

PRESENT

The Lord Mayor, Councillor Andrew Wilson and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Robert Dwyer, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Paul Han, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Lorraine Wearne and Martin Zaiter.

WEBCASTING COUNCIL MEETING

The Lord Mayor, Councillor Andrew Wilson, 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.

OTHER RECORDING OF MEETING

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

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor Andrew Wilson, 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.

MINUTES

SUBJECT: Minutes of the Council Meeting held on 12 February 2018

1081 RESOLVED (Bradley/Issa)

That the minutes be taken as read and be accepted as a true record of the Meeting with an amendment being made to the adoption of the minutes of 12 February 2018 regarding Minute No 1057 Selection and appointment of the Parramatta Independent Hearing and Assessment Panel members: That there be a (c): -

"Further, that Council ask the Minister to require the independent experts to sign a statutory declaration that they are not closely associated with any developer or real-estate agent."

DECLARATIONS OF INTEREST

Councillor Benjamin Barrak declared a Pecuniary Interest in Item 13.3 of Leading being the Legal Status Report as at 13 February 2018 as his company is involved in litigation with Council, which is listed in this report. He advised that he would retire from the meeting during debate and voting on this matter.

Councillor Donna Davis declared a Non Pecuniary, Less than Significant Interest in Item 2 of Minutes of the Lord Mayor being Bus Transport Links for Wentworth Point as she has attended events held by Billbergia in her capacity as Senior Electorate Officer to the Auburn Electorate. She advised that she would retire from the meeting during debate and voting on this matter.

Councillor Pierre Esber declared a Non-Pecuniary, Less than Significant Interest in Item 13.1 of Leading being Amended Planning Proposal for land at 12 Hassall Street, Parramatta as his son consults for the applicant. He advised that he would retire from the meeting during debate and voting on this matter.

Councillor Bill Tyrrell declared a Non-Pecuniary and Less than Significant Interest in Item 13.5 of Leading being the Response to Post Gateway Review for the Planning Proposal for land at 197 – 207 Church Street and 89 Marsden Street, Parramatta as over ten years ago he was an employee of a company that provided services to Holdmark Group.

Councillor Martin Zaiter declared a Non-Pecuniary, Significant Interest in item 13.13 of Leading regarding the Legal Status Report as at 13 February 2018 as he provides accounting services for several of the applicants. He advised that he would retire from the meeting during debate and voting on this matter.

MINUTES OF THE LORD MAYOR

1 SUBJECT Pedestrian Access through the Parramatta LGA
REFERENCE F2017/02813
FROM The Lord Mayor, Councillor Andrew Wilson

BACKGROUND

1. The City of Parramatta is experiencing significant growth in higher-density residential development, and the gradual evolution of our City away from private vehicles in the future necessitates appropriate investment in pedestrian infrastructure.
2. In many cases, this will involve a need for wider, better lit, and more secure footpaving, however there will be a need to ensure better separation from road traffic corridors.
3. The introduction of pedestrian overpasses and underpasses across the City has produced benefits for pedestrian and motorists alike, helping to alleviate pressure on traffic intersections and reducing transit time for all.

4. School communities, in addition to other providers of education are keen to minimize the exposure of their students to busy road corridors around each campus. In the past, a number of these communities have lobbied the NSW Government for pedestrian overpasses.
5. The Westmead Alliance, of which Council is a member, is supportive of a pedestrian underpass connecting Westmead Rail Station under Hawkesbury Road to the WSU campus. This link would significantly change pedestrian flows around the precinct, reducing the number of students, workers and visitors crossing the road at nearby traffic lights.
6. With the Westmead Precinct set to double in size over the next 20 years, and further growth achievable with the appropriate investment in infrastructure, a proper exploration of pedestrian flows is required.
7. This report would complement the Parramatta CBD Pedestrian Strategy, which was completed in May 2017.

1082

RESOLVED (Wilson/Issa)

That Council prepare a comprehensive report into pedestrian access and movement through the Parramatta LGA with particular emphasis on high vehicular movement traffic areas. Specifically, the report shall examine:

1. The need for pedestrian overpasses and underpasses and other major pedestrian works.
2. Funding mechanisms including VPAs, advertising, collaborative efforts with other levels of government.
3. The need for safe school crossings and university access.
4. The impact of major roads and future planned roads on pedestrian movements, seeking input from other levels of government.

2

SUBJECT Bus Transport links for Wentworth Point

REFERENCE F2017/02813

FROM The Lord Mayor, Councillor Andrew Wilson

BACKGROUND

1. The proponent for development in Wentworth Point, Billbergia, has introduced a free shuttle bus service which connects the residents of Wentworth Point with Rhodes.
2. The ongoing provision of this service is part of a draft Voluntary Planning Agreement (VPA) offer under consideration of council. This VPA offer has accompanied a proposal to increase the density of Wentworth Point. While funded by the developer the service is proposed to effectively be provided by Council.
3. It appears that the service has proven to be very popular with local

residents as it connects to Rhodes and the railway station.

4. This service highlights the existing, but unmet, demand for bus services. It also confirms that there is a chronic transport deficit of the Sydney Olympic Peninsula, with clearly inadequate bus and rail services.
5. The provision of public transport is the role of Transport for NSW and the Baylink services ultimately seeks to transfer this responsibility from a state government to local government.

1083

RESOLVED (Wilson/Issa)

- (a) **That** the Council thank Billbergia for their initiative of introducing the Baylink Shuttle that has been a popular service for the local community.
- (b) **That** Council resolve that the provision of public transport is not a function of local government and write to the State Government and the Minister for Transport requesting funding for the Baylink Shuttle initiative.
- (c) **That** the Minister for Transport and the Greater Sydney Commission be advised that the transport deficit of the Sydney Olympic Peninsula requires urgent attention, including increase in buses services and development of a transport strategy to serve the planned growth of the Peninsula.
- (d) **Further, that** Council receive a report on the provision of public transport and the transport deficit in the Sydney Olympic Peninsula including the impacts of the future light rail line.

NOTE:

Councillor Donna Davis previously declared a Non Pecuniary, Less than Significant Interest in this item as she has attended events held by Billbergia in her capacity as Senior Electorate Officer to the Auburn Electorate. She retired from the meeting during debate and voting on this matter.

3

SUBJECT 125th Anniversary of the Royal NSW Lancers

REFERENCE F2017/02813

FROM The Lord Mayor, Councillor Andrew Wilson

BACKGROUND

1. On 3 March 2018 the regiment marks the 125th anniversary of their designation as the NSW Lancers – Parramatta 'K' Troop. The Parramatta Lancers are still Headquartered at the Heritage-listed Lancer Barracks in Smith Street, originally built between 1818 and 1820 as a garrison for British colonial troops.
2. The Parramatta Lancers have played an important role in several of the most significant campaigns of modern warfare. The regiment first saw action, at the turn of the last century, fighting alongside

British troops in the Boer War in South Africa. The famous Australian 1st Light Horse was formed from their ranks at the outbreak of World War I, operating at Gallipoli and the Sinai/Palestine Campaign, where they played a vital role in the legendary cavalry charge at the Battle of Beersheba on 31 October 1917, and the subsequent surrender of the Ottoman Empire on 30 October 1918. Returning to being a militia regiment at the end of the war, the Parramatta Lancers reformed as a Tank Unit during the World War II, seeing action in Borneo and New Guinea and, post-war, they have served in Peace Keeping missions.

3. The NSW Lancers were awarded the Royal prefix in 1935, and in 1959 were granted the Freedom of the City of Parramatta, in recognition of the Regiment's long-standing association with the city.
4. The Royal NSW Lancers' regimental flag is to be flown whenever the Lord Mayor of Parramatta, or the Councillors, are visiting the regiment in a representative capacity. The flag represents the regiment's colours of pale blue over white, presumed to have originally come from the colours of the King's School, where many early Lancer Colonels received their education. The flag also includes a representation of the City of Parramatta Council crest, and the badge of the Royal NSW Lancers, featuring an elephant's head, a crown of Waratahs and crossed lances. The elephant imagery is drawn from the family crest of long-term Honorary Colonel of the regiment, Lord Carrington, and the Waratah is the State flower of New South Wales.

1084 RESOLVED (Wilson/Dwyer)

- (a) **That** Council notes 2018 is the 125th anniversary of the 1st/15th Royal NSW Lancers.
- (b) **That** Council notes the City of Parramatta, together with the Riverside Theatres, the Royal NSW Lancers and the Lancer Barracks Museum, will be screening the classic Australian war film "*40,000 Horsemen*" (1940).
- (c) **Further, that** Council encourages members of the public to attend the screening, in addition to the official march from the Lancer Barracks to St John's Anglican Cathedral Church this Saturday.

4 SUBJECT 2018 Invictus Games Partnership
REFERENCE F2017/02813
FROM The Lord Mayor, Councillor Andrew Wilson

BACKGROUND

1. The Invictus Games is a week-long event in which wounded, injured or sick armed services personnel and their associated veterans take part in competitive sports. In October 2018, these games will be hosted from Sydney Olympic Park.

2. The 2018 Invictus Games will host 500 competitors and 1000 family and friends from 17 countries, in addition to attending international media and royal visitors.
3. The games present a unique opportunity to promote the city to an international audience, in addition to promoting the capabilities of ex-servicemen and women to a domestic audience.

FINANCIAL IMPLICATION FOR COUNCIL

Should the recommendation be carried, a further report will be prepared outlining financial implications.

1085 RESOLVED (Wilson/Tyrrell)

That a report be prepared on options for a partnership agreement with the Invictus Games.

PUBLIC FORUM

1 SUBJECT Booking the Harry Todd Band Hall
 REFERENCE F2008/04592
 FROM Elizabeth Millar

Through my experience hiring the Harry Todd Band Hall I would like to shed light on the opportunity I experienced of which I believe to be unrealised.

I work for a startup company – Sidekicker. We’re in the business of changing the future of work. In expanding our operations to Parramatta I was tasked with finding a location for us to operate from. I Google searched co-working space, shared office space... etc, however nothing was suitable for our operations. It took me five hours to come across your website. I did not immediately think of Council when looking for office space, however you delivered on location and cost. We’re a venture-funded enterprise; one of our key values is that we’re “lean”. This means that we look to be creative and economical with our operations. We don’t want to burn money we want to look for alternative means to add value and grow.

In the City of Parramatta Economic Development Plan 2017 – 2021, it’s outlined that there’s an undersupply of business. Council has the responsibility to ensure growth occurs and when it does that it is shared across the community. This could be done most effectively and democratically through technology – unlocking spare capacity and making assets highly accessible by such things as location or price.

If the role of Council is to steer business development and enable progress it should seek to encourage small and early stage businesses. At Council you are at a local level and are closer with the community around you so are well positioned to create local opportunity. You have the ability to increase accessibility and awareness of assets.

It took me five hours of research to find you... it then took me five phone calls and ten pages of reading to access you. However your facilities are affordable and multi-purposeful. Many more individuals, local businesses as well as venture funded businesses could benefit from this. If the role of Council is steering the direction of the economy, you have an interest in advancing your capabilities to ease the growth of new enterprises. You as a council are at a local level, and therefore are positioned much closer to local communities and individuals.

I would like to introduce myself as well as Nicholas Moore, of whom I've been developing a project with over the past two years – this is our app for resource sharing. We're interested in the future: the future of the workforce and workplaces. Generally speaking these two things constitute ones' life... both are critical for development. In my current role at Sidekicker and with my own project, to achieve the future we are working now.

How and where people work is now changing. The role of local council should be part of that. You have the capability to contribute immensely by expanding your reach and awareness with technology. I hope to discuss this further.

1086

Response by Ms Rebecca Grasso, Director City Identity Experience and Engagement –

Thank you to Elizabeth Millar for your submission.

The City's Economic Development Plan 2017-21 guides how the City of Parramatta and key business, government and community stakeholders work together to build and sustain a strong economy for our City.

Noting the gap identified for affordable, accessible and flexible spaces for start-ups and social enterprises in Parramatta, Council recently undertook an innovation hub feasibility study.

The purpose of the study was to review the existing start-up environment in Parramatta and to critically assess the potential contribution of an innovation hub in the Parramatta CBD.

This report considers the need for a central innovation hub to support Parramatta's growing start-up ecosystem. It reviews the current state of play of the local ecosystem and the entities that support it, identifies several gaps, and proposes options for the establishment of an innovation hub that would provide a focal point for start-up activity in Parramatta. Next step is a business case and a search to identify a suitable business partner to deliver the innovation hub.

Council continues to invest in three primary digital platforms – City of Parramatta Council website, the 'Invest Parramatta' business website, and soon to be revamped visitor website, 'Discover Parramatta', making it easier to find information and connect with Council. All three platforms seek to follow a continuous improvement approach by making changes iteratively. To further support this, a website feedback widget is soon to be launched across all three platforms, allowing website visitors to provide real-time feedback on their user experience. We encourage

feedback from the community in order to improve our customer experience.

To continue the conversation, appropriate Council officers will follow up on this matter with Ms Millar.

2 SUBJECT Planning Proposal for land at 197 – 207 Church Street and 89 Marsden Street, Parramatta
REFERENCE RZ/4/2015
FROM Felicity Rourke

1087 Good Evening Councillors,

My name is Felicity Rourke and I head up the Environment and Planning Practice at leading law firm, Allens Linklaters. I am also Vice President of the NSW Environment and Planning Law Association.

I am addressing you tonight in respect of item 13.5 of the Business Papers dealing with the Gateway Review lodged on behalf of Holdmark in respect of the Planning Proposal for 197 Church Street.

In my view, there are 7 critical questions which need to be answered in order to provide Councillors with a clear position in respect of the status and relevance of the 45 minute rule and the overshadowing of the solar zone of Parramatta Square, which are the key considerations in this matter. In my view it is important for Councillors to understand what decisions are open to them, and the state of Council's adopted policy position as it relates to recent communications from the DPE relevant to overshadowing of Parramatta Square. The questions, and their answers, are as follows:

ITEM	QUESTION	ANSWER
1	What is the current formally-adopted position of Council in respect of the 45-minute rule?	<i>It is unequivocal that the 45-minute rule remains the current formally adopted position of Council</i>
2	Is there any formally adopted policy or directive of DPE or GSC in respect of the 45-minute rule or the overshadowing of the solar zone?	<i>Allens are unaware of any formally adopted policy or directive of either NSW Department of Planning (DPE) or the Greater Sydney Commission (GSC) which</i>

		<p>addresses the 45-minute rule or the overshadowing of the solar zone of Parramatta Square.</p> <p>The fact of conditions being imposed by GSC on earlier Gateway Determinations does not preclude Council from continuing to advocate for the 45 minute rule and that it, as the formally adopted position of Council, should be given primacy.</p>
3	Is Council under any obligation to change any existing policy of Council simply because the DP&E or GSC has expressed a view contrary to that existing policy?	<p>Council is not obliged to change any existing policy of Council simply because the DPE or GSC has expressed a view contrary to that existing policy.</p>
4	Do the Gateway Determinations for 48 Macquarie Street and/or 20 Macquarie Street compel Council to change its existing position in respect of the 45 minute rule?	<p>The Gateway Determinations for 48 Macquarie Street and 20 Macquarie Street do not compel Council, in any way, to change its existing position in respect of the 45 minute rule</p>
5	In respect of a draft LEP amendment and a current LEP, which has primacy?	<p>It is unequivocal in Planning Law that a current LEP has clear primacy over any draft LEP (which is still subject to change and, potentially, rejection or cancellation)</p>

6	Does the existing LEP, referring in turn to the DCP, take precedence over any purported draft LEP amendments set out in the 48 Macquarie Street Planning Proposal?	<i>The existing LEP, referring in turn to the DCP, takes precedence over any purported draft LEP amendments set out in the 48 Macquarie Street Planning Proposal (which itself can still be rejected or significantly amended, in whole or in part, at the discretion of Council).</i>
7	Is it open to Council to reject or amend, in whole or in part at its discretion, a draft LEP amendment?	<i>Council has complete discretion in determining what it wishes to do in respect of a draft LEP, including amending it or cancelling it.</i>

I sincerely hope that I have been able to provide you with absolute clarity in respect of the current statutory position regarding the 45 minute rule and the overshadowing of Parramatta Square.

I believe that my explanation should assist you to conclude that Holdmark's Gateway Review in respect of 197 Church Street Parramatta should be supported by Council in compliance with the previous Council resolutions of 7 Dec 2015 and 18 Dec 2017.

3 SUBJECT 2-10 Phillip Street, Parramatta
REFERENCE DA/1066/2016
FROM Nadia Liind

1088 As provided.

With regards to Section 79C (1) h (of the Act) the volume, nature, and type of traffic generated by the development.

2-10 Phillip St carpark will be located on Marsden St adjacent to 101 Marsden St carpark existing entrance with no buffer in between creating approx 14 metres for pedestrians and cyclists to cross. Also, a medium strip is planned so vehicles coming out of the new building entrance will only be allowed to turn left.

101 Marsden St footpath is a very busy pedestrian thoroughfare at the moment especially during peak hours, so how will the Council make it

safe for pedestrians and cyclists to cross both driveways (approx 14 metres in length) with approx 400 vehicles coming and going all day and how can a 6.6 metre truck do a left hand turn into a 6 metre driveway without taking up the whole driveway and the rear of the truck swinging over the median strip?

4 SUBJECT 2-10 Phillip Street, Parramatta
REFERENCE DA/1066/2016
FROM Aras Labutis

1089 As provided.

Good evening Lord Mayor and Councillors

My name is Aras Labutis and I am the Urban Transformations Director at Coronation Property, speaking tonight in relation to Item 13.2, the Planning Proposal for 2-10 Phillip Street, Parramatta.

The Planning Proposal was originally lodged in August 2014 and has gone through an extensive assessment process. We originally lodged the Planning Proposal with the vision of creating a unique and special development in the Parramatta CBD and, in our view, this has only gotten better over time. This will be a world class building containing a 5 star QT Hotel with associate business and hospitality offerings, international quality Rockpool Dining Group restaurants, a rooftop bar crowning the tower, and high quality homes. All of this is delivering on Council's vision for the CBD.

Our estimates show that there will be over 350 jobs directly employed by the development when fully operational, increasing to a total of over 1000 jobs as a result of the multiplier effects from the investment.

I understand two queries have been raised by Councillors:

Firstly, traffic on Marsden Street – The RMS has assessed the proposal and does not raise any concerns and in fact, supports the access to the site being from Marsden Street. This is fully supported by the traffic studies undertaken for the proposal, which finds that the local road network maintains a suitable level of serviceability post development.

Secondly, the neighbouring site – a site specific DCP was endorsed by Council on 11 July 2016 and includes setback provisions to ensure shared boundaries are appropriately dealt with, and which are consistent with the Apartment Design Guide. The neighbouring residential apartment building to the north is a strata site with multiple individual residential units and is not considered an isolated site, not just because of multiple owners, but also given it is already substantially developed.

Notwithstanding these matters raised, the proposal tonight is to finalise the Planning Proposal which sets in place the high level controls for the site and we are committed to continuing to work with Council in the DA process to finalise the more detailed matters.

We support the Council officer's recommendation to send the Planning Proposal to the Department for finalisation and request Council's support in endorsing the proposal. The design of the development has been done by internally recognised architects Woods Bagot, which has carefully considered the integration of the existing heritage items with the contemporary tower. This approach has gained the overwhelming support of Council's design excellence jury.

In order to ensure that we bring high quality operators like QT hotel and Rockpool Dining Group to Parramatta, it is important for the project to continue moving and for the Planning Proposal to be finalised in a timely manner.

We look forward to continuing to work with the Council and officers to deliver what will be a significant project for Parramatta that we can all be proud of. We are committed to Parramatta and have invested heavily in the area because we can see the potential and we are excited to be a part of the transformation of the city and a catalyst for premium operators and high quality design.

Thank you.

PETITIONS

- 9.1 SUBJECT Petition to fix up the traffic and parking problems along Carnarvon Street between Silverwater Road and Stubbs Street, Silverwater.
- REFERENCE F2018/00177 - D05821258
- REPORT OF Service Manager Governance
- 1090 RESOLVED (Prociv/Issa)
- (a)** That the petition be received, noted and referred to the appropriate officer for report.
- (b)** Further, that Council advise the head petitioner that the petition has been received and of the outcomes of the report referred to in part (a).

LIVEABLE

- 10.1 SUBJECT Henry Brigg Park Epping - Shade Cover for Playground.
- REFERENCE F2017/00720 - D05788307
- REPORT OF Acting Service Manager Open Space and Natural Resources
- 1091 MOTION (Davis/Esber)

- (a) **That** a review be undertaken of current relevant Council policies that relate to playground shade provision, with the aim of enhancing shade outcomes for new playgrounds. This should include the development of a shade sail justification criteria.
- (b) **That** a further report be provided to Council outlining suggested policy changes that will enhance playground shade provision with a costed implementation plan for new and upgraded playgrounds.
- (c) **Further, that** a shade sail be installed at Henry Brigg Park playground at an estimated cost of \$50,000 funded through an increase in the 2018/19 Playground Replacement Project 10090.

FORESHADOWED MOTION (Dwyer)

That Council take no further action on this matter.

AMENDMENT (Issa/Zaiter)

That Council spend \$50,000 on the provision of shade sails for each park listed:-

- 1.Riverside Park- Parramatta
- 2.Doyle Ground- North Parramatta
- 3.North Rocks Park – Carlingford
- 4.Pierre de Coubertin Park- Newington
- 5.Henry Brigg Park – Epping

FORESHADOWED AMENDMENT (Barrak /Zaiter)

- (a) **That** a review be undertaken of current relevant Council policies that relate to playground shade provision, with the aim of enhancing shade outcomes for playgrounds. This should include the development of a shade sail justification criteria.
- (b) **Further, that** a report be provided to Council outlining suggested policy changes that will enhance playground shade provision with a costed implementation plan for playgrounds.

The Amendment was put and lost.

The Foreshadowed Amendment became the Amendment.

The Amendment (formerly the Foreshadowed Amendment) was put and lost.

The Motion was put and carried.

10.2	SUBJECT	Funding of Disability Advocacy Organisations
	REFERENCE	F2014/02204 - D05754159
	REPORT OF	Manager Social and Community Services
1092	RESOLVED	(Han/Esber)

- (a) **That** Council notes the confirmation of the NSW Government ceasing its funding of disability advocacy organisations from 30 June 2018.
- (b) **Further, that** Council write to the NSW Minister for Family and Community Services requesting that further funding assistance be provided to disability advocacy organisations, at least until 30 June 2019, in line with the situation in several other States and Territories and with the Commonwealth Government.

NOTE:

Councillor Issa left the meeting at 7.42pm during consideration of this matter.

SUSTAINABLE

- 11.1 SUBJECT Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1 - 24 November 2017 - 23 January 2018
- REFERENCE F2009/00431 - D05710643
- REPORT OF Manager Development and Traffic Services
- 1093 RESOLVED (Esber/Barrak)

That the report be received and noted.

NOTE:

Councillor Issa returned to the meeting at 7.44pm during consideration of this matter.

PRODUCTIVE

- 12.1 SUBJECT Major Projects Advisory Committee
- REFERENCE F2018/00226 - D05803373
- REPORT OF Director Property and Significant Assets. Also Business Governance Officer Briefing Note dated 21 February 2018.
- 1094 RESOLVED (Barrak /Esber)

- (a) **That** Council adopt the revised Major Projects Advisory Committee Charter as outlined in the briefing note.
- (b) **That** Council notes that the current service agreements for three members of the Major Projects Advisory Committee expires on 28 February 2018 and the recent resignation of the fourth committee member to take effect on the same date.
- (c) **That** Council endorses the establishment of a Committee for the appointment of members to MPAC, the Committee being comprised of:

- a. Councillors Issa, Pandey, and Barrak to be the representatives from the Council Significant Property Projects Committee, nominations to be forwarded to the Acting Chief Executive Officer by 27 February 2018
 - b. Acting Chief Executive Officer or Chief Executive Officer
 - c. Director, Property & Significant Assets.
- (d) **That** Council call for expressions of interest from suitably qualified and experienced professionals for the appointment to MPAC in accordance with the anticipated timeframe as outlined in the report.
- (e) **Further, that** a report be presented to Council following the expression of interest process, recommending the appointment of members to MPAC.

LEADING

13.1 SUBJECT Amended Planning Proposals - 12 Hassall Street,
Parramatta and 2 O'Connell Street, Parramatta

REFERENCE RZ/15/2016 - D05803044

REPORT OF Project Officer

1095 RESOLVED (Issa/Garrard)

- (a) **That** Council endorse forwarding amended Planning Proposals for 12 Hassall Street, Parramatta to the Department of Planning and Environment in order to facilitate progression of Gateway Determinations;
- (b) **That** Council affirm that the planning outcomes which Council sought through the original proposed structure of these two Planning Proposals are unchanged;
- (c) **That** Council specifically reaffirm its position on these Planning Proposals as follows:
- (i) **That** delegated authority be given to the CEO to negotiate Voluntary Planning Agreements (VPAs) with the respective landowners in relation to these Planning Proposals on behalf of Council, that these negotiations be undertaken in line with Council's resolution on value sharing rates of 10 April 2017 (Item 8.3), and that the outcomes of these negotiations be reported back to Council prior to public exhibition of the respective VPAs.
 - (ii) **That** site-specific Development Control Plan (DCPs) be prepared in association with these Planning Proposals and reported to Council prior to their public exhibition.
 - (iii) **That**, pending the outcomes of the respective Gateway Determinations, the Planning Proposal, VPA and DCP for each be placed on public exhibition concurrently.
 - (iv) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan-making delegations for these Planning Proposals as authorised by

Council on 26 November 2012.

- (v) **That** Council grant delegated authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process for either of these Planning Proposals.
- (d) **That** for clarity, the recommendation detailed above applies to both Planning Proposals, but does not intend to link together the future progression of their separate and individual statutory processes.
- (e) **Further, that** Council bring forward a report regarding the Planning Proposal for land at 2 O'Connell Street, Parramatta specifically referencing the impact the planning proposal may have on the significant heritage item that is St Patrick's Cemetery which is the oldest Catholic Cemetery in Australia.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, M Garrard, PH Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

NOTE:

Councillor Pierre Esber declared a Non-Pecuniary, Less than Significant Interest in this item as his son consults for the applicant. He retired from the meeting during debate and voting on this matter.

13.2 SUBJECT Post Exhibition Outcomes - Planning Proposal, Draft Site Specific Development Control Plan (DCP) and Draft Voluntary Planning Agreement (VPA) for land at 2-10 Phillip Street, Parramatta

REFERENCE RZ/13/2014 - D05808122

REPORT OF Project Officer- Land Use Planning. Also Briefing Note from Manager Land Use Planning dated 26 February 2018 and correspondence received from Aras Labutis and Trevor Clunne dated 23 February 2018.

1096 RESOLVED (Pandey/Zaiter)

That consideration of this matter be deferred for further discussions with the applicant regarding alternative entry and exit from either Marsden Street or Phillip Lane and these options be brought to Council on the 12 March 2018 Council Meeting.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P

NOES: Nil

13.3 SUBJECT 1-17 Grey Street and 32 Silverwater Road, Silverwater
REFERENCE F2018/00157 - D05814959
REPORT OF Team Leader LUP. Also Briefing note from Manager
Land Use planning dated 26 February 2018.

1097 RESOLVED (Barrak /Issa)

- (a) **That** Council endorse the former Auburn Council officer's recommendation (dated 7 October 2015) as the pathway to progress with the Grey Street Planning Proposal.
- (b) **That** Council advise the applicant that it will consider entering into a VPA with the landowners in relation to the Planning Proposal to ensure that an appropriate public benefit contribution/infrastructure is provided given the proposed up-zoning and additional density being sought.
- (c) **That** delegated authority be given to the Acting CEO to negotiate the VPA on behalf of Council and that the outcome of negotiations be reported back to Council prior to public exhibition.
- (d) **That** Council consider a further report on the Site Specific DCP for the subject site prior to its public exhibition. It is noted that while a Draft DCP is required to be prepared prior to sending the Planning Proposal to the DPE for Gateway Determination (consistent with the former Auburn Council officer recommendation), that the DCP assessment process can occur following this process to enable the Planning Proposal to proceed to Gateway in a timely manner.
- (e) **That** the Planning Proposal, Site Specific DCP and VPA be exhibited concurrently.
- (f) **That** Council advises the Department of Planning and Environment that the Acting CEO will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (g) **Further, that** Council authorise the Acting CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan amendment process.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, PH Han, S Issa, A Jefferies, S Pandey, P Proxiv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

13.4 SUBJECT Outcomes of Public Exhibition - Draft Amendments to Hornsby Development Control Plan 2013 - Tree and Vegetation Preservation

REFERENCE F2017/02319 - D05814635

REPORT OF Project Officer Land Use; Team Leader Land Use Planning. Also correspondence received from Katherine Stanton-Cook.

1098 RESOLVED (Tyrrell/Wearne)

- (a) **That** Council note that 15 submissions were made during the public exhibition of the draft DCP, including one from Hornsby Shire Council.
- (b) **That** Council note the submissions relating to the draft DCP have been summarised and considered as part of the finalisation of the draft DCP (**Attachment 1**).
- (c) **That** Council amends the draft DCP, as outlined in **Attachment 2**, as a result of submissions and associated minor amendments.
- (d) **That** Council, having considered the submissions made, adopt *draft Hornsby Development Control Plan 2013 – Tree and Vegetation Preservation (applying to Land Within the City of Parramatta)* for inclusion in Hornsby Development Control Plan 2013 (**Attachment 3**).
- (e) **That** Council delegates authority to the acting Chief Executive Officer to correct any minor administrative amendments of a non-policy nature to the draft DCP that may arise during the DCP finalisation process.
- (f) **That** a notice be placed in local newspapers advising of the adoption of the draft DCP.
- (g) **That** Hornsby Shire Council be advised of Council’s adoption of the draft DCP.
- (h) **That** a report be brought back to Council regarding which trees in Epping Forest Park have been removed by Council staff and any proposed plantings.
- (i) **Further, that** a report be brought back to Council regarding the potential impact of proposed development to the north of Epping Forest Park on existing trees.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, PH Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

13.5 SUBJECT Response to Post Gateway Review for the Planning Proposal for land at 197 – 207 Church Street and 89 Marsden Street, Parramatta

REFERENCE RZ/4/2015 - D05817643

REPORT OF Project Officer- Land Use Planning. Also confidential legal advice from Manager Legal Services dated 19 February 2018.

1099 MOTION (Prociv/Wearne)

That Council advise the Department of Planning and Environment that it neither supports or opposes the proponent's Gateway Review Request lodged in relation to the Gateway Determination issued for 197 Church Street regarding the provision of solar access to the solar protection area of Parramatta Square.

AMENDMENT (Esber/Garrard)

- (a) **That** Council recognise the unique and special features of the Planning Proposal for 197 Church Street and conclude that supporting this Planning Proposal on the basis of compliance with the 45-minute rule will not set any precedent for other developments, as Council indicated in December 2015 and again in December 2017 that it does not support the zero shadow policy, preferring to allow a sliding 45 minute shadow in winter.
- (b) **Further, that** Council advise the Department of Planning and Environment that it supports the Gateway Determination issued for 197 Church Street subject to the deletion of Conditions 1(c) (iii), (iv) and (v) of the Determination.

The Amendment was put and lost.

The Motion was put and carried.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, PH Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

NOTE:

Councillor Bill Tyrrell declared a Non-Pecuniary and Less than Significant interest in this Item as over ten years ago he was an employee of a company that provided services to the Holdmark Group. He remained in the meeting during debate and voting on this matter.

PROCEDURAL MOTION

1100 RESOLVED (Esber)

That the meeting be adjourned for 10 minutes.

The meeting was adjourned at 8.29pm for a period of 23 minutes.

RESUMPTION OF MEETING

The meeting resumed in the Council Chamber at 8.52pm, there being in attendance the Lord Mayor Councillor Andrew Wilson and Councillors Phil Bradley, Donna Davis, Robert Dwyer, Pierre Esber, Paul Han, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Lorraine Wearne and Martin Zaiter.

13.6 SUBJECT Draft Development Control Plan and letter of offer (Voluntary Planning Agreement) for No. 20 Macquarie Street, Parramatta

REFERENCE RZ/21/2015 - D05780970

REPORT OF Project Officer-Land Use Planning. Also Correspondence from Director Strategic Outcomes and Development dated 25 February 2018.

1101 RESOLVED (Issa/Zaiter)

That consideration of this matter be deferred for further information regarding design options for car parking, loading dock and eastern setback.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, PH Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

NOTE:

Councillors Barrak and Garrard returned to the meeting at 8.54pm during consideration of this matter.

13.7 SUBJECT Dockless Bike Share Operators in the City of Parramatta

REFERENCE F2017/03469 - D05709288

REPORT OF Project Officer - Transport

- 1102 RESOLVED (Dwyer/Prociv)
- (a) **That** Council note the information provided within this report in response to the Council resolution of 11 December 2017.
 - (b) **That** Council endorses Council officers to work with SSROC and other councils to develop a collaborative metropolitan Sydney response and a set of operating guidelines for dockless bike share operators and return to Council with these recommended operating guidelines.
 - (c) **That** Council staff investigate potential locations for additional bicycle docking and bicycle parking for the City of Parramatta to meet demand, consider a business model for funding facilities in these locations, and incorporate mechanisms for increasing their use by dockless bike share providers.
 - (d) **Further, that** Council officers report the outcomes of these investigations to Council by July.

13.8 SUBJECT Minutes of the Smart City Advisory Committee - 30 January 2018

REFERENCE F2017/00685 - D05808162

REPORT OF Head of Future City

1103 RESOLVED (Esber/Barrak)

That Council receives and notes the minutes of the Smart City Advisory Committee meeting held on 30 January 2018.

13.9 SUBJECT Investment Report for November 2017

REFERENCE F2009/00971 - D05724410

REPORT OF Chief Financial Officer

1104 RESOLVED (Esber/Barrak)

That Council receives and notes the Investment Report for November 2017.

13.10 SUBJECT Investment Report for December 2017

REFERENCE F2009/00971 - D05765009

REPORT OF Chief Financial Officer

1105 RESOLVED (Esber/Barrak)

That Council receives and notes the Investment Report for December 2017.

13.11 SUBJECT Mid Year Review Report (July - December 2017) on 2017/18 Operational Plan and Quarterly Budget Review Statement

REFERENCE F2017/02801 - D05786575

REPORT OF Service Manager IP & R; Commercial Manager

1106 RESOLVED (Davis/Esber)

(a) **That** Council note the Mid-Year Review of the Operational Plan 2017- 2018.

(b) **Further, that** Council note the December 2017 Quarterly Budget Review Statement and the Responsible Accounting Officer's report on the financial position of the Council.

13.12 SUBJECT Minutes of Audit and Risk Committee Held on 24 August 2017 and 30 November 2017

REFERENCE F2017/03684 - D05767699

REPORT OF Co-ordinator Audit & Risk

1107 RESOLVED (Zaiter/Esber)

That Council receives and notes the minutes of the Audit and Risk Committee meetings held on 24 August 2017 and 30 November 2017 (Attachment 1& 2).

13.13 SUBJECT Legal Status Report as at 13 February 2018

REFERENCE F2017/01133 - D05792153

REPORT OF Legal Services Manager

1108 RESOLVED (Issa/Jefferies)

(a) **That** Council note the Legal Status Report as at 13 February 2018.

(b) **Further, that** a report be brought back to Council regarding Council's legal proceedings for the current financial year, particularly regarding the matters determined by the Independent Hearing and Assessment Panel (IHAP) such report to include:-

1. The legal advice provided on Council's position
2. The cost of the proceeding
3. The likelihood of success with the Court
4. The outcomes of the proceedings including the percentage rate

of success both pre and post IHAP implementation.

NOTE:

1. **Councillor Benjamin Barrak declared a Pecuniary Interest in this item as his company is involved in litigation with Council, which is listed in this report. He retired from the meeting during debate and voting on this matter.**
2. **Councillor Martin Zaiter declared a Non-Pecuniary, Significant Interest in this item as he provides accounting services for several of the applicants. He retired from the meeting during debate and voting on this matter.**

13.14 SUBJECT Alteration of Boundaries Proposals – North Epping and
Minor Alterations in Winston Hills (Part)

REFERENCE F2017/02419 - D05813423

REPORT OF Chief Operating Officer. Also Memorandum from
Manager Governance and Risk dated 22 February 2018.

1109 RESOLVED (Tyrrell/Barrak)

- (a) **That** consideration of the three (3) matters listed below be deferred for a Councillor Workshop with ward Councillors prior to any action being taken on (b) – (d).
- (b) **That** Council defer for further review the Boundary issue relating to an alteration of a boundary proposal submitted by Hornsby Shire Council relating to North Epping Area.
- (c) **That** Council defer for further review the change of boundary proposal sought by Winston Hills Hotel with respect to the existing council boundary which cuts through the middle of Winston Hills Hotel site.
- (d) **Further, that** Council defer consideration until end of July 2018 the proposal to seek a further Council boundary change with Hills Shire Council based around the boundary being relocated from middle of the road in Junction Road Winston Hills to the whole area of Junction Road starting from intersection with Windsor Road to just past Romulus Street at which point it reverts to existing boundary between Hills Shire Council and City of Parramatta Council

13.15 SUBJECT Australian Local Government Women's Association
Conference 2018

REFERENCE F2017/02966 - D05814286

REPORT OF Project Officer Councillor Support

MOTION (Esber/Garrard)

That any Councillors interested in attending the Australian Local Government Women's Association Conference 2018 from 15 – 17 March 2018 indicate their interest with the Executive Support Unit within 48 hours.

1110 AMENDMENT (Zaiter/Barrak)

That Councillors Davis and Wearne attend the Australian Local Government Women's Association Conference 2018 from 15 – 17 March 2018.

The Amendment was put and carried and became the Motion and on being put, was again carried.

13.16 SUBJECT Local Government NSW Tourism Conference 2018

REFERENCE F2017/02966 - D05818783

REPORT OF Project Officer Councillor Support

1111 MOTION (Esber/Barrak)

(a) **That** any Councillors interested in attending the Local Government NSW Tourism Conference 2018 from 12 – 14 March 2018 indicate their interest with the Executive Support Unit within 48 hours.

(b) **Further, that** a report be prepared regarding attendance at the Smart Cities Conference.

AMENDMENT (Zaiter/Jefferies)

(a) **That** two (2) Councillors interested in attending the Local Government NSW Tourism Conference 2018 from 12 – 14 March 2018 indicate their interest with the Executive Support Unit within 48 hours.

(b) **Further, that** a report be prepared regarding attendance at the Smart Cities Conference.

Procedural Motion that the Motion be Put was moved by Councillor Esber and defeated.

The Amendment was put and lost.

The Motion was put and carried.

NOTE:

1. **Councillors Issa and Garrard left the meeting at 9.49pm and returned at 9.54pm during consideration of this matter.**

2. **Councillor Davis left the meeting at 9.51pm and returned at**

NOTICES OF MOTION

- 14.1 SUBJECT Building Certificates
REFERENCE F2018/00051 - D05805010
REPORT OF Councillor Bob Dwyer
1112 RESOLVED (Dwyer/Pandey)

That a report be brought to Council advising the various circumstances in which a Building Certificate (BC) is required and also advice as to the number of BC applications received by Council in the 12 months to 31 December 2017 as compared to the previous 2 years to 31 December 2015 and 2016. The report should also include information relating to current fee for a Building Certificate as well as an explanation of the types and numbers of unauthorised works detected by Council and what subsequent enforcement actions/powers are available to Council along with statistical data relating to the aggregate level of fines imposed by Council in the respective 3 year period for unauthorised works.

- 14.2 SUBJECT Parramatta District Cricket Club
REFERENCE F2004/06182 - D05815280
REPORT OF Councillor Dr. Patricia Prociv
1113 RESOLVED (Prociv/Issa)

That Council write to the President of the Parramatta District Cricket Club to congratulate the Club, the Coach and the players of the U16 team on their undefeated campaign in the 2017/2018 season, culminating in winning the A. W. Green Shield. Recognising that it is the untiring contribution by players, coaches, managers and supporters that has resulted in the Club's success in securing the shield for the first time in a decade.

- 14.3 SUBJECT Management of Abandoned or Unattended Shopping Trolleys
REFERENCE F2004/06447 - D05818046
REPORT OF Councillor Dr. Patricia Prociv
1114 RESOLVED (Prociv/Davis)

- (a) **That** Council investigate its legal options, developing a formal policy to outline Council's approach to abandoned or unattended trolleys in the Parramatta LGA.
(b) **That** Council, as part of this policy, implement a one-year trial

program for the collection of abandoned shopping trolleys as part of its 2018/19 Operational Plan and Budget.

- (c) **That** a report be brought back to Council that investigates the feasibility of introducing standard Conditions of Consent for local businesses where shopping trolleys are used to ensure effective trolley management systems, which may include Deposit/Refund Schemes (coin operated trolley release bays) or Trolley Containment Systems (electronic wheel-lock) and alternative methods of disposal.
- (d) **Further, that** Council meet with major retailers to investigate ways to address abandoned shopping trolleys, cost recovery options for the collection of shopping trolleys and public education opportunities.

14.4 SUBJECT Homelessness in Parramatta

REFERENCE F2017/02985 - D05818405

REPORT OF Councillor Sameer Pandey

1115 RESOLVED (Pandey/Barrak)

- (a) **That** a report is brought back to Council, in the April meeting, after the homeless survey this month outlining:
 - 1. Efforts in the past to tackle the issue of homeless.
 - 2. Current issues and challenges.
 - 3. Current plan and initiatives including identifying what resources homeless residents need including mental health issues.
 - 4. Which external agencies we collaborate with and in what capacity.
 - 5. What is currently been done by external agencies.
- (b) **Further, that** Council work with Parramatta Winter Sleep Out 2019.

14.5 SUBJECT Budget Allocation for Unforeseen Urgent Works

REFERENCE BUDGET_2016/17 - D05818479

REPORT OF Councillor Sameer Pandey

1116 RESOLVED (Pandey/Esber)

That as part of the 2018/19 Budget setting process, Council establish an allocation of funding for unforeseen urgent works that arise during the course of the year along with a process for the allocation of these funds.

14.6 SUBJECT Councillor KPI Dashboard
REFERENCE F2009/01894 - D05818544
REPORT OF Councillor Sameer Pandey

1117 RESOLVED (Pandey/Issa)

- (a) **That** the CEO works with Councillors to undertake creation of an online performance dashboard for Councillors. This dashboard be updated every quarter and be available to all Councillors through a central Portal.
- (b) **That** the Dashboard be referred to the Smart Cities Committee with a view to having the first launch of the dashboard by the beginning of the 2019 financial year.
- (c) **Further, that** the dashboard to include, but not limited to the following, with any further additions to be submitted via the Lord Mayor's Office :
1. Report on KPIs as outlined in our operational plan.
 2. List of all council resolutions and their progress status
 3. Amount of Waste collection and recycling.
 4. Average number of days to process DA
 5. Number of DA applications received, approved, rejected, pending.
 6. Number of food premises inspected
 7. Number of calls and contacts to service desk, including satisfaction feedback report.
 8. Total Number of Staff and turnover.
 9. Number of New Recruitments
 10. Working Capital Budget
 11. Actual YTD / Budget YTD Income / Expenditure
 12. List of current risks
 13. Amount in Reserve
 14. Number of Complaints
 15. Capital Projects Update – Completed, Commencing, Overdue etc
 16. Number of visitors to major events (compare with last numbers)
 17. % occupancy / booking of council owned facilities
 18. S94 contributions vs spending
 19. Total Funding to community organisations and identify them.
 20. Participation in Council's health and sporting promotion activities
 21. Community Grants program - % of funded projects successfully implemented and delivering outcomes
 22. Library visits
 23. Utilisation of Childcare centers
 24. Consumer Satisfaction
 25. Outcome from Social Enterprise Program
 26. Water usage.
 27. New Tree plantation figures and number of trees removed from private property
 28. Number of new Affordable housing created.
 29. Number of appeals on decisions made by council and status of each litigation matters and estimated cost.
 30. Ward requests on services / complaints by category.

31. Reported Traffic Incidents / fatalities
32. Number of funding application and grants received.
33. Number of heritage listed property and number and identification of heritage property removed from the list.
34. % of service call resolved in first call
35. Average Lead time for resolving requests by councilors.
36. % of councilor requests responded within agreed service standard
37. Number of reported breaches of council policies and statutory requirements.
38. Number of visitors to website
39. Usage statistics on our Apps
40. List of High likelihood and high consequences risks
41. Investment income
42. Revenue and breakup through fines
43. Revenue through sale of fixed assets and pipeline when due to settle
44. Number of planning proposals received / rejected / approved
45. Further environmental factors to be determined by staff

NOTE:

Councillor Wearne left the meeting at 10.27pm and returned at 10.28pm during consideration of this matter.

Councilor Zaiter left the meeting at 10.33pm and returned at 10.38pm during consideration of this matter.

14.7 SUBJECT City of Parramatta Lunar New Year Celebration
 REFERENCE F2017/01791 - D05818715
 REPORT OF Councillor Paul Han
 1118 RESOLVED (Han/Esber)

- (a) That** Council acknowledge and congratulate the efforts of City of Parramatta Major Events team for successfully organising this year's Lunar New Year celebration.
- (b) That** Council thank the community / partners for their participation in this year City of Parramatta Lunar New Year celebration and wish all a very Happy and Prosperous Year of The Dog - Chun Jie Kuai Le.
- (c) Further, that** Council acknowledge the efforts of the foreign consulates.

NOTE:

Councillor Pandey left the meeting at 10.40pm and returned at 10.43pm during consideration of this matter.

NOTE:

The Lord Mayor acknowledged the presence of former Councillor Laurence Bennett in the public gallery.

CLOSED SESSION
26 FEBRUARY 2018

1119 RESOLVED (Esber/Wearne)

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.

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 lists come within the following provisions:-

- 1 ITT09/2016 Fire Maintenance & Certification Tender. (D05773652) - *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.*
- 2 Tender ITT 25 2017 Winterlight Festival. (D05817968) - *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 Minutes of the Council Significant Property Projects Committee. (D05803367) - *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 Proposed Use of 1-3 Onslow Street Granville. (D05756405) - *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.*
- 5 Future Occupation of Rydalmere Bowling Club. (D05659828) - *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 Hornsby Shire Council Litigation. (D05821946) - *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.*
- 7 Handling of Councillor Mail . (D05797019) - *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.*

CLOSED SESSION

15.1 SUBJECT ITT09/2016 Fire Maintenance & Certification Tender
REFERENCE F2016/00887 - D05773652
REPORT OF Service Manager Trades, Facilities and Fleet
1120 RESOLVED (Davis/Tyrrell)

- (a) **That** in accordance with s178 of the Local Government (General) Regulation 2005, all Tenders for the provision of Fire Maintenance & Certification services be rejected and fresh Tenders called.
- (b) **Further, that** all Tenderers be advised of Council's decision in this matter.

15.2 SUBJECT Tender ITT 25 2017 Winterlight Festival
REFERENCE F2017/03479 - D05817968
REPORT OF Events Coordinator

- 1121 RESOLVED (Esber/Zaiter)
- (a) **That** the tender submitted by Stoller Holdings Pty Ltd trading as Logistics Events Australia be selected as the preferred supplier for the event planning, management and delivery of the Winterlight Festival for a period of one year (2018) with an option to extend the contract for two additional periods of one year each.
 - (b) **That** all unsuccessful tenderers be advised of Council's decision in this matter.
 - (c) **Further, that** the Lord Mayor and Acting CEO be given delegated authority to execute and affix the Common Seal of Council to the necessary documents.

15.3 SUBJECT Minutes of the Council Significant Property Projects Committee

REFERENCE F2018/00226 - D05803367

REPORT OF Business Governance Officer PDG

1122 RESOLVED (Esber/Barrak)

- (a) **That** Council receive and note the minutes of the Council Significant Property Projects Committee meetings held on:
 - 7 December 2017, as provided at Attachment 1;
 - 20 December 2017, as provided at Attachment 2;
 - 21 December 2017, as provided at Attachment 3;
 - 18 January 2018, as provided at Attachment 4.
- (b) **Further, that** Council note the actions taken on the recommendations of the Council Significant Property Projects Committee as outlined in the report.

15.4 SUBJECT Proposed Use of 1-3 Onslow Street Granville

REFERENCE F2017/00235 - D05756405

REPORT OF Service Manager-Property Services & Space Management

1123 MOTION (Prociv/Esber)

That Council defer consideration of this matter for a further report to be provided to Council by May 2018, including:

1. Cost of repairs to the building;
2. Cost of demolition and remediation of the site;
3. Cost to construct a community building (with and without wooden floors); and
4. Available options for funding this project (S94 or otherwise).

AMENDMENT (Dwyer/Tyrrell)

- (a) **That** Council resolve to deal with 1-3 Onslow Street, Granville in accordance with paragraph 9 b) of this report.
- (b) **That**, should Council resolve to deal with 1-3 Onslow Street, Granville in accordance with paragraph 9 b) of this report, Council commence the works as identified in paragraph 10 in this report.
- (c) **Further, that** the Chief Executive Officer be delegated the authority to negotiate, finalise and sign all necessary documentation, including but not limited to landowner's consent, in relation to this matter.

The Amendment was put and lost.

The Motion was put and carried.

NOTE:

Councillor Garrard left the meeting at 10.50 pm during consideration of this matter.

15.5 SUBJECT Future Occupation of Rydalmere Bowling Club
REFERENCE F2004/07854 - D05659828
REPORT OF Service Manager-Property Services & Space Management

1124 MOTION (Issa/Garrard)

- (a) **That** Council approve Rydalmere Bowling Club to be made available for hire as a community facility for the short to medium term until finalisation of the Rydalmere Masterplan.
- (b) **Further, that** an applicant for a short term license arrangement for the Rydalmere Bowling Club be brought back to Council for consideration.

AMENDMENT (Esber/Prociv)

- (a) **That** Council approve Rydalmere Bowling Club to be made available for hire as a community facility for the short to medium term until finalisation of the Rydalmere Masterplan.
- (b) **Further, that** Rydalmere Bowling Club be placed on Council's Booking System as a Group 1 Community Hall available for hire by multiple community groups users.

The Amendment was put and lost.

The Motion was put and carried.

NOTE:

1. **Councillor Garrard returned to the meeting at 10.56pm during consideration of this matter.**
2. **A Rescission Motion on this matter was tabled after the close of the meeting.**

EXTENSION OF TIME

1125 RESOLVED (Esber/Barrak)

That as the time has reached 11.01pm, the meeting be extended for 30 minutes to enable consideration of the remaining items on the agenda.

15.6 SUBJECT Hornsby Shire Council Litigation

REFERENCE F2017/03647 - D05821946

REPORT OF Chief Financial Officer. Also Confidential Supplementary report distributed 26 February 2018.

1126 RESOLVED (Davis/Barrak)

- (a) **That** Council receives and notes this report on the status of the Hornsby Shire Council litigation.
- (b) **Further that** Council note the orders made by Justice Hammerschlag in the Supreme Court of NSW on 23 February 2018.

15.7 SUBJECT Handling of Councillor Mail

REFERENCE F2018/00359 - D05797019

REPORT OF Service Manager Business Information Service

MOTION (Esber/Wearne)

That no further action be taken on this matter.

1127 AMENDMENT (Garrard/Tyrrell)

That discussions be held between councillors and staff regarding alternative arrangements for mail handling.

FORESHADOWED AMENDMENT (Bradley)

- (a) **That** Council support the engagement of Decipha to security check and x-ray all incoming mail to the City of Parramatta due to them being the only organisation that offers mail screening services using x ray equipment in Australia.
- (b) **Further, that** Council note the annual estimated cost of \$25,200

for the service which is currently unbudgeted.

The Amendment was put, carried and became the Motion.

The Foreshadowed Amendment became the Amendment.

The Amendment (previously the foreshadowed Amendment) lapsed due to lack of a seconder.

The Motion (previously the Amendment) was put and carried.

The meeting terminated at 11.30 pm.

THIS PAGE AND THE PRECEDING 33 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 26 FEBRUARY 2018 AND CONFIRMED ON MONDAY, 12 MARCH 2018.

Lord Mayor