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

3. WEBCASTING ANNOUNCEMENT

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

4. GENERAL RECORDING OF MEETING ANOUNCEMENT

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

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

3875 RESOLVED (Esber/Garrard)

- (a) **That** the request to attend the Ordinary Meeting of Council dated 11 July 2022 via remote means submitted by the following Councillors due to personal reasons, be accepted:
 - Councillor Humphries;
 - Councillor Wearne.
- (b) **Further, that** leave of absence be granted to Councillor Noack for the Council meetings to be held on 25 July 2022 and 8 August 2022, as he will be overseas.

6. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 27 June 2022

3876 RESOLVED (Noack/Bradley)

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

7. DISCLOSURES OF INTEREST

Councillor Esber declared a pecuniary interest in Item 13.6/13.7 – Response to the Finalisation of the Parramatta CBD Planning Proposal and Changes made by the Department of Planning and Environment as he owns a property in North Parramatta. He retired from the meeting prior to consideration of the matter.

Councillor Green declared a pecuniary interest in Item 13.6/13.7 – Response to the Finalisation of the Parramatta CBD Planning Proposal and Changes made by the Department of Planning and Environment as he owns a property in the Parramatta CBD. He retired from the meeting prior to consideration of the matter.

MATTER OF URGENCY

Councillor Pandey put forward the following to Council:

I would like to move two condolences, and I would like to acknowledge the former Lord Mayor, Councillor Andrew Wilson, who is also in the gallery tonight, whose mother passed away on Wednesday, Ms Carol Wilson.

Carol Wilson, mother of former Lord Mayor Andrew Wilson passed away on Wednesday, 6 July 2022 at the age of 84. Carol Wilson had been sick with complications from her diabetes for many years. From a very young age she had been active in a number of courses, this included the drive to have children wear yellow rain coats, efforts to host international students and charities associated with Miss Australia Quest. And from time to time she was interested in local politics. She was mother of three (3) children. And she was active in toastmistress, the former female version of toast masters and running a public speaking program in Hurstville.

3877 RESOLVED (Pandey/Garrard)

That the matter be considered at this meeting due to the reasons outlined above.

The Lord Mayor ruled that the matter was of great urgency in accordance with clause 9.3 of Council's Code of Meeting Practice.

3878 RESOLVED (Pandey/Garrard)

That the Council acknowledge the passing of Ms Carol Wilson, mother of former Lord Mayor Councillor Andrew Wilson.

MATTER OF URGENCY

Councillor Pandey put forward the following to Council:

I rise today to offer my condolences to the people in Japan and those from Japanese origin living in Australia for the tragic death of former Japanese Prime Minister Shinzo Abe. Mr Abe passed away last week, and it was a tragic assassination. I would like Councillors to join me to pay tribute to the leadership of Mr Abe who has been a tremendous force behind Japan's progress in recent years.

3879 RESOLVED (Pandey/Maclean)

That the matter be considered at this meeting due to the reasons outlined above.

The Lord Mayor ruled that the matter was of great urgency in accordance with clause 9.3 of Council's Code of Meeting Practice.

3880 RESOLVED (Pandey/Maclean)

That the Council acknowledge the passing away of Shinzo Abe, former Prime Minister of Japan.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Acknowledging Jim Stefan's Service

REFERENCE F2022/00105 - D08605077

REPORT OF Lord Mayor, Councillor Donna Davis

3881 RESOLVED (Davis/Garrard)

- (a) **That** Council note Jim Stefan stepped down from his role as Group Manager City Assets and Environment on 4 July 2022, after thirty (30) years of service across various leadership roles at the City of Parramatta.
- (b) Further, that Council thank Jim for his leadership and contributions to the City of Parramatta in his work over the thirty (30) years.
- 8.2 SUBJECT Council's Customer Service Charter and Service Standards

Otariaaraa

REFERENCE F2022/00105 - D08605080

REPORT OF Lord Mayor, Councillor Donna Davis

Motion (Davis/Darley)

- (a) **That** Council note a review of how Council's Customer Service Policy (the Policy), Customer Service Charter (Charter) and standard Service Level Agreements (SLAs) are communicated to the community is being undertaken by Council officers;
- (b) **That** Council note the review of how the Policy, Charter and SLAs are communicated will include:
 - a. How the Policy, Charter and SLAs are currently communicated and how the communication could be improved;
 - b. How Council communicates the steps taken by Council following the lodgement of a Service Request;
 - Viability of Customer Service FAQs detailing Council's standard SLAs and response times on common Service Request categories;
 - d. How Council's Customer Service Dashboards and supporting SLAs data are currently communicated on Council's website;
 - e. Advice on the escalation process for Service Requests and complaints, and how this is communicated; and
 - f. A desktop review of how peer councils in NSW communicate their Policies, Charters and SLAs.
- (c) **That,** as part of this review, a workshop will be held to seek the input and feedback of Councillors;
- (d) **Further, that** a report be brought back to Council within six months on the implementation of opportunities identified in the review, including financial implications for Council on proposed actions.

Amendment (Garrard/Siviero)

That Council defer consideration of the matter to the Policy Review Committee at the earliest possible time.

The Amendment was put and declared LOST.

Debate resumed on the Motion.

The Motion was put and declared CARRIED:

3882 RESOLVED (Davis/Darley)

- (a) That Council note a review of how Council's Customer Service Policy (the Policy), Customer Service Charter (Charter) and standard Service Level Agreements (SLAs) are communicated to the community is being undertaken by Council officers;
- (b) **That** Council note the review of how the Policy, Charter and SLAs are communicated will include:
 - How the Policy, Charter and SLAs are currently communicated and how the communication could be improved;
 - b. How Council communicates the steps taken by Council following the lodgement of a Service Request;
 - Viability of Customer Service FAQs detailing Council's standard SLAs and response times on common Service Request categories;
 - d. How Council's Customer Service Dashboards and supporting SLAs data are currently communicated on Council's website;
 - e. Advice on the escalation process for Service Requests and complaints, and how this is communicated; and
 - f. A desktop review of how peer councils in NSW communicate their Policies, Charters and SLAs.
- (c) **That,** as part of this review, a workshop will be held to seek the input and feedback of Councillors;
- (d) **Further, that** a report be brought back to Council within six months on the implementation of opportunities identified in the review, including financial implications for Council on proposed actions.

Note: Councillor Humphries left and returned to the meeting during debate on the item.

8.3 SUBJECT Future use of Roxy Theatre

REFERENCE F2022/00105 - D08604711

REPORT OF Lord Mayor, Councillor Donna Davis

3883 RESOLVED (Davis/Darley)

- (a) That Council note that the recent NSW Budget contained no funding for work to investigate the acquisition of the Roxy Theatre by the NSW Government...
- (b) **That** the Lord Mayor write to the Minister for the Arts, the Hon. Ben Franklin and the Minister for Heritage, The Hon. James Griffin:
 - i. noting that Create NSW has identified the historic Roxy Theatre as critical to plans to increase the number of

- performance and entertainment spaces in Greater Sydney and revive the Parramatta CBD after COVID;
- ii. noting that the June NSW Budget contained no funding for the potential acquisition of the Roxy Theatre, despite funding being committed to the development of a business case for the potential acquisition of The Minerva Theatre in Kings Cross; and
- iii. requesting that the NSW Government fund the development of a business case to explore the viability of purchasing and restoring the Roxy Theatre as a performance and entertainment venue.
- (c) **Further, that** copies of these letters be forwarded to the Shadow Minister for the Arts and Heritage.

8.4 SUBJECT Parramatta Light Rail: Accessibility and safety concerns

for the vision impaired

REFERENCE F2022/00105 - D08605104

REPORT OF Lord Mayor, Councillor Donna Davis

3884 RESOLVED (Davis/Darley)

- (a) **That** Council note the concerns raised by representatives from the community, including Guide Dogs NSW/ACT, regarding safety concerns for vision impaired pedestrians as a result of the construction of the Parramatta Light Rail (PLR).
- (b) **That** the Lord Mayor write to the Minister for Transport and the Minister for Disability Services to call on the NSW Government to urgently address safety concerns for vision impaired pedestrians as a result of the construction of the Parramatta Light Rail.
- (c) **That** Council advocate for the NSW Government to ensure that PLR Stage 2 is designed to an inclusive and accessible standard.
- (d) **Further, that** the Lord Mayor invite the Project Director for the PLR and the Local State Member Geoff Lee to come and observe the safety issues with the PLR.

9. PUBLIC FORUM

9.1 SUBJECT PUBLIC FORUM 1: Item 13.7 - Response to the

finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and

Environment

REFERENCE F2022/00105 - D08602132

FROM ROSS GROVE

The Property Council of Australia and Business Western Sydney are pleased to provide a united voice on behalf of our collective membership.

We support the staff recommendation in tonight's report.

The last last-minute amendments to the Parramatta CBD Planning Proposal introduced by the state government defy more than eight years of careful planning, deliberation and consultation initiated by this council.

Council's final draft positioned the city to grow in terms of commercial floorspace and employment while blending-in strong positive design and liveability outcomes for the city.

The changes introduced by the state government are a blow to certainty and investor confidence which if left unaltered will result the flight of capital to other jurisdictions, both interstate and overseas.

Our two organisations have engaged Urbis and Think Planners to properly assess the negative economic impact of these changes in terms of lost jobs and consumer spending, and we have sought advice from them on specific planning solutions to the issues raised by our members.

We are asking the Minister for Planning to consider options to revisit the gazetted LEP amendment.

Council's recommendation to address the challenges arising from the state government's lastminute changes by way of a SEPP amendment is the most effective mechanism to ensure the capital flowing into the city is retained, and the shared vision for the city is able to move forward with confidence.

We also support the calls for additional funding and planning resources to be provided by the NSW Government to address the other items in this report.

Once again, the Property Council of Australia and Business Western Sydney congratulate the City of Parramatta for its vision and advocacy for the city's future, and we look forward to working with Council to its goals for the city going forward.

EXECUTIVE DIRECTOR, CITY PLANNING & DESIGN RESPONSE

No response was provided.

9.2 SUBJECT PUBLIC FORUM 2: Item 13.7 - Response to the

finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and

Environment

REFERENCE F2022/00105 - D08603724

FROM ROS SEARLE

Dear Lord Mayor and Councillors,

I wish to lodge my objection to the proposed overturning of development controls in Parramatta and especially North Parramatta. North Parramatta and surrounds hold a vast amount of the history of not only of First Australians in terms of ancient sites but also of early colonial history.

There is much yet to be discovered for both, but what is known and recognized must be valued and indeed cherished, for present generations and future. The amenity afforded by the Parramatta River, its tributaries and adjacent parklands will be greatly diminished in the face of increasing development.

Not only will increasing building density create a hotspot for the city of Parramatta, or alternatively chasms of overshadowed living spaces, but over development will also greatly devalue current, land, houses and apartments.

I wish to add my utmost condemnation of moves by developers to subtract from the rich history of Parramatta and detract greatly from the livability of the area and its surrounds.

EXECUTIVE DIRECTOR, CITY PLANNING & DESIGN RESPONSE

No response was provided.

Note: As Ros Searle was not present to address Council, the submission was read out by the Lord Mayor.

9.3 SUBJECT PUBLIC FORUM 3: Item 13.7 - Response to the

finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and

Environment

REFERENCE F2022/00105 - D08604411

FROM SUZETTE MEADE – SECRETARY NORTH

PARRAMATTA RESIDENTS ACTION GROUP INC.

Dear Lord Mayor and Councillors,

NPRAG strongly supports Recommendation (d) regarding a dedicated planning study for North Parramatta. NPRAG notes the importance placed by the Department of Planning on the requirement for further consideration to be given "to the Light Rail, transitions, solar access, lower building heights and FSR along the river...the adjoining HCA and heritage attributes generally, community concerns, amenity and character".

NPRAG seeks opportunities for input into the Council review of planning

provisions within the planning investigation areas, as referred to on p.15. Item 30 of the Council report of 11 July.

NPRAG asserts its role as a key stakeholder in any planning exercise for North Parramatta and expects the Council to respect that role by ensuring that NPRAG is directly involved in the associated public participation process and ongoing planning program.

NPRAG strongly believes that until the Study is complete there should be a moratorium on further site-specific planning proposals and development applications which involve works other than small-scale private residential and commercial projects in North Parramatta [defined roughly as the area bounded by the river on the south and west, Church Street -Isabella Street on the north, and Brickfield-Elizabeth Streets on the east].

With regard to the Phillip Street Block, NPRAG awaits the outcome of the Council's request for a SEPP and reserves its right to comment at the appropriate time in the preparation of that SEPP.

NPRAG records its strong concern and dis-satisfaction with the apparent late decision by the Council to extend the time available for public submissions on the subject Report to Council to Monday 11 July. Given that the report was not available on line until Friday 8th July, the public effectively had 2 days to read and respond to the 125 page document. That makes a mockery of Council's public consultation policy and is to be condemned as a miscarriage of natural justice. In such circumstances, NPRAG requests the Council to extend for at least two weeks the deadline for public submissions, and to defer dealing with the subject report until all such submissions have been received and addressed.

EXECUTIVE DIRECTOR, CITY PLANNING & DESIGN RESPONSE

No response was provided.

9.4 SUBJECT PUBLIC FORUM 4: FOR NOTATION ONLY Item 13.7 -

Response to the finalisation of the Parramatta CBD

Planning Proposal and changes made by the Department of Planning and Environment

REFERENCE F2022/00105 - D08603794

FROM MARK MARUSIC

I wish to object to a move by development lobby groups such as the Property Council and Urban Taskforce Australia to overrule the Department of Planning's sensible CBD reductions in floor space densities. These lobby groups seek to reinstate unlimited commercial floor space ratios with buildings up to 243 metres AHD (max 75 storeys) in some areas.

If the wishes of these lobby groups are met, there would be a wave of overdevelopment from North Parramatta to the CBD. The future of Parramatta as an attractive and livable place would be severely undermined without adequate controls on overdevelopment.

EXECUTIVE DIRECTOR, CITY PLANNING & DESIGN RESPONSE

No response was provided.

9.5 SUBJECT PUBLIC FORUM 5: FOR NOTATION ONLY: Item 13.7 -

Response to the finalisation of the Parramatta CBD

Planning Proposal and changes made by the Department of Planning and Environment

REFERENCE F2022/00105 - D08604422

FROM YANA TAYLOR

Dear Lord Mayor and Councillors,

While I cannot be present to speak I would like the following statement to be distributed to Councillors.

Statement in support for the Dept of Planning and Environment changes to final Parramatta CBD plan from resident of Parramatta Ward.

When notified in May of the finalisation of the Parramatta CBD planning proposal, the work of the Department of Planning NSW seemed sensible. It was also the result of rounds of consultation, that did include people who live in the LGA who presented well-informed arguments. It struck me then that those arguments from people with lived experience of the localities impacted by the CBD development plan to create a liveable, attractive and distinctive city were to some degree understood in the amendments to the earlier CBD proposal. NSW Planning Department's amendments are conservative, not radical.

It is distressing that vested interests with significant administrative resources, lobbying access & behind-closed-doors influence whose dominant goals are to pursue unlimited development and profit making, seek to have well-considered decisions overturned where it doesn't suit them. It will both give the impression that council divisions/decisive staff groupings are unduly sympathetic to these corporate interests. Influential industry lobby groups and building developers cannot be allowed to believe they can repeatedly overturn proposed regulations that don't suit them.

Already the guidelines for development in this LGA are very supportive of their interests. It is not the responsibility of an LGA to make up for the difficulties with builders/developers' business models in the current climate.

With the multiple cases of appalling faults in tall buildings there is widespread lack of public trust in building developers. If the

amendments by NSW planning are rescinded under pressure from developer lobby groups it could well tar the Council's planning processes with the same brush.

The example of capture of the Wollongong Council's planning processes loom large in the public memory. The scrutiny that followed that Council's failure pointed to how important it is that corruption need not only occur but that it is equally important that it is not perceived to be the case by the public.

The amenity and distinctiveness of the district need to be protected. Not for nostalgia's sake but to give the district a chance of being an attractive place people wish to live and work in, especially in the places that contain conservation areas and heritage items.

The constellation of cultural and economic settings has changed since the major plans for the development in Parramatta were proposed. These shifts overtake claims by Council administration of planning. These changes are longer term changes. So the major justifications for not embracing the amendments by the Dept of Planning and Environment in the finalisation of the CBD plans no longer apply. Here are 8 factors that have changed in these settings.

- The proposed increase in population by 2036 has not kept up with the academic projections from UNSW and are not likely to do so over the next decade. [the shortfall is about 1-2000 per year since the predictions were made pre-covid]**
- Vacancy rates have increased in the current over-provision of highdensity properties with thousands of still-empty units and offices across greater Sydney. Office market growth has reversed in contrast to the claim statement of need in the original CBD proposal with the decrease in employees and the self-employed commuting to work in office buildings
- The continuing economic instability and recurring waves of the pandemic Covid 19, for e.g. continued shift of younger people and families out of LGA to secure housing out lower cost
- The large downturn of international travel,
- Significant downturn in migration and downturn in OS investment
- The contraction in university research and education and its increased expense [with several universities in the district this is of serious concern] have reduced demand for overseas student accommodation as well.
- The signs of dwindling popularity accompanying the increases in controversy over local development plans, for e.g the withdrawal of 2 sets of entities previously interested in investing the Fleet St heritage area and rapidly growing concerns with the urban heat effects due to loss of canopy [Parramatta LGA is 6th worse in greater Sydney]

• Abandonment and delays in several large transport infrastructure.

The changes from the Department of Planning and Environment to the CBD should be incorporated and adopted. Especially excising Parramatta North from the extension of the unlimited height policies of the CBD plans due to it potential to continue to trash the distinctive environment of the built environment via overshadowing, building an excessively tall built 'gully' along Church St section of the Light Rail [which is also poised to be concentrated heat sink]. This mammoth construction is in total contradiction with the two parallel conservation areas immediately adjacent. These areas require genuine consideration, not be hamstrung by legalistic interpretations of development guidelines. Sections 1 and 2 listed below address building codes that would adversely impact on development north of Victoria Rd. While serious studies are welcome too often research studies are excuses for delaying decisions. Keeping the current height guidelines does give clear decisive guidelines for investment – so if the Council asserts these principles as the foundation there can be certainty for investment. But doesn't cater for the persistent lobbying by developers and current owners.

Linking support for community infrastructure should not be linked to any 'reward' via height increasing incentives. The LGA expects provision of community infrastructure. It is now a usual not an unusual community expectation.

The minimal and moderate proposed changes 1-6 of the CBD plan should be adopted.

- 1. Opportunity Sites the Opportunity Sites control which allowed for a bonus 3:1 FSR for certain sites has been removed.
- 2. Unlimited Commercial Premises FSR the unlimited commercial premises FSR control in certain parts of the B4 Mixed Use zone has been removed.
- 3. Unlimited Office Premises FSR the unlimited office premises FSR control in the B3 Commercial Core zone has been removed.
- 4. Community Infrastructure Principles the community infrastructure principles provision has been removed (and base/incentive height/FSR maps merged accordingly).
- 5. North Parramatta the area north of the river has been removed from the proposal and will retain its existing controls at this stage. A further review of this area will be required.
- 6. Phillip Street Block the street block bound by the river, Charles, Phillip and Smith Streets has been removed from the proposal and will retain its existing controls.

EXECUTIVE DIRECTOR, CITY PLANNING & DESIGN RESPONSE

No response was provided.

9.6 SUBJECT PUBLIC FORUM 6: FOR NOTATION ONLY: Item 13.7 -

Response to the finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and Environment

REFERENCE F2022/00105 - D08604464

FROM JEANETTE BROKMAN

Dear Lord Mayor and Councillors,

I have previously made detailed submissions in response to the proposed uplift for the CBD; specifically in relation to the absence of the completion of council's new Flood Study, which given Climate Change should have been completed prior to council's final decision about its Planning Proposal.

I have today been alerted by a post on NPRAG's albeit I have only just seen the FB post; i.e. that the proposal is being reconsidered by council after representations were made by vested interest groups.

I was not notified about this despite having lodged previous submissions. This includes my previous representations to Councillors.

Within the time allowed, I am unable to provide feedback to the detailed report, other than to express my concerns about the absence of due process. In response, I urge council to postpone the item to allow proper consideration and feedback by the public.

Thank you for considering this matter.

EXECUTIVE DIRECTOR, CITY PLANNING & DESIGN RESPONSE

No response was provided.

10. PETITIONS

10.1 SUBJECT Pedestrian Crossing on Bartlett Street, Ermington

FROM Councillor Pierre Esber

A petition signed by the public was tabled at the Council meeting and reads:

"We the undersigned show support to instate a pedestrian crossing on Bartlett Street, Ermington."

Note: The petition tabled by Councillor Esber was received and, as a matter of practice, the petition will be referred to the relevant Council officer/s, and a copy of the petition distributed to all Councillors.

11. RESCISSION MOTIONS

12. REPORTS TO COUNCIL - FOR NOTATION

Nil

13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 SUBJECT Expression of Interest - Selection of Independent

Members for Smart City Advisory Committee

REFERENCE F2022/00105 - D08575558

REPORT OF Senior Project Officer

3885 RESOLVED (Esber/Noack)

(a) That Council appoint Meredith Hodgman, Peter Runcie, Sarah Barns, Scott Thomson and Ian Opperman to the Smart City Advisory Committee for the period of this Council term.

(b) **Further, that** Council thank all unsuccessful applicants who expressed interest in joining the Smart City Advisory Committee.

13.2 SUBJECT Viability of Employing a Grants Officer

REFERENCE F2022/00105 - D08570855

REPORT OF Student Project Officer

3886 RESOLVED (Prociv/Darley)

(a) **That** Council employ a permanent Strategic Grants Officer within City Strategy to coordinate Council's external grant applications, to align with our city and corporate objectives with a strategic and proactive approach.

(b) **That** the Strategic Grants Officer position be funded through grants awarded to Council where the grant funding agreements permit.

13.3 SUBJECT Recommendation on the Naming of Parramatta's New

Aquatic Facility (Deferred Item)

REFERENCE F2022/00105 - D08521533

REPORT OF Strategic Communication Specialist

Motion (Maclean/Esber)

(a) That Council endorse "Parramatta Aquatic Centre", as set out in paragraph 7(a) of the Council report, for the name of the new aquatic centre in Parramatta.

- (b) **That** Council note the resolution of 28 September 2020 in relation to the grandstand seating by the 50m outdoor pool within the new facility to be known as the Kevin Hession Stand after the late member of the Parramatta Memorial Swimming Club.
- (c) **That** Council endorse 'Memorial Pool' as the name of the 50-metre outdoor pool.
- (d) That Council endorse another stage of public engagement to vote on naming suggestions for the elements (rooms, facilities) within the facility that follow Dharug/English dual naming principles and be based around the theme of local fauna naming suggestions from the broader community and Dharug representatives.
- (e) That Council note the public engagement process will garner feedback on a common theme to be applied to the naming of the elements.
- (f) Further, that reports be returned to Council by September 2022 to consider the outcomes of the second stage of public engagement process.

Amendment (Bradley/Darley)

- (a) **That** Council endorse dual name "Parramatta Pool, Barramada Badu Ngurra", as set out in paragraph 7(c) of the Council report, for the name of the new aquatic centre in Parramatta.
- (b) **That** Council note the resolution of 28 September 2020 in relation to the grandstand seating by the 50m outdoor pool within the new facility to be known as the Kevin Hession Stand after the late member of the Parramatta Memorial Swimming Club.
- (c) **That** Council endorse 'Memorial Pool' as the name of the 50-metre outdoor pool.
- (d) **That** Council endorse another stage of public engagement to vote on naming suggestions for the elements (rooms, facilities) within the facility that follow Dharug/English dual naming principles and be based around the theme of local fauna naming suggestions from the broader community and Dharug representatives.
- (e) That Council note the public engagement process will garner feedback on a common theme to be applied to the naming of the elements.
- (f) **Further, that** reports be returned to Council by September 2022 to consider the outcomes of the second stage of public engagement process.

The Amendment was put and declared LOST.

Debate resumed on the Motion.

The Motion was put and declared CARRIED:

3887 RESOLVED (Maclean/Esber)

- (a) That Council endorse "Parramatta Aquatic Centre", as set out in paragraph 7(a) of the Council report, for the name of the new aquatic centre in Parramatta.
- (b) **That** Council note the resolution of 28 September 2020 in relation to the grandstand seating by the 50m outdoor pool within the new facility to be known as the Kevin Hession Stand after the late member of the Parramatta Memorial Swimming Club.
- (c) **That** Council endorse 'Memorial Pool' as the name of the 50-metre outdoor pool.
- (d) That Council endorse another stage of public engagement to vote on naming suggestions for the elements (rooms, facilities) within the facility that follow Dharug/English dual naming principles and be based around the theme of local fauna naming suggestions from the broader community and Dharug representatives.
- (e) That Council note the public engagement process will garner feedback on a common theme to be applied to the naming of the elements.
- (f) **Further, that** reports be returned to Council by September 2022 to consider the outcomes of the second stage of public engagement process.

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

13.4 SUBJECT Application to seek Minister's consent to grant a lease

over community land at 358Z North Rocks Road

Carlingford

REFERENCE F2016/07550 - D08560927

REPORT OF Asset Manager

Motion (Valjak/Wang)

That Council make an application to the Minister for Local Government seeking consent to grant the proposed lease with Vodafone:

- 1 Over the community land described as Lot 26 in Deposited Plan 230685 and located at 358Z North Rocks Road, Carlingford (also known as North Rocks Park);
- 2 On commercial terms approved at the Council meeting of 22 November 2021; and

3 Pursuant to section 46(1)(b)(i) of the *Local Government Act 1993* (NSW).

Amendment (Humphries/)

That the matter be deferred.

The Amendment moved by Councillor Humphries was WITHDRAWN.

The Motion was put and declared CARRIED:

3888 RESOLVED (Valjak/Wang)

That Council make an application to the Minister for Local Government seeking consent to grant the proposed lease with Vodafone:

- Over the community land described as Lot 26 in Deposited Plan 230685 and located at 358Z North Rocks Road, Carlingford (also known as North Rocks Park);
- 2 On commercial terms approved at the Council meeting of 22 November 2021; and
- 3 Pursuant to section 46(1)(b)(i) of the *Local Government Act 1993* (NSW).

Note: Questions were taken on notice by Council staff for this item.

13.5 SUBJECT Compulsory Acquisition of 1C-1D Unwin Street Rosehill by Sydney West Metro

REFERENCE F2022/00105 - D08564181

REPORT OF Development Manager Property Development

3889 RESOLVED (Esber/Wearne)

- (a) That Council approve the sale by Compulsory Acquisition of 1C-1D Unwin Street Rosehill being Lots 22, 23, 24 in DP17742 and Lots 102,103 in DP734615.
- (b) That Council accept the Valuer General determination of compensation for Market Value and Disturbance (if any), as detailed in item 6 of this report.
- (c) **Further, that** Council delegate authority to the CEO to execute all documents required to complete the transaction in a timely manner.

Note: Councillor Humphries left the meeting at 7:52pm and returned at 7:53pm during debate on the item.

PROCEDURAL MOTION

3890 RESOLVED (Davis/Pandey)

That the meeting be adjourned for a short recess.

Note: The meeting was adjourned at 7:57pm for a short recess.

The meeting resumed at 8:28pm with the following Councillors attendance: The Lord Mayor, Councillor Donna Davis and Councillors Phil Bradley, Kellie Darley, Michelle Garrard, Ange Humphries, Cameron Maclean, Paul Noack, Sameer Pandey (Deputy Lord Mayor), Dr Patricia Prociv, Dan Siviero, Georgina Valjak, Donna Wang and Lorraine Wearne.

Note: Having previously declared a conflict of interest in Item 13.6/13.7, **Councillors Esber and Green retired from the Chamber prior to consideration** of the matter.

13.7 SUBJECT LATE REPORT: Response to the finalisation of the

> Parramatta CBD Planning Proposal and changes made by the Department of Planning and Environment

REFERENCE F2022/00105 - D08601296

REPORT OF Group Manager, Strategic Land Use Planning

Motion (Prociv/Darley)

That the matter be deferred for an urgent Councillor briefing with (a) senior Department of Planning and Council Officers.

- (b) **That** the letter from Mr Raimond to Mr Newman dated 3 May 2022 be made publicly available and included with the report.
- **Further, that** the matter be brought back to the next Council (c) meeting.

(Wearne/Garrard) Amendment

Guiding Principles

- (a) **That** in responding to the changes the Department of Planning and Environment ('Department') made to the Parramatta CBD Planning Proposal ('CBD PP') Council seek to address the following 'Kev Planning Outcomes':
 - i. Restore office and commercial floor space market certainty and investment confidence in the CBD
 - ii. Ensure Activation of Parramatta River
 - iii. Provide a Planning Framework for land north of the Parramatta River
- (b) That Council seek to address the 'Key Planning Outcomes' in accordance with the following 'Key Principles':
 - Principle 1 Equitable process and opportunity for involvement
 - ii. Principle 2 Consistent application of policy
 - iii. Principle 3 Efficient use of resources for Council and applicants

- iv. Principle 4 Manage planning risk for Council and applicants
- v. Principle 5 Timely delivery of new planning controls

Commercial Floorspace and Phillip St Block

- (c) **That** Council write to the Minister for Planning and the Department seeking:
 - (1) An increase to the permitted commercial floor space as resolved by Council on 15 June 2021 in the existing B3 Commercial Core and shown in Figure 1 via the preparation of a State Environmental Planning Policy ('SEPP'), and that the SEPP become effective at the same time as the CBP PP (Amendment 56), that is 14 October 2022.
 - (2) That the Department prepare a separate SEPP as shown in **Figure 2** for certain land zoned B4 Mixed Use and B3 Commercial Core (not covered by the SEPP referred to in (c)(1) above), to introduce additional floor space that allows for commercial uses consistent with Council's resolution of 15 June 2021, that is informed by a study prepared in consultation with Council and addresses the concerns raised by the Department in its 'Plan Finalisation Report' dated April 2022 when the CBD PP was finalised, and that this SEPP become effective by December 2022.
 - (3) That the Department provide advice on amendments to the exhibited Draft Parramatta CBD Development Control Plan to align with the proposed SEPPs above for Council's consideration.
 - (4) Confirmation from the Department that existing and any new Site Specific Planning Proposals ('SSPPs') may continue to be assessed by Council, after the preparation of the relevant SEPP, and note that this will necessitate an extension to the timeframe within the Gateway Determination for the St John's Planning Proposal.
 - (5) That Council be consulted on the draft SEPPs.
 - (6) That should any SEPP process described above result in an increase in permitted density for the Phillip Street block that:
 - a. The Parramatta CBD Local Contributions Plan endorsed by Council on 14 June 2022 and subsequently forwarded to the Department for consideration be amended to apply the following rates to the Phillip Street Block:

- Residential Accommodation or Mixed-Use Development where the total development cost is over \$250,000 — 5%
- Other development where the total development cost is over \$250,000 4%
- Any development where the total development cost is \$250,000 or less — Nil.
- b. The Minister be requested to ensure enabling changes required to the regulations, to enable the application of the higher rate proposed in the Parramatta CBD Contributions Plan, also reflect this change to the Plan.

North Parramatta

- (d) **That** Council write to the Minister for Planning and the Department:
 - (1) Seeking funding for a Study for North Parramatta that incorporates urban design, heritage and economic analysis and additional temporary staff to manage the project (estimated at up to \$500,000).
 - (2) Advising that Council will not commence the Study until confirmation of funding and in-kind support has been provided.
 - (3) Seeking advice on how Council manage any new SSPPs lodged for sites north of the river prior to completion of the Study and associated plan amendment.

EXCEPTIONS

- (e) **Further, that** Council note that new SSPPs for sites within any part of the CBD that do not:
 - 1 seek any increase in FSR, or
 - seek to amend other planning controls that are being considered in the SEPP process(es) described in (c) above

will be processed by Council (examples include proposals for minor changes in height with no increase in FSR or changes to parking rates or land reservation acquisitions).

The Amendment moved by Councillor Wearne and seconded by Councillor Garrard was put and declared LOST:

DIVISION A division was called, the result being:-

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

NOES: Councillors Bradley, Darley, Davis, Humphries,

Maclean, Noack, Pandey and Prociv

Debate resumed on the Motion.

Note: During consideration of Item 13.7, the Lord Mayor vacated the Chair at 9:03pm. The Deputy Lord Mayor assumed the Chair. The Lord Mayor resumed the chair at 9:18pm.

Procedural Motion (Garrard/Siviero)

That the Motion be put.

The Motion moved by Councillor Prociv and seconded by Councillor Darley was put and declared CARRIED:

3891 RESOLVED (Prociv/Darley)

- (a) **That** the matter be deferred for an urgent Councillor briefing with senior Department of Planning and Council Officers.
- (b) **That** the letter from Mr Raimond to Mr Newman dated 3 May 2022 be made publicly available and included with the report.
- (c) **Further, that** the matter be brought back to the next Council meeting.

DIVISION A division was called, the result being:-

AYES: Councillors Bradley, Darley, Davis, Humphries,

Maclean, Noack, Pandey and Prociv

NOES: Councillors Garrard, Siviero, Valjak, Wang and Wearne

Note:

Councillor Garrard left the Chamber at 9:13pm and returned at 9:15pm during debate on the matter.

After retiring from the Chamber prior to consideration of Item 13.6/13.7 - Response to the finalisation of the Parramatta CBD Planning Proposal and changes made by the Department of Planning and Environment, Councillors Esber and Green did not return to the meeting.

14. NOTICES OF MOTION

14.1 SUBJECT Preservation of Publicly Owned Land at Wentworth

Point for Open Space and Recreation

REFERENCE F2022/00105 - D08584912

FROM Councillor Paul Noack

3892 RESOLVED (Noack/Prociv)

(a) That Council approve an advocacy program to the NSW Government to convert that part of the Transport for NSW (TfNSW) site at Wentworth Point which is currently proposed to be redeveloped by TfNSW (with Landcom as the developer) ("Site") to public open space purposes.

- (b) **That** Council write to the Minister for Transport, Local Member for Parramatta Geoff Lee, TFNSW, Local Member for Auburn Lynda Voltz and Landcom to:
 - Advocate for the Site to be converted to public open space; and
 - b. Seek meetings with the relevant Ministers, CEO of Landcom and Secretary of TfNSW.
- (c) Further, that Council note that converting the TfNSW/Landcom development site east of the High School, currently planned for residential development, to public open space will provide health benefits to residents and the broader community, being that it will:
 - Increase the area of public space through expanded access and availability of community and recreational areas in Wentworth Point.
 - Enhance the peninsula's liveability through access to outdoor community sporting facilities and promote community interaction and healthy lifestyles in and around Wentworth Point.
 - Provide a major increase in open space with direct access to the High School and proposed marina and waterfront activity at Wentworth Point.

Note:

- 1. Questions were taken on notice by Council staff for this item.
- 2. Councillor Garrard left the Chamber at 9:37pm and returned at 9:41pm during debate on the matter.
- 3. Councillor Wearne left the meeting at 9:39pm and returned at 9:45pm during debate on the matter.

15. QUESTIONS WITH NOTICE

15.1 SUBJECT Questions Taken on Notice - 27 June 2022 Council

Meeting

REFERENCE F2022/00105 - D08588952

REPORT OF Governance Manager

QUESTIONS TAKEN ON NOTICE FROM THE COUNCIL MEETING OF 27 JUNE 2022

Item	Subject	Councill	Question
8.4	Aboriginal Flag in the Parramatta CBD	or Garrard	Do we have an indication as to when the building will be completed and the Australian flag will be back up?
13.7	Post-Exhibition: Endorsement of the Amended Community Strategic Plan 2018-38	Prociv	With relation to grasses in G.4., does grasses include playing fields?
13.7	Post-Exhibition: Endorsement of the Amended Community Strategic Plan 2018-38	Prociv	Are the shrub layers height- related? Meaning, is there a height for shrubs, and anything above that counts as a tree?
13.7	Post-Exhibition: Endorsement of the Amended Community Strategic Plan	Prociv	In "thriving", why don't we have universities and higher education providers as key partners?
13.7	2018-38 Post-Exhibition: Endorsement of	Pandey	And then, for "innovative", is there a reason why TAFE and industry groups are not included as key partners? Do we have interim targets? If not, why not?
	the Amended Community Strategic Plan 2018-38		And would we be able to put some interim targets in so that we can measure something in this term of Council?
40.0	W. 0% (0)		Can staff come back with a plan as to what can be done to include interim targets.
16.2	Write Off of Sundry Debtor Accounts – Bad Debts	Esber	Question asked in closed session. See below note*
16.2		Pandey	Question asked in closed session. See below note*
16.2		Prociv	Question asked in closed session. See below note*

^{*}Please note, for the questions taken on notice with regard to Item 16.2 – Write Off of Sundry Debtor Accounts – Bad Debts, as the questions were raised in closed session, responses to the questions will be provided to Councillors by the relevant ED separately.

BACKGROUND

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

"Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council."

STAFF RESPONSE

Item 8.4 - Aboriginal Flag in the Parramatta CBD

Question from Councillor Garrard

During discussion on the motion moved by Lord Mayor Davis, Councillor Garrard asked the following question:

Do we have an indication as to when the building will be completed and the Australian flag will be back up?

Executive Director, Community Services Response

The current target date for the completion of the Town Hall capital works is the 31st October 2023.

<u>Item 13.7 – Post-Exhibition: Endorsement of the Amended Community</u> Strategic Plan 2018-38

Question from Councillor Prociv

During discussion on the motion moved by herself, Councillor Prociv asked the following question:

With relation to grasses in G.4., does grasses include playing fields?

Group Manager, City Strategy Response

Yes, these are considered vegetation under the 2016 Office of Environment and Heritage dataset.

Further detail on the methodology used in the creation of the dataset can be found here.

<u>Greater Sydney Region Urban Vegetation Cover to Modified</u> Mesh Block 2016 | Dataset | SEED (nsw.gov.au)

<u>Item 13.7 – Post-Exhibition: Endorsement of the Amended Community Strategic Plan 2018-38</u>

Question from Councillor Prociv

During discussion on the motion moved by herself, Councillor Procivasked the following question:

Are the shrub layers height-related? Meaning, is there a height for shrubs, and anything above that counts as a tree?

Group Manager, City Strategy Response

Yes, the 2016 Office of Environment and Heritage dataset identifies the percentage of vegetation coverage and includes a further breakdown based on the following vegetation height categories - grass (0 to 0.5m), shrub (0.5 to 3m), trees in three height classes (3 to 10m, 10 to 15m, greater than 15m).

<u>Item 13.7 – Post Exhibition: Endorsement of the Amended Community</u> Strategyc Plan 2018-38

Question from Councillor Prociv

During discussion on the motion moved by herself, Councillor Prociv asked the following question:

In "thriving", why don't we have universities and higher education providers as key partners?

And then, for "innovative", is there a reason why TAFE and industry groups are not included as key partners?

Group Manager City Strategy Response

As agreed in the Council meeting, higher education providers and TAFE will be added as key partners as part of the administrative/proofing adjustments prior to publication.

<u>Item 13.7 – Post Exhibition: Endorsement of the Amended Community Strategic Plan 2018-38</u>

Question from Councillor Pandey

During discussion on the motion moved by Councillor Prociv, Councillor Pandey asked the following question:

Do we have interim targets? If not, why not?

And would we be able to put some interim targets in so that we can measure something in this term of Council?

Can staff come back with a plan as to what can be done to include interim targets.

Group Manager City Strategy Response

Broadly the CSP does not contain interim targets as most of the indicators are trend based (i.e. "increase year on year") or fixed (e.g. "100% of actions on track").

An interim target is included for the community emissions reduction target G.3 (50% by 2030, 70% by 2038).

As part of the upcoming refresh of key Council strategies, more specific indicators will be identified for Council in the medium term to support the broader outcomes and indicators in the CSP. This may involve a combination of linear targets calculated on the long-term target to assess progress, or more specific staged targets.

MATTER OF URGENCY

Councillor Humphries put forward the following to Council:

The matter is in relation to the recent flooding event in Parramatta. It is urgent as the incident occurred after the last meeting of Council, and after the deadlines for inclusion in the business paper for this Council meeting had closed.

It is important to take the time to congratulate the SES members for their contributions in these major flooding evens.

3893 RESOLVED (Humphries/Maclean)

That the matter be considered at this meeting due to the reasons outlined above.

The Lord Mayor ruled that the matter was of great urgency in accordance with clause 9.3 of Council's Code of Meeting Practice.

3894 RESOLVED (Humphries/Maclean)

- (a) **That** the Lord Mayor write to the Unit Commissioner of the NSW State Emergency Services (SES), Mr Timothy Dykes, to congratulate him and his hardworking crew at the SES who supported the residents of Parramatta during the flooding and storm damage over the past week and worked diligently during this recent weather event.
- (b) **Further, that** the Lord Mayor write to the State Government of NSW seeking their consideration in declaring the City of Parramatta Local Government Area as a natural disaster area.

Note:

- 1. Councilor Pandey left the Chamber at 9:59pm and returned at 10:01pm during debate on the urgent matter.
- 2. Councillor Darley left the Chamber at 10:01pm and returned at 10:03pm during debate on the urgent matter.
- 3. Councillor Maclean left the Chamber at 10:03pm and returned at 10:05pm during debate on the urgent matter.

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

16. <u>CLOSED SESSION</u>

3895 RESOLVED (Maclean/Siviero)

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

- 16.1 Sydney Metro West Western Tunnelling Package Interface Agreement. (D08468948) 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.
- 16.2 Proposed Road Closure of Lane between Rawson Street and Beecroft Road, Epping. (D08561340) 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.
- 16.3 Update on WestInvest Business Case at Wentworth Point. (D08594268) This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.
- 16.1 SUBJECT Sydney Metro West Western Tunnelling Package Interface Agreement

REFERENCE F2022/01466 - D08468948

REPORT OF Sydney Metro West Project Interface Manager; Group

Manager Infrastructure Planning & Design

3896 RESOLVED (Prociv/Pandey)

 a) That Council enter into the Interface Agreement with Sydney Metro West in respect of Western Tunnelling Package (WTP) Scope provided at Attachment 1.

- b) That the Lord Mayor and Chief Executive Officer be delegated authority to execute the Interface Agreement (Attachment 1) with Sydney Metro West in respect of the WTP Scope and that the Common Seal of Council be affixed to this Interface Agreement with Sydney Metro West as required.
- c) **Further, that** Council delegate authority to the Chief Executive Officer to:
 - a. make any minor or non-policy amendments to the Interface Agreement and related documents; and
 - execute all necessary documents, ancillary agreements (including the form of any agreements attached to the Interface Agreement) and other land dealings identified in the Interface Agreement necessary to implement and manage Council's obligations under the WTP Scope.

Note: Questions were taken on notice by Council staff for this item.

16.2 SUBJECT Proposed Road Closure of Lane between Rawson

Street and Beecroft Road, Epping

REFERENCE F2022/00105 - D08561340

REPORT OF Development Manager

3897 RESOLVED (Maclean/Noack)

- (a) That Council permanently close a portion of lane between Rawson Street and Beecroft Road, Epping labelled Lot 1 in Attachment 1, in accordance with Part 4 Division 3 of the Roads Act 1993.
- (b) That Council classify the portion of land labelled Lot 1 at Attachment 1, as Operational Land upon formal gazettal of the road closure.
- (c) That Council officers commence commercial negotiations on the proposed sale of Lot 1 with Winton Lyon Group as the only adjoining owner.
- (d) **That** a report be provided to Council after the road closure has been formalised to approve any proposed sale, including the sale price.

(e) Further, that authority be delegated to the Chief Executive Officer to sign all documents in relation to the road closure and its classification.

16.3 SUBJECT Update on WestInvest Business Case at Wentworth

Point

REFERENCE F2022/00105 - D08594268

FROM Councillor Paul Noack

3898 RESOLVED (Noack/Siviero)

(a) **That** Council staff provide an update on the submission of a business case to the Westinvest Fund for Wentworth Point for the purposes of public open space.

(b) That Council approve an advocacy program to the NSW Government for the support of the above business case and use of Westinvest funds.

(c) **That** Council write to the Minister for Transport, Local Member for Parramatta Geoff Lee and Local Member for Auburn Lynda Voltz.

PROCEDURAL MOTION

3899 RESOLVED (Maclean/Darley)

That the meeting resume into Open Session.

17. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Executive Director Property and Place read out the resolutions for Items 16.1 to 16.3.

18. CONCLUSION OF MEETING

The meeting terminated at 10:23pm.

THIS PAGE AND THE PRECEDING 29 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON Monday, 11 July 2022 AND CONFIRMED ON Monday, 25 July 2022.