

MIN NO **MINUTES OF THE ORDINARY MEETING OF ASHFIELD COUNCIL HELD AT HABERFIELD LIBRARY, 78 DALHOUSIE STREET, HABERFIELD ON TUESDAY 22 MARCH 2011, COMMENCING AT 6:35 PM.**

PRESENT His Worship the Mayor, Councillor Cassidy in the Chair and Councillors Adams, Kelso, Kennedy, Lofts, Mansour, McKenna, Rerceretnam, Stott, Wang and Wangmann

Ms V Chan General Manager
Ms N Kettle Director Corporate and Community Services
Mr P Sarin Director Planning and Environment
Mr S Joannidis Director Works and Infrastructure
Ms G Rennard Manager Governance

ACKNOWLEDGEMENT OF LOCAL INDIGENOUS COMMUNITY

"Let us acknowledge that we are meeting on country for which the members and elders of the local Indigenous 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

65/11 RESOLVED Cassidy / Mansour

An apology for lateness was received and accepted from Councillor Adams

Councillor Drury was absent due to having previously been granted a leave of absence.

MOMENT OF PRIVATE CONTEMPLATION

EARTHQUAKE AND TSUMANI IN JAPAN. Edward Cassidy - Mayor.
Report Submitted.
(14/03/11)

Public Relations>Condolence
h:\reports.bp\Council\Reports\CM220311MM_3.doc
MM3/2011 Attached

66/11 RESOLVED Cassidy

That a letter be sent to Shigekazu Sato, Ambassador of Japan to

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Australia expressing Council's condolences.

67/11

RESOLVED

Wangmann / Kennedy

That a letter of condolence be sent to the family of Tosha Takkar and the Indian High Commissioner regarding the senseless murder of Tosha a resident of the Ashfield Municipality.

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 declared a Non-Pecuniary / Significant Interest in item CM 10.5 due to being a member of the JRPP and having been advised for this reason not to participate in Council deliberations on proposals that are going to be considered by the JRPP

Councillor Kennedy declared a Non-Pecuniary / Significant Interest in item CM 10.5 due to being a member of the JRPP and having been advised for this reason not to participate in Council deliberations on proposals that are going to be considered by the JRPP

SUSPENSION OF STANDING ORDERS

68/11

RESOLVED

Cassidy / Kelso

That standing orders be suspended to deal with item 10.2 and 10.1 followed by the remaining Development Applications reflective of the number of people in the gallery for each proposal. The time being 6.45pm.

DEVELOPMENT APPLICATION: 10.2011.036.1

97 FREDERICK STREET, ASHFIELD

Luma Araim - Planning & Building Technical Officer. Report Submitted
with attachments 1 to 3.

(08/03/11)

10.2011.036.

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CM 10.2 Attached

69/11

RESOLVED

Wangmann / Lofts

That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. 10.2011.36.1 for alterations

and additions to an existing dwelling house on Lot 4 in DP: : 222870, known as 97 Frederick Street, Ashfield , subject to the conditions as listed in the Officers report

The voting was as follows:

For the Motion

Councillors Kelso, Lofts, Stott, Wangmann, Wang, Kennedy, McKenna, Mansour, Rerceretnam and Cassidy.

Against the Motion

Nil

The Motion was Carried.

DEVELOPMENT APPLICATION: 10.2010.284.1

5 GROSVENOR CRESCENT, SUMMER HILL. Shakeeb Mushtaq - Specialist Planner. Report Submitted with attachments 1 to 4.

(28/02/11)

10.2010.284.1

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CM 10.1 Attached

70/11

RESOLVED

Wangmann / Cassidy

That members of the public be permitted to address the meeting

Kyla McCarthy addressed the meeting at 6.48pm and concluded at 6.54pm

71/11

RESOLVED

McKenna / Mansour

That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. 10.2010.284 for demolition of existing building and the erection of a new two storey boarding house comprising 26 boarding rooms, a manager's room, associated common facilities, car, motorcycle and bicycle parking and external work on Lot 19 Section 6 in DP: 37, known as 5 Grosvenor Crescent, Summer Hill, subject to the conditions as listed in the Officers report

The voting was as follows:

For the Motion

Councillors McKenna, Mansour, Kelso, Lofts, Wang, Kennedy,

Rerceretnam

Against the Motion

Councillors Wangmann, Cassidy, Stott

The Motion was Carried

Due to having previously declared a conflict of interest regarding Item 10.5. The Mayor vacated the Chair. The time being 7.18pm.

Due to having previously declared a conflict of interest regarding Item 10.5. Councillor Kennedy left the meeting. The time being 7.18pm.

The Deputy Mayor, Councillor Wangmann assumed the chair

DEVELOPMENT APPLICATION: 10.2010.301.1

2A BROWN STREET, ASHFIELD

Atalay Bas - Manager Development Services. Report Submitted with
attachments 1 to 6.

(15/03/11)

10.2010.301.

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CM 10.5 Attached

72/11

RESOLVED

Rerceretnam / Mansour

That members of the public be permitted to address the meeting

Mona Ayper Akin addressed the meeting at 7.19pm and concluded at 7.24pm

Michael Akin addressed the meeting at 7.25pm and concluded at 7.28pm

David Hamer addressed the meeting at 7.33pm and concluded at 7.37pm

Kerrie Bush addressed the meeting at 7.38pm and concluded at 7.41pm

Gulian Vaccari addressed the meeting at 7.41pm and concluded at 7.46pm

73/11

RESOLVED

Mansour / Rerceretnam

That Mr Vaccari be granted an extension of time

74/11

RESOLVED

Rerceretnam / Stott

That Ashfield Council recommends to the JRPP that the proposal

should be redesigned for the following reasons:-

- a) The proposed development has an FSR in excess of the permitted maximum FSR
- b) That Council does not support the SEPP 1 objection
- c) The proposed development casts excessive northerly overshadowing on 1 Brown Street, Ashfield and especially on the building referred to as the "GE" building overshadowing between 3 to 5 hours at different points of these 2 buildings. Council considers that the proposal should be re-designed to address severe overshadowing on No.1 Brown Street
- d) The bulk and scale of building A and B is excessive
- e) The current development is not in the public interest

Councillor Kelso left the meeting at 8.05pm and returned at 8.08 pm

The voting was as follows:

For the Motion

Councillors Kelso, Stott, Lofts, Wang, Wangmann, McKenna, Mansour, Rerceretnam

Against the Motion

Nil

The Motion was Carried

The Deputy Mayor vacated the chair and the Mayor assumed the Chair. The time being 8.29pm

Councillor Kennedy returned to the meeting. The time being 8.29pm

DEVELOPMENT APPLICATION: 10.2011.005.1
668-670 PARRAMATTA ROAD, CROYDON. Andrew Johnston -
Development Assessment Officer. Report Submitted with attachments 1
to 4.

(10/03/11)

10.2001.005.1

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CM 10.4 Attached

75/11

RESOLVED

Wangmann / Cassidy

That members of the public be permitted to address the meeting

Xin Jian Liu addressed the meeting at 8.31pm and concluded at 8.35pm

Councillor Adams attended the meeting at 8.31pm

Phuong Luu addressed the meeting at 8.36pm and concluded at 8.37pm

Councillor Adams left the meeting at 8.36pm

Jo Melacco addressed the meeting at 8.36pm and concluded at 8.37pm

76/11

RESOLVED

Wangmann / Rerceretnam

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended) refuse Development Application No. 10.2011.5.1 for the use of the premises as a restaurant on Lot B in DP: 385022, Lot 1 in DP: 455622 and Lot 2 in DP: 656106, collectively known as 668-670 Parramatta Road, Ashfield, for the reasons as stated in the officers report.

The voting was as follows:

For the Motion

Councillors Kelso, Lofts, Stott, Wangmann, Wang, Kennedy, McKenna, Rerceretnam, Cassidy

Against the Motion

Councillors Mansour

The Motion was Carried

DEVELOPMENT APPLICATION: 10.2009.31.3
283-285 LIVERPOOL ROAD, ASHFIELD

Daisy Younan - Development Assessment Officer. Report Submitted with attachments 1 to 5.

(09/03/11)

10.2009.031

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CM 10.3 Attached

77/11

RESOLVED

Mansour / Cassidy

That members of the public be permitted to address the meeting

Grant Cusak addressed the meeting at 8.54pm and concluded at 9pm

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RESOLVED

Mansour / Kelso

That Mr Cusak be granted an extension of time

78/11

RESOLVED

Kelso / Stott

That the proposal be deferred until the next Council meeting in order for officers to address issues raised by the applicant in the submission presented to Council.

The voting was as follows:

For the Motion

Councillors Kelso, Lofts, Stott, Wangmann, Wang, Kennedy, McKenna, Mansour, Rerceretnam, Cassidy

Against the Motion

Nil

The Motion was Carried

RESUMPTION OF STANDING ORDERS

79/11

RESOLVED

Lofts / Mansour

That Standing orders be resumed. The time being 9.02pm

Councillors present at the time of resumption included Councillor Kelso, Lofts, Stott, Wangmann, Wang, Kennedy, McKenna, Mansour, Rerceretnam, Cassidy

CONFIRMATION OF MINUTES

80/11

RESOLVED

Mansour / McKenna

That the minutes of the Ordinary Council Meeting held on Tuesday 8 March 2011 be confirmed with the following amendments:-

- That page 3 – be amended to note that Councillor Lofts voted for Minute No. 50/11 not against
- That page 5 – be amended to note that Councillor Kennedy was present in the room and voted for minute No. 53/11. That Councillor Kennedy left the room after voting on the motion was concluded not prior to as noted in the draft minutes
- That page 5 – be amended to note that Councillor

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McKenna voted against minute No. 52/11

Councillor Adam returned to the meeting at 9.06pm

MAYORAL MINUTE

REQUEST FOR SUPPORT FOR THE CONSTRUCTION OF A CYCLE LINK ADJACENT TO THE INNER WEST LIGHT RAIL EXTENSION AND CITY WEST LINK ROAD. Edward Cassidy - Mayor. Report submitted with attachment 1.

(21/03/11)

Transport & Infrastructure >Issues
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MM4/2011 Attached

81/11

RESOLVED

Cassidy / Wang

1/2 That Council write to the Premier and the Minister for Transport supporting the long term cycling needs of the Inner West as requested by Leichhardt Council.

2/2 That a copy of the submission be forwarded to the General Manager, Leichhardt Council

NOTICES OF MOTION

REQUESTS BY EKUSHE ACADEMY FOR GARBAGE BIN FEE WAIVER. Monica Wangmann - Councillor. Report Submitted with attachments 1 and 2.

(02/03/11)

Parks & Reserve Hire
h:\reports.bp\Council\Reports\CM220311NM_2.doc
NM2/2011 Attached

82/11

RESOLVED

Wangmann / Stott

1/2 That the waiving of charges to the Ekushe Academy, to assist with the annual celebration of International Mother Language Day, in Ashfield Park be considered in line with Councils Adhoc Donations Policy

2/2 That this item be considered and reported on at the next quarterly budget review

GENERAL BUSINESS

CARNIVAL OF CULTURES

Councillor Cassidy – That a mayoral press release be prepared explaining the situation regarding the cancellation of the carnival and providing further detail in respect to any possible future event. That the press release also include information as to how and when eligible residents may collect the plants that would have been given away at the carnival.

General Manager – staff are currently reconciling the costs associated with the event. Would like to take the opportunity to thank all the Council staff involved with the preparation over the last six months of the carnival. A further report will be provided to Councillors on any potential options for an event later this year.

Councillor Mansour – recommended that staff investigate the possibility of insuring for such events in future

General Manager – has taken the matter on notice and will provide Councillors with further information

SPEED HUMPS IN PALACE AND HOLDEN STREET

Councillor Rerceretnam – has previously placed a notice of motion and customer request with respect to the installation of speed humps at these locations

Director Works and Infrastructure Services – consultation process has been undertaken and residents were informed three weeks that speed humps were going to be installed in the near future. Council is currently awaiting the delivery of the items.

INNER WEST COURIER

Councillor Rerceretnam – concerned that the Inner West Courier has no been present at the last few Council meetings

Mayor – will contact the editor to enquire as to the attendance of a reporter at meetings

TAXI CHANGEOVER LOCATIONS IN HABERFIELD

Councillor McKenna – raised the issue at the last Council meeting regarding the rubbish that is being left in Wolseley Street, Haberfield and this week the community raised further concerns with respect to extensive rubbish left over from taxi changeover location in Rogers Street, Haberfield

Director Works and Infrastructure Services – will arrange for a more frequent and higher concentration of waste collection from these areas.

FILMING IN HABERFIELD

Councillor Kennedy – concerned that residents have not been correctly notified regarding recent filming that has taken place in Hawthorne Parade

Director Works and Infrastructure Services – has taken the matter on notice

STRUCTURE OF MEETINGS

Councillor Kennedy – concerned at the structure of meetings at present with a range of committees to follow a council meeting such as tonight. It is suggested that committees be held on a separate night

General Manager – the matter has been taken on notice. However would like to highlight that several committees were called tonight in order to present the background material for possible Council Motions to be presented to the National General Assembly and in order to meet the required timeframes. It is not normal practice to host so many committees on a given night.

STORMWATER ISSUES AT 34 VICTORIA SQUARE

Councillor Stott – tabled photos regarding this property with respect to damage it has received, believe due to camber of road. Believes Council should take some responsibility for this issue and it is also of concern that Trinity Grammar are apparently sandbagging the area.

Director Works and Infrastructure Services – has taken the matter on notice and will provide Councillors with further information with respect to the matter

DUMPED MATTRESSES

Councillor Cassidy – over 10 mattresses were dumped on council streets over the weekend and whilst the majority have been removed, it is requested that the remain be removed from Chandos Street

PROCEEDINGS TERMINATED AT 9:42PM

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

Chairperson

Date