

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA ON MONDAY, 13 MARCH 2023 AT 6:30PM

These are draft minutes and are subject to confirmation by Council at its next meeting. The confirmed minutes will replace this draft version on the website once confirmed.

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 Proxiv, Dan Siviero, Georgina Valjak, and Donna Wang.

1. OPENING MEETING

The Lord Mayor, Councillor Donna Davis, opened the meeting at 6:42PM.

2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

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

3. WEBCASTING ANNOUNCEMENT

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

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

4. GENERAL RECORDING OF MEETING 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.

Note: Councillor Esber joined the meeting at 6.46pm.

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

PROCEDURAL MOTION

4201 RESOLVED (Garrard/Siviero)

That the apology received from Councillor Wearne due to personal reasons be accepted and leave of absence granted.

6. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 27 February 2023

4202 RESOLVED (Garrard/Wang)

That the minutes be taken as read and be accepted as a true record of the Meeting, subject to Governance reviewing resolution number 4187 and reporting back to Council by email.

7. DISCLOSURES OF INTEREST

Councillor Esber declared a pecuniary interest in Item 16.1 Legal Status Report as at 31 January 2023, being relative (son) works for the applicant, specifically Class 1 Appeals for 189 Macquarie Street Parramatta. He was not present in the Chamber during the discussion of this matter.

Councillor Green declared a pecuniary interest in Item 13.3 Parramatta City Centre Local Infrastructure Contributions Plan - Amendment No 1 - Phillip Street Block, as he has a property in at the Parramatta City Centre. He left the Chamber during the discussion of this matter.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Homelessness Street Count

REFERENCE F2021/02779 - D08903116

REPORT OF Lord Mayor, Councillor Donna Davis

4203 RESOLVED (Davis/Pandey)

- (a) **That** Council note City of Parramatta's annual Homelessness Street Count took place on the night of Monday 20 February into the morning of Tuesday 21 February 2023.
- (b) **That** Council note the aim of the count is to collect accurate data on the number of people sleeping rough or in emergency and crisis accommodation in the City of Parramatta local government area, and is a positive example of our community working collaboratively to support the extensive work that is undertaken to improve the wellbeing of vulnerable and disadvantaged communities.
- (c) **Further, that** Council acknowledge and thank the staff conducting the count, and write to the local organisations and volunteers who support the annual Homelessness Street Count, with City of Parramatta certificates, to thank them for their support of the initiative.

8.2 SUBJECT Clean Up Australia Day 2023

REFERENCE F2021/02779 - D08903126

REPORT OF Lord Mayor, Councillor Donna Davis

4204 RESOLVED (Davis/Darley)

- (a) **That** Council note Clean Up Australia Day was held on Sunday 05 March, with many local volunteers and community groups participating at various locations across the City of Parramatta;
- (b) **Further, that** Council write to the community groups, schools and businesses who participated in Clean Up Australia Day 2023 in the City of Parramatta, to acknowledge their efforts and thank them for helping to clean up our City.

PROCEDURAL MOTION

4205 RESOLVED (Garrard/Esber)

That a procedural motion be granted to allow consideration of a matter of urgency in relation to Employment Matter.

The Lord Mayor allowed the matter of urgency in relation to Employment Matter.

PROCEDURAL MOTION

4206 RESOLVED (Garrard/Humphries)

That the matter of urgency in relation to the employment matter be moved into closed session, under *clause 14.1(d) of the Code of Meeting Practice that the matter deals with 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.*

Note: The Lord Mayor directed all staff and members of the public in attendance at the meeting to vacate the Chamber and close all the doors. The Lord Mayor directed that the recruitment agency for the urgent employment matter stay in the meeting. Staff were also directed by the Lord Mayor to cease audio and video recording and a Councillor would take the minutes for the urgent matter.

MATTER OF URGENCY

4207 RESOLVED (Humphries/Valjak)

- (a) **That** Council provide the preferred candidate, as identified by the CEO Selection Panel in the confidential attachment distributed at the meeting, with a formal offer of appointment, together with a

standard form contract for the role of General Manager to be known as the Chief Executive Officer.

- (b) **That** Council note the CEO Selection Panel has recommended that the term of the employment contract be four (4) years.
- (c) **That** Council delegates to the Lord Mayor all the necessary authority to finalise the appointment of the Chief Executive Officer.
- (d) **That** the identity of the preferred candidate remain confidential until an appropriate time when an announcement can be made following finalisation of the employment contract.
- (e) **Further, that** Council offers thanks to all applicants, particularly those who have participated in the assessment process with the CEO Selection Panel.

PROCEDURAL MOTION

4208 RESOLVED (Humphries/Maclean)

That Council resume into Open Session.

PROCEDURAL MOTION

4209 RESOLVED (Esber/Bradley)

That the meeting be adjourned for a short recess.

Note: Councillor Esber retired from the meeting at 8:11pm.

Note: The meeting was adjourned at 8:11pm for a short recess.

The meeting resumed at 8:15pm with the following Councillors in attendance: The Lord Mayor, Councillor Donna Davis and Councillors Phil Bradley, Kellie Darley, Michelle Garrard, Henry Green, Ange Humphries, Cameron Maclean, Paul Noack, Sameer Pandey (Deputy Lord Mayor), Dr Patricia Prociv, Dan Siviero, Georgina Valjak and Donna Wang.

The Lord Mayor read out a summary of the urgent employment matter considered in closed session.

9. PUBLIC FORUM

Nil

10. PETITIONS

10.1 SUBJECT Mixed-Use Land on Burroway Road, Wentworth Point
REFERENCE D08905850
FROM Paul Noack

We the undersigned call on Council to ensure the Mixed-Use Land on Burroway Road, Wentworth Point, currently owned by the NSW

Government (Transport for NSW) be handed back to the local community and not be used for residential development, as;

1. We need to ensure the promised Peninsula Park is 3.9 hectares, and the planned school oval is not included in this;
2. Our community needs additional space for paying fields, sporting and recreation facilities, child care facilities, a dog park, children's playground etc; and
3. Need to protect our precincts environment, in particular a coastal saltmarsh and grey mangrove ecology as well migratory birds that utilise the bird sanctuaries of Haslams Creek and Parramatta River.

We therefore call on the Council to not allow the new application by Landcom, as this will be detrimental to the future planning of the growing Wentworth Point community.

We also call on Council to Lobby both the NSW Government and opposition to demand this vital land be handed back to the community, consistent with the previous unanimous decision by Council on this matter.

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

11. RESCISSION MOTIONS

Nil

12. REPORTS TO COUNCIL - FOR NOTATION

12.1 SUBJECT Referral of Inspection Reports by Fire and Rescue NSW

REFERENCE F2022/00105 - D08866758

REPORT OF Team Leader Building Compliance

4210 RESOLVED (Proci/Darley)

- (a) **That** Council notes the inspection reports from Fire and Rescue NSW (FRNSW), pursuant to Schedule 5, Part 8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as listed in this report.
- (b) **That** Council note FRNSW are advised in due course of the ongoing actions taken by Council officers to address concerns identified by FRNSW.

(c) **That** Council note the exercise of powers pursuant to Schedule 5, Part 8 (17) of the EP&A Act, to give fire safety orders addressing fire safety measures to the buildings located at:

1. 12 Station Road, Toongabbie
2. 459-463 Church Street, Parramatta
3. 41 Campbell Street, Parramatta
4. 46 Savona Drive, 7 & 11 Verona Drive, Wentworth Point
5. 1A Morton Street, Parramatta
6. 10-14 Hazlewood Place, Epping
7. 22 Cambridge Street, Epping
8. 42 Cliff Road, Epping
9. 19 Epping Road, Epping
10. 1 Australia Avenue, Sydney Olympic Park

as outlined in this report and provide notice of this determination to the Commissioner of FRNSW.

(d) **Further, that** Council notes the continuing investigations into matters that are currently ongoing, and will where required, exercise its powers to give fire safety orders addressing the fire safety matters raised by FRNSW.

12.2 SUBJECT Circa Espresso Cafe - Completed Façade Improvement Grant

REFERENCE F2022/00105 - D08871249

REPORT OF Project Officer

4211 RESOLVED (Garrard/Siviero)

That Council notes the completion of works through Council's Façade Improvement Grant by Aisha Holding Pty Ltd (trading as Circa Espresso Café) as shown in the before and after photos provided at **Attachment 1**.

13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 SUBJECT Minutes of the Parramatta Traffic Committee meeting held on 8 February 2023

REFERENCE F2022/00105 - D08824678

4212 RESOLVED (Noack/Green)

- (a) **That** Council note the minutes of the Parramatta Traffic Committee held on 8 February 2023, provided at **Attachment 1**.
- (b) **Further, that** Council approve the recommendations of the Parramatta Traffic Committee from the meeting held on 8 February 2023 provided at **Attachment 1** and in this report, noting the following financial implications for each item.

I. ITEM 2302 A1 GOOD STREET AND ALFRED STREET, GRANVILLE – PROPOSED COMBINED RAISED PEDESTRIAN AND CYCLIST CROSSINGS AT M4 CYCLEWAY

The estimated cost for the construction of the combined raised pedestrian and cyclist crossings in both Good Street and Alfred Street is \$600,000. This project will be 100% funded by the State Government's Get NSW Active program.

II. ITEM 2302 A2 INTERSECTION OF RAYMOND STREET AND HIGH STREET, PARRAMATTA & GRANVILLE – INSTALLATION OF A RAISED PEDESTRIAN CROSSING AND SPEED CUSHIONS

The estimated cost of the proposed raised pedestrian crossing and speed cushions at the intersection of Raymond Street and High Street, Parramatta and Granville is \$262,000. This project is 100% funded by the 2022/23 Australian Government Black Spot Program.

III. ITEM 2302 A3 JOHN IAN WING PARADE AT LOUISE SAUVAGE PATHWAY, SYDNEY OLYMPIC PARK – INSTALLATION OF RAISED COMBINED PEDESTRIAN AND CYCLIST CROSSING

The estimated cost of the proposed raised combined pedestrian and cyclist crossing in John Ian Wing Parade at Louise Sauvage Pathway, Sydney Olympic Park is \$240,000. This project is 100% funded by the 2022/23 State Government Get NSW Active Program.

IV. ITEM 2302 A4 BULLI ROAD AND BINALONG ROAD, TOONGABBIE – INSTALLATION OF SPEED CUSHIONS

The cost estimate for the proposed speed cushions at all approaches to the roundabout at the intersection of Bulli Road and Binalong Road, Toongabbie is \$16,000. This project is 100% funded by Federal Government's Black Spot Programs in 2022/23. Accordingly, there will not be any direct impact on Council's budgets.

V. ITEM 2302 A5 VICTORIA STREET AT BRIDGE STREET, EPPING – INSTALLATION OF RAISED COMBINED PEDESTRIAN AND CYCLIST CROSSING

The estimated cost of the proposed raised combined pedestrian and cyclist crossing in Bridge Street south of Victoria Street, Epping is \$250,000. This project is 100% funded by the 2022/23 State Government Get NSW Active Program.

VI. ITEM 2302 A6 ALBION STREET, HARRIS PARK – INSTALLATION OF SPEED HUMPS

The estimated cost of the proposed installation of three (3) speed humps with associated signage and pavement markings is \$50,000. This project is to be funded from Council's Ward Initiative, PTC Traffic Facilities funds, and Transport for NSW (TfNSW) Block Grant fund

VII. ITEM 2302 A7 BENNELONG PARKWAY AT THE PIAZZA, WENTWORTH POINT – INSTALLATION OF A BLISTER ISLAND AND CHANGES TO LINEMARKING

The estimated cost of the proposed installation of rumble bars and traffic delineators, and alteration of pavement markings is \$7,500. This project is 100% funded by Council from its PTC Admin Traffic Facilities Budget.

VIII. ITEM 2302 A8 SLOUGH AVENUE, SILVERWATER – PROPOSED SPEED HUMPS AND ANGLE PARKING

The estimated construction cost of the proposed speed humps and angle parking is approximately \$90,000 plus overheads such as labour and site set up costs. These works will be funded as part of the upgrade of Newington Reserve which has an approved budget allocation of \$7.27 million within Council's Delivery Program and Operational Plan plus additional grant funding of \$6.02 million from various sources including Football NSW – Let's Light up Football fund, NSW Office of Sport: Greater Cities Sports Facility Fund 2021/22 and NSW Office of Sport: Multi-Sport Community Facility Fund 2021/22.

IX. ITEM 2302 A9 DUNLOP STREET, FIRST AVENUE, RYDE STREET – PROPOSED SHARED PATHS, KERB BUILD OUT, AND RAISED PEDESTRIAN AND CYCLIST CROSSINGS

The total estimated cost of construction of this project including paths, lighting and crossings is \$1.25 million ex GST for all the works. It is intended to commence construction when funding for the project becomes available.

X. ITEM 2302 A10 ASQUITH STREET, BEACONSFIELD STREET AND STUBBS STREET, SILVERWATER – INSTALLATION OF MEDIAN ISLANDS AND SPEED CUSHIONS

The estimated cost for the construction of the median island and speed cushions in Asquith Street, Stubbs Street, and Beaconsfield Street, Silverwater is \$160,000. This project is 100% funded by the 2022/23 Australian Government Black Spot Program.

13.2 SUBJECT Minutes of the Traffic Engineering Advisory Group meeting held on 8 February 2023

REFERENCE F2022/00105 - D08824746

REPORT OF Traffic and Transport Manager

4213 RESOLVED (Noack/Green)

(a) **That** Council note the minutes of the Traffic Engineering Advisory Group meeting held on **8 February 2023**, as provided at **Attachment 1**.

(b) **Further, that** Council approve the recommendations of the Traffic Engineering Advisory Group meeting held **8 February 2023** as provided at **Attachment 1** and in this report, noting the following financial implications of each item.

Note: Having previously declared a conflict of interest Item 13.3 Parramatta City Centre Local Infrastructure Contributions Plan - Amendment No 1 - Phillip Street Block, being significant pecuniary interest, Councillor Green left the meeting at 8:53pm prior to consideration of the matter.

13.3 SUBJECT Parramatta City Centre Local Infrastructure Contributions Plan - Amendment No 1 - Phillip Street Block

REFERENCE F2023/00371 - D08858884

REPORT OF Project Officer

4214 RESOLVED (Garrard/Wang)

(a) **That** Council approves the amendment to the Draft Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 1) at **Attachment 1** for the purposes of public exhibition.

(b) **That** Council notes the Contributions Plan will be publicly exhibited for 28 days on Council's website as required by Section 213 of the Environmental Planning and Assessment Regulation 2021, and

that affected landowners within the Phillip Street block will be additionally notified by mail of the exhibition.

- (c) **Further, that** the results of the public exhibition be reported back to Council for its consideration.

In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

DIVISION A division was called, the result being:-

AYES: Councillors Bradley, Darley, Davis, Garrard, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak and Wang

The planning proposal moved by Councillor Garrard and seconded by Councillor Wang was CARRIED UNANIMOUSLY.

Note: Councillor Green returned to the chamber at 8:56pm.

13.4 SUBJECT Boundary Adjustment between Harris Park & Parramatta
REFERENCE F2022/00105 - D08854441
REPORT OF Senior Project Officer Place Services

4215 Procedural Motion (Garrard/Siviero)

That Item 13.4 Boundary Adjustment between Harris Park & Parramatta move to recommit a resolution adopted.

The Lord Mayor allowed Item 13.4 Boundary Adjustment between Harris Park & Parramatta to recommit a resolution adopted.
4216 Resolved (Garrard/Siviero)

That the report be deferred to the next Council Meeting 27 March 2023.

13.5 SUBJECT 2023 ALGA National General Assembly – Motions
REFERENCE F2022/00105 - D08872104
REPORT OF Executive Officer

4217 RESOLVED (Maclean/Humphries)

- (a) **That** Council submits the following motion to the Australian Local Government Association for their consideration for inclusion in the 2023 National General Assembly Business Paper:

- 1 Accessibility and inclusivity of Australian Government department consultation

- (b) **Further, that** any Councillors interested in attending the Australian Local Government Association's 2023 National General Assembly from 13 - 16 June 2023 contact Councillor Support.

14. NOTICES OF MOTION

14.1 SUBJECT Notice of Motion: Relocation of Rhodes Fire Station
REFERENCE F2022/00105 - D08857024
FROM Councillor Dr Patricia Prociv

4218 RESOLVED (Prociv/Humphries)

That the report be deferred to the next Council Meeting to 27 March 2023.

15. QUESTIONS WITH NOTICE

15.1 SUBJECT Questions Taken on Notice - 13 February 2023 Council Meeting
REFERENCE F2022/00105 - D08890746
REPORT OF Governance Manager

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

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

STAFF RESPONSE

Matter of Urgency: Sporting Facilities Amenity Audit - Female Friendly

During discussion of the urgent matter on the Sporting Facilities Amenity Audit - Female Friendly, Councillor Garrard asked the following question:

Last year the NSW Government committed \$25 million to female friendly sport facility and lighting upgrade. What did Council apply for in those grants?

Executive Director City Assets & Operations

The NSW Government Female Friendly Sports Facilities and Lighting Upgrades program required the following conditions to be met in applying for the grant.

- *The grant amount requested by an applicant must be a minimum of \$50,000 and cannot exceed \$500,000.*
- *All applications are required to provide a minimum 25% financial co-contribution of the grant amount requested.*
- *Applicants can submit up to three (3) applications in total.*
- *Project construction is to commence by 30 June 2023.*

Council was successful in receiving a grant of \$114,000.00 for Caber Park Tennis Court lighting this project aligned with the above guidelines and some preliminary work had been completed. Council has already accessed grant funding for our existing pavilion projects so was unable to access additional funding to subsidise any other pavilion builds.

A snapshot of current provision in 33 sportsground pavilions is:

- *All of Council pavilions have toilets with cubicles;*
- *7 sportsground pavilions have recently been replaced and include female friendly attributes like change rooms with cubicles'*
- *6 sportsground pavilions have design planning and/or construction underway which will include female friendly attributes like change rooms with cubicles;*
- *4 sportsground pavilions have no change rooms;*
- *2 sportsgrounds pavilions have non-traditional change rooms (e.g. single shower cubicles without the team sitting area);*
- *14 sportsground pavilions have change rooms which are open plan.*

Item 16.1 - Parramatta Square Public Domain Contract Value Amendment

During discussion on Item 16.1 - Parramatta Square Public Domain Contract Value Amendment, Councillor Garrard asked the following question:

This is in relation to the Square. Could Councillors get a timeframe of when we can access parking downstairs?

Acting Executive Director Property & Place

Councillor's can access the PHIVE basement car park for Monday night Council Meetings now. The access is provided manually at

present, until the number plate recognition system is installed, anticipated at the end of March. Access will then be automated.

Item 16.1 - Parramatta Square Public Domain Contract Value Amendment

During discussion on Item 16.1 - Parramatta Square Public Domain Contract Value Amendment, Councillor Garrard asked the following question:

Will Councillors receive swipe cards to access the car park?

Acting Executive Director Property & Place

No swipe cards will be issued for the use of the PHIVE car park, it will be operated by a number plate recognition system. As the PHIVE car park is a paid public car park, Councillors will be able to park for Monday night Council meetings / Council Workshops and Wednesday night Council Workshops, or other nights when Council Workshops are held. All other times the car park will operate as a paid public car park, consistent with Council's multi deck car parks.

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

16. CLOSED SESSION

4219 RESOLVED (Maclean/Noack)

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 Legal Status Report as at 31 January 2023. (D08824613) - *This report is confidential in accordance with section 10A (2) (e) of the Local Government Act 1993 as the report contains information that would, if disclosed, prejudice the maintenance of law.*

16.1 SUBJECT Legal Status Report as at 31 January 2023

REFERENCE F2022/00105 - D08824613

REPORT OF Group Manager Legal Services

4220 RESOLVED (Prociv/Darley)

That Council note the Legal Status Report as at 31 January 2023.

PROCEDURAL MOTION

4221 RESOLVED (Noack/Maclean)

That the meeting resume to Open Session.

17. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Chief Executive Officer read out the resolutions for Item 16.1.

18. CONCLUSION OF MEETING

The meeting terminated at 9:21pm.

THIS PAGE AND THE PRECEDING 12 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON Monday, 13 March 2023 AND CONFIRMED ON Monday, 27 March 2023.

Chairperson