

DRAFT MINUTES OF THE ORDINARY MEETING OF ASHFIELD COUNCIL HELD ON LEVEL 6, CIVIC CENTRE, 260 LIVERPOOL ROAD, ASHFIELD ON TUESDAY 23 FEBRUARY 2016, COMMENCING AT 6:37 PM.

PRESENT

Her Worship the Mayor, Councillor McKenna OAM in the Chair and Councillors Cassidy PSM, Drury, Lofts, Mansour, Passas, Raciti, A Raiola, Stott, Wang and Wangmann

Ms V Chan	General Manager
Ms N Kettle	Director Corporate and Community Services
Mr P Sarin	Director Planning and Environment
Ms C Edwards-Davis	Director Works and Infrastructure
Ms Kelly Loveridge	Manager Operations
Ms Popy Mourgelas	Manager Corporate Governance
Mr Quinton Kohler	Acting Senior Governance Officer

ACKNOWLEDGEMENT OF LOCAL ABORIGINAL COMMUNITY

"Let us acknowledge that we are meeting on country for which the members and elders of the local Aboriginal community have been custodians for many centuries, and on which Aboriginal people have performed age old ceremonies. We acknowledge their living culture and unique role in the life of this region."

APOLOGIES

RESOLVED: Mansour/Lofts

That an apology for non attendance be received and accepted from Councillor M Raiola.

CONDOLENCE AND SYMPATHY MOTIONS

PASSING OF MRS PHYLLIS SINTRAS

RESOLVED: Passas/Drury

That a letter of condolence be sent to Mrs Sintras' sons, John and Peter, and that, in lieu of flowers, Council donate \$150 to Cerebral Palsy Australia.

MOMENT OF PRIVATE CONTEMPLATION

The chairperson invited Councillors, staff, members of the press and gallery to stand and observe a moment of private contemplation.

DISCLOSURES OF INTEREST

Councillor Cassidy PSM declared a Significant, Non-Pecuniary Interest in item CM10.6 – Ashfield Traffic Committee Minutes - on the basis that he and his family have proprietary interest in property nearby. Councillor Cassidy PSM will leave the chamber and not participate in this item.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

Councillor Raciti declared a Less-than Significant, Non-Pecuniary Interest in item NM8/2016 – Ashfield is where we live and play: This is what we stand for, supporting Community Sport - due to her husband being the President of APIA Leichhardt Tigers FC, who also use Hammond Park. Councillor Raciti will remain in the chamber and participate in this item as the conflict is such that it will not influence her in carrying out her public duty.

CONFIRMATION OF MINUTES

RESOLVED: Lofts/Mansour

That the minutes of the Council Meeting held on Tuesday 9 February 2016 be confirmed.

ASHFIELD TRAFFIC COMMITTEE-MINUTES OF MEETING HELD ON 5 FEBRUARY 2016

CM 10.6

Councillor Cassidy PSM left the Chambers at 6.47pm having previously declared a Significant, Non-Pecuniary interest in this item.

Members of the public addressed the meeting.

Craig Thornborough addressed Council at 6.48pm and concluded at 6.53pm.

Andrew Hebden addressed Council at 6.54pm and concluded at 6.55pm.

Lara Leibbrant addressed Council at 6.55pm and concluded at 6.56pm.

Ahmed Diab addressed Council at 6.57pm and concluded at 7.03pm.

Mike Knock addressed Council at 7.04pm and concluded at 7.05pm.

Nick Reynolds addressed Council at 7.05pm and concluded at 7.07pm

Colin Jones addressed Council at 7.07pm and concluded at 7.09pm

Councillor Raciti left the meeting at 7.30pm and returned at 7.33pm.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

Motion Stott/Raciti

1/2 That the Minutes of the Ashfield Traffic Committee held on 5 February 2016 be confirmed and the recommendations contained in the Minutes, items 001 to 009, be adopted.

2/2 That resident parking in the area around William Street Ashfield be investigated.

FIRST WARNING

The Mayor issued a first warning to Councillor Passas for interrupting the meeting.

Amendment: Passas/A Raiola

That Items 005 and 009 of the Traffic Committee minutes be voted on separately.

A division was called and the voting was as follows:-

For the Amendment

Councillors Wangmann, A Raiola, Raciti and Passas.

Against the Amendment

Councillors Stott, Mansour, Wang, Lofts, Drury and McKenna OAM.

The Amendment was Lost.

The Motion was then put.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors A Raiola, Raciti and Passas.

The Motion was Carried.

[NOTE: A Notice of Rescission regarding CM10.6 – Ashfield Traffic Committee Minutes, items 005 and 009, was received at the meeting, and will be considered at the next Ordinary meeting on 8 March 2016].

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

**ASHFIELD IS WHERE WE LIVE AND PLAY: THIS IS WHAT WE STAND FOR
SUPPORTING, COMMUNITY SPORT**

NM8/2016

Councillor Passas left 7.43pm and returned 7.54pm
Councillor A. Raiola left 7.43pm and returned 7.57pm
Councillor Cassidy returned 7.45pm
Councillor Raciti left 7.55pm and returned 7.57pm
Councillor Mansour left 7.55pm and returned 8.00pm

Members of the public addressed the meeting.

Mrs Gough addressed Council at 7.43pm and concluded at 7.48pm.
Mrs Rina Smit addressed Council at 7.48pm and concluded at 7.52pm
Mr Robert Honeybrook addressed Council at 7.52pm and concluded at 7.57pm
Mr Jean Kouriel addressed Council at 7.58pm and concluded at 8.04pm
Mr Ben Hershman addressed Council at 8.18pm and concluded at 8.21pm
Mr Alan Jones addressed Council at 8.22pm and concluded at 8.27pm.

RESOLVED: Drury/Lofts

That Ashfield Council notify the residents of Ashfield and letterbox residents in the immediate proximity that the Ashfield Pirates football club is seeking a 5 year lease and alteration of one of the current change rooms into a canteen that they will operate on Saturday mornings during the football season.

That the notification seek community feedback about the proposed lease and proposed modification of the change room into a canteen. Council will then determine if the change to the change rooms can proceed and, if so, request the General Manager to arrange a lease.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Wangmann, Cassidy PSM, A Raiola, Raciti and Passas.

The Motion was carried

**DEVELOPMENT APPLICATION: 10.2014.012.2
425 LIVERPOOL ROAD ASHFIELD**

CM 10.1

Councillor Wangmann left 8.45pm and returned 8.50pm
Councillor Passas left 8.46pm and returned 8.49pm
Councillor Passas left 8.52pm and returned 8.53pm
Councillor Wang left 8.55pm and returned 9.10pm

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

Members of the public addressed the meeting.

Ms Rhonda Kruger addressed Council at 8.45pm and concluded at 8.51pm. Ms Kruger also made representations on behalf of Ms Elizabeth Boedeker.

Mr Chris Guy addressed Council at 8.51pm and concluded at 8.59pm

MOTION: Lofts/Stott

- A. That Council as the consent authority pursuant to section 96(1A) of the Environmental Planning and Assessment Act 1979 (as amended) refuse modification of development application no. 10.2014.12.2 for, construction of a mixed use residential and retail development above basement car parking and strata subdivision on Lot 1, DP 700804, known as 425 Liverpool Road, Ashfield, for the reasons outlined on pages 23-24 of the business paper.

FORESHADOWED MOTION: Cassidy/Passas

That the Section 96 Application be approved and the Section 94 Contribution be adjusted accordingly.

The Substantive Motion was put.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Cassidy PSM, Mansour, A Raiola, Raciti and Passas.

The Motion was Carried.

The Foreshadowed Motion was not addressed.

[NOTE: A Notice of Rescission regarding CM10.1 – DA10.2014.012.2 425 Liverpool Road Ashfield – has been lodged and will be considered at the next Ordinary meeting on 8 March 2016].

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

DEVELOPMENT APPLICATION: 10.2015.180.1
46 EDWARD STREET SUMMER HILL

CM 10.2

Councillor Passas left the meeting 9.17pm and returned at 9.18pm

RESOLVED: Stott/Lofts

- A. That the variation requests pursuant to clause 4.6 of Ashfield Local Environmental Plan 2013 regarding clause 4.3(2A) of Ashfield Local Environmental Plan 2013 in respect of height of buildings and clause 4.4 of Ashfield Local Environmental Plan 2013 in respect of floor space ratio be supported.
- B. That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) grant consent to Development Application No. 10.2015.180.1 for the demolition of existing structures and the construction of a four storey residential flat building with two levels of basement parking and 25 dwellings on Lot 1 in DP 235141, known as 46 Edward Street, Summer Hill, subject to conditions, including the addition of a condition specifying that the site be maintained to the satisfaction of Council.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Cassidy PSM, Mansour, Wang, Lofts, Drury, A Raiola, Raciti, Passas and McKenna OAM.

Against the Motion

Nil.

MAYORAL MINUTES

COMMUNITY ORGANISER

MM5/2016

Councillor A Raiola left the meeting at 9.19pm and did not return.
Councillor Raciti left the meeting at 9.21pm and returned at 9.27pm.
Councillor Wangmann left the meeting at 9.23pm and returned at 9.26pm.

Members of the public addressed the meeting.

Mr Chris Elenor addressed Council at 9.21pm and concluded at 9.22pm.
Ms Sharon Laurar addressed Council at 9.22pm and concluded at 9.23pm
Ms Joanne Tierney addressed Council at 9.23pm and concluded at 9.24pm.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

RESOLVED: McKenna OAM

That:

- 1/4 Ashfield Council support the continuation of the community organiser position.
- 2/4 Ashfield Council allocate \$7,500.00 exclusively for the employment of the community organiser.
- 3/4 Ashfield Council be represented on the steering committee.
- 4/4 A Memorandum of Understanding be established.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Cassidy PSM, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Raciti and Passas.

**SUBMISSION TO THE BOUNDARY REVIEW ON THE MERGER PROPOSAL FOR
ASHFIELD, LEICHHARDT AND MARRICKVILLE COUNCILS**

MM6/2016

Councillor Raciti left the meeting at 9.43pm and returned 9.54pm
Councillor Passas left the meeting 9.52pm and returned 9.55pm

MOTION: McKenna OAM

- 1/3 That this proposal be included in our submission to the delegate as part of the boundary review process.
- 2/3 That Council write to the appropriate delegates and Boundary Commission strongly objecting to Burwood Council's proposal to include parts of Ashfield LGA, i.e. Croydon and Croydon Park, into the proposed amalgamated council currently incorporated in Burwood LGA.
- 3/3 That Council again calls upon the NSW Government to release the full KPMG Report on the amalgamations.

The Motion was put to the vote and item 1/3 was voted on separately.

Item 1/3

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Wangmann, Cassidy PSM, Raciti and Passas.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

Item 1/3 was Carried.

Items 2/3 and 3/3

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Cassidy PSM, Raciti and Passas.

Items 2/3 and 3/3 was Carried.

SUBMISSION TO COUNCIL BOUNDARY REVIEW PROCESS

CM 10.12

Councillor Cassidy PSM asked if item 10.12 could be considered with MM6/2016 and the Mayor concurred.

RESOLVED: McKenna OAM/

That Council adopt the draft Submission to the Boundary Review, as amended if required.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Cassidy PSM, Raciti and Passas.

MOTION TO DISSENT

A motion to dissent from the ruling of the Chair was moved by Councillor Passas, seconded by Councillor Raciti.

A division was called and the voting was as follows:-

For the Motion

Councillors Cassidy PSM, Raciti and Passas.

Against the Motion

Councillors Stott, Wangmann, Mansour, Wang, Lofts, Drury and McKenna OAM.

The Motion to Dissent was Lost

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

WASTE COLLECTION SERVICES TENDER

CM 10.10

Councillor Passas left the meeting at 10.05pm and returned 10.07pm

RESOLVED: Drury/Mansour

- 1/4 That the report be received and noted.
- 2/4 That Council appoint Transpacific Cleanaway, as the Waste Collection Service Provider under the terms and conditions of the RFT 15/43900.
- 3/4 That authority is granted to the General Manager to execute the contract.
- 4/4 That the General Manager inform the unsuccessful tenderers of Council's resolution to decline to accept those tenders.

NSW GOVERNMENT CONTAINER DEPOSIT SCHEME DISCUSSION PAPER

CM 10.9

Councillor Lofts left the meeting at 10.15pm and returned 10.16pm

MOTION: Drury/Mansour

- 1/3 That the information be received.
- 2/3 That Council in principle support the SSROC draft submission to the NSW EPA.
- 3/3 That Council in principle support the LGNSW submission to the NSW EPA.

FORESHADOWED MOTION: Cassidy/Passas

That Council advises SSROC that Council rejects the notion of a container deposit on all containers as it is no more than a back door Goods & Services Tax.

The Substantive Motion was put.

A division was called and the voting was as follows:-

For the Motion

Councillors Stott, Wangmann, Mansour, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors Cassidy PSM, Raciti and Passas.

The Motion was Carried.

The Foreshadowed Motion was not addressed.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

SECOND QUARTER BUDGET REVIEW 2015-16

CM 10.4

RESOLVED: Drury/Mansour

That Council receives the Quarterly Budget Review Statement for the period 1 October 2015 to 31 December 2015 and adopts the recommended budget adjustments outlined in the report, with an additional \$100,000 funding allocated to a new PAMP budget.

INVESTMENT REPORT JANUARY 2016

CM 10.5

RESOLVED: Drury/Mansour

That the Investment Report for January 2016 be received and noted.

SECOND QUARTER REVIEW AGAINST THE COUNCIL PLAN - 2015-2019

CM 10.11

RESOLVED: Drury/Mansour

That Council note Council's performance over the Second Quarter 2015/16 and the report be published on Council's website.

NOTICES OF MOTION

ILLEGAL DRUGS

NM7/2016

MOTION: Passas/Raciti

That the State Member for Summer Hill publicly apologise to constituents and parents for her grossly irresponsible statements and publicly declare her support for all involved in the eradication of illegal drugs.

A division was called and the voting was as follows:-

For the Motion

Councillors Cassidy PSM, Raciti and Passas.

Against the Motion

Councillors Stott, Wangmann, Mansour, Wang, Lofts, Drury and McKenna OAM.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

MOTION: SUSPENSIONS

NM10/2016

RESOLVED: Cassidy PSM /

That Councillor Cassidy PSM moved a motion to defer the matter for consideration to the next meeting of Council

Councillors Passas and Raciti left the meeting at 10.47pm and did not return.

**ASHFIELD IS WHERE WE LIVE: THIS IS WHAT WE STAND FOR, ADDRESSING
FREDERICK ST PARKING AND TRAFFIC PROBLEMS**

NM9/2016

RESOLVED: Drury/Stott

That Ashfield Council writes to the Minister for Roads to advise him that our community does not want advertising trailers continuously parked alongside Hammond Park and we need his department to work with Council to resolve this issue.

EXTENSION OF TIME

RESOLVED: Mansour/Lofts

That the meeting be extended by 15 minutes, the time being 10.50pm.

ALLIED MILLS SITE - LAND DEDICATIONS

NR7/2016

MOTION: Cassidy/Mansour

That resolution of Item CM10.9 – Allied Mills Site – Land Dedications, passed at the Ordinary meeting of Council held on 09 February 2016, be rescinded.

A division was called and the voting was as follows:-

For the Motion

Councillors Cassidy PSM and Mansour.

Against the Motion

Councillors Stott, Wangmann, Wang, Lofts, Drury and McKenna OAM.

The Motion to Rescind was Lost.

**DRAFT MINUTES OF ORDINARY MEETING
TUESDAY 23 FEBRUARY 2016**

**ANNUAL NSW AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION
CONFERENCE**

CM 10.7

RESOLVED: Lofts/Mansour

That Council approve the attendance of The Mayor Councillor Lucille McKenna and Councillors Wang and Wangmann at the Annual NSW Australian Local Government Women's Association Conference.

PHASE 1 CHANGES TO LOCAL GOVERNMENT LEGISLATION

CM 10.8

RESOLVED: Cassidy/Lofts

The matter be deferred and a Workshop be organised, with Councillors and staff, to review the proposed amendments.

GREENWAY PROGRESS REPORT - 2015

CM 10.3

RESOLVED: Lofts/Drury

That Council:

1. Notes this Progress Report.
2. Notes the GreenWay Progress Report 2009-2014, prepared for the Councils and GreenWay Steering Committee.

PROCEEDINGS TERMINATED AT 11.07pm

Chairperson of the meeting of Ordinary Meeting
when the Minutes were confirmed

Chairperson

Date