

MIN NO **MINUTES OF THE STRATEGIC PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE OF ASHFIELD COUNCIL, HELD IN HABERFIELD LIBRARY, 78 DALHOUSIE STREET, HABERFIELD ON TUESDAY 31 MAY 2011, COMMENCING AT 6:30 PM.**

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

Mr P Sarin Director Planning and Environment
Mr R Sim Manager Strategic Planning
Mr C Colot Senior Strategic Planning
Ms L Pascuzzo Minute Taker

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 **Rerceretnam/Stott**

An apology for lateness was received and accepted from Councillor Kelso and Wangmann

DISCLOSURES OF INTEREST

No disclosures were made.

CONFIRMATION OF MINUTES

RESOLVED **Mansour/Adams**

That the minutes of the Strategic Planning and Economic Development Committee held on Tuesday 22 March 2011 be confirmed.

RESOLVED **Wang/Mansour**

That the minutes of the Strategic Planning and Economic Development Committee Meeting held on Tuesday 10 May 2011 be confirmed.

MIN NO

**MINUTES OF STRATEGIC PLANNING AND ECONOMIC
DEVELOPMENT COMMITTEE
TUESDAY 31 MAY 2011**

PUBLIC ACCESS

That members of the public be permitted to address the meeting.

Tony Seaman addressed the meeting at 6:36pm and concluded at 6:38pm.

Angelo Lavdaras addressed the meeting at 6:38pm and concluded at 6:41pm.

Councillor Wangmann attended the meeting at 6:40pm.

Emma Brooks-Maher addressed the meeting at 6:41pm and concluded at 6:46pm.

Sue Jackson-Sepowski addressed the meeting at 6:46pm and concluded at 6:49pm.

STAFF REPORTS

ASHFIELD LEP PROJECT - AMENDMENT SUBMISSIONS. Con Colot - Senior Strategic Planner & Projects. Report Submitted with attachments 1 and 2.

(05/05/11) Planning & Building>Local Environmental Plan>Ashfield LEP Project

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SPC 8.1 Attached

RESOLVED

Lofts/Wang

1/3 That Council adopt the recommendations contained in Column 2 of Table 1 of this report and the recommended changes be incorporated into the Working Draft LEP.

2/3 That the proposed changes to the Draft LEP resulting from consideration of the submissions be highlighted as part of the future public exhibition of the Draft Plan including relevant supporting documentation to facilitate informed community feedback.

3/3 That all applicants be advised of Council's decision.

The voting was as follows:

For the motion:

Councillors Cassidy, Wang, Kennedy, Lofts, McKenna, Rerceretnam and Drury

Against the motion:

Councillors Wangmann, Mansour, Adams and Stott

The motion 1/3-3/3 and amendments were carried

A foreshadowed Motion was Moved by Councillor Adams and seconded by Councillor Mansour

MOVED Adams/Mansour

- 1/3 That Council adopt the recommendations contained in Column 2 of Table 1 of this report and the recommended changes be incorporated into the Working Draft LEP.
- 2/3 That the proposed changes to the Draft LEP resulting from consideration of the submissions be highlighted as part of the future public exhibition of the Draft Plan including relevant supporting documentation to facilitate informed community feedback.
- 3/3 That all applicants be advised of Council's decision.

The foreshadowed motion lapsed**TABLE 1**

	Column 1 Application Requests	Column 2 RECOMMENDATIONS
1	<p>Request by: Boulos Rofail, Owner 358 and 362 Liverpool Road, 181 and 185 Norton Street.</p> <p>Affected land: 358, 360,362 Liverpool Road, and 181,183, 185 Norton Street.</p> <p>Request: Rezone from 2(a) to 3(a) or equivalent.</p>	<p>That 358, 360,362 Liverpool Road should be zoned mixed use B4, with a six storey height limit, maximum FSR 2:1, as currently shown in the Draft LEP, which is a reflection of the current Urban Strategy.</p> <p>An Amendment was moved by Councillor Kennedy and accepted by the mover and seconder</p> <p>RESOLVED Kennedy/Lofts</p> <p>That 181,183, 185 Norton Street should be zoned R3 (permitting 2 storey flats development) with a maximum standard FSR of 0.7:1 and maximum height of 2 storeys at the rear.</p>

	<p style="text-align: center;">Column 1 Application Requests</p>	<p style="text-align: center;">Column 2 RECOMMENDATIONS</p>
<p>2</p>	<p>Request by: Elton Consulting on behalf of site owners.</p> <p>Affected land : 61, 63-65 Liverpool Road, Ashfield.</p> <p>Request: Currently Residential 2(c). Increase FSR to 2:1 and increase height limit from 3 storeys to 6 storeys.</p>	<p>That land is zoned in the Draft LEP as R3 (Residential) with a max FSR of 0.7:1, and a max height of 3 storeys.</p> <p>RESOLVED Lofts/Wang</p> <p>That a 4 level flat building, with the appearance of a predominantly 3 storey building (upper level set back) would be similar and compatible in scale with existing nearby flat buildings. Land at 63-65 Liverpool Road, Ashfield, (excluding 61 Liverpool Road which contains a heritage item house) should be zoned R3 with maximum FSR 1.5:1, maximum height of 4 storeys.</p> <p>A Foreshadowed Motion was Moved by Councillor Kennedy and seconded by Councillor Rerceretnam</p> <p>MOVED Kennedy/Rerceretnam</p> <p>That a 3 level flat building would be similar and compatible in scale with existing nearby flat buildings. Land at 63-65 Liverpool Road, Ashfield, (excluding 61 Liverpool Road which contains a heritage item house) should be zoned R3 with maximum FSR 1.5:1, maximum height of 3 storeys.</p> <p>The voting was as follows:</p> <p><u>For the motion</u> Councillors Cassidy, Wangmann, Kennedy, Rerceretnam, Stott</p> <p><u>Against the motion:</u> Councillors Mansour Adams, Wang, Lofts, McKenna, Drury</p> <p><u>The Foreshadowed Amendment was lost</u></p>

	Column 1 Application Requests	Column 2 RECOMMENDATIONS
3	<p>Request by: MJB Urban Planning, on behalf of the site owner.</p> <p>Affected land : 75 Milton Street, Ashfield</p> <p>Request: Keep Residential 2(a) but allow flats on the site via a 'stand alone' clause in the new LEP.</p>	<p>That the Draft LEP shows the site as zoned R2 (Residential) which does not permit townhouses or flats.</p> <p>That the site is capable of having a R3 land zoning, which would allow multi unit development, comprising townhouses with site specific DCP controls being in place to achieve this. Land should be zoned R3 with a maximum FSR 07:1 and maximum height of 8.5m.</p>
4	<p>Request by: "Cooper Bros", site owners.</p> <p>Affected land : 381 Liverpool Road, 16 Thomas Street (owned by Cooper Bros)</p> <p>Request: Land is zoned 2(a), make B4 mixed use Separate letter also mentions sites 2B –20 Thomas St (not Cooper Bros owned) should go from Residential 2(a) to B4.</p>	<p>That the front part of 381 Liverpool Road should be zoned B4 Mixed use, maximum FSR 2:1, maximum height of 6 storeys. Rear of site should be zoned R3 as shown in draft LEP. This reflects the current Urban Strategy.</p> <p>That 16 Thomas Street should be zoned R2 (equivalent of current Residential 2(a)), as currently shown in the Draft LEP.</p> <p>That the Land at 10-20 Thomas Street should be zoned R2, as currently shown in the Draft LEP.</p>
5	<p>Request by: Peter Ferrone, part site owner on behalf of site owners.</p> <p>Affected land : 386 Canterbury Road, including rear of 386 Canterbury Road off Ida Street, Strip between 366-390 Canterbury Road</p> <p>Request: Agree with proposed Enterprise Zone on Canterbury Rd, request residential uses also be allowed in Enterprise Zone.</p>	<p>That the Draft LEP shows site zoned Enterprise Zone, which reflects the Urban Strategy, with a max FSR of 1.5:1, and max height of 3 storeys.</p> <p>That the land at 386 Canterbury Road should have an Enterprise Zone with residential uses allowed, with a maximum FSR 1.5:1 and maximum height plane of 3 storeys. The R2 (low residential zone) should remain for the rear part of the site fronting Ida Street.</p> <p>That the land within the Enterprise Zone along Canterbury Road should also permit residential uses.</p> <p>That the Enterprise Zoning boundary should reflect the position of the existing commercial buildings on the site.</p>

	Column 1 Application Requests	Column 2 RECOMMENDATIONS
6	<p>Request by: D Cavallo, owner 233 Croydon Road.</p> <p>Affected land : 227-237 Croydon Road,</p> <p>Request: Land should be rezoned from Business Park 3(d) to a residential use which includes flats, in a R1 zone. Also mentions zoning for entire length of land between West and Parramatta Road, should allow for flats, which includes property at 610 Parramatta Road.</p>	<p>That the new Zoning for at 227-237 Croydon Road should be R2 (Residential), with maximum height of 8.5m and maximum FSR 0.7:1 as shown in the Draft LEP, given there are houses on the land.</p> <p>That the area at the rear of 237 Croydon Road, currently used for Business purposes, should be zoned Enterprise Zone.</p>
7	<p>Request by: Moody and Doyle on behalf of Wests Leagues Club,</p> <p>Affected land : 1-7 Victoria Street, Ashfield (Wests carpark), and extending to strip of land off Liverpool Road adjacent 132 Liverpool Road.</p> <p>Request: Land along Liverpool Road to have an 8 storey building height, and land at 1-7 Victoria Street permissible height limits should be 7 storeys to the northern 50 per cent of the car park site, with the southern 50 per cent of the car park site being limited to a maximum of 4 storeys in height. Density control to permit a minimum of 74 units</p>	<p>That the land fronting Liverpool Road adjacent 132 Liverpool Road should be zoned as B4 Mixed Use, maximum FSR 2:1 with 6 storey height limit, as shown in Draft LEP.</p> <p>That 1-7 Victoria Street sites should be zoned R3 (Residential) which permits flats as shown in the Draft LEP, but with a 6 storey height plane (with a DCP requiring a stepping down to 4 storeys at the corner of Victoria Street and Norton Street), and maximum site FSR 1.8:1.</p>
8	<p>Request by: Planning Directions on behalf of site owner.</p> <p>Affected land : 112 Ramsay, 191-193 Ramsay Street Haberfield.</p> <p>Request: Rezoned from 2(a) to 3(a) to reflect existing medical practice and shops.</p>	<p>That 112 Ramsay Street, 191-193 Ramsay Street, Haberfield, should be zoned B2 – Local Centre, with maximum FSR 1:1 and maximum height of 7 metres.</p> <p>A foreshadowed Amendment was Moved by Councillor Wangmann and seconded by Councillor Rerceretnam</p> <p>MOVED Wangmann/Rerceretnam</p> <p>That existing zoning be retained.</p>

	Column 1 Application Requests	Column 2 RECOMMENDATIONS
		<p>The voting was as follows</p> <p><u>For the motion:</u> Councillor Wangmann</p> <p><u>Against the motion</u> Councillors Cassidy, Mansour, Adams, Wang, Kennedy, Lofts, McKenna, Receretnam, Drury and Stott</p> <p><u>The Foreshadowed Amendment was lost</u></p>
9	<p>Request by: Robert Ten Kate, on behalf of Anglicare (site owner).</p> <p>Affected land : 105 Carlton Crescent, Summer Hill.</p> <p>Request: Rezone from 2(a) to 2(b) to allow townhouses.</p>	<p>That the land is currently zoned R2 (Residential) in draft LEP.</p> <p>That the land should be zoned R3 (residential, permits flats or townhouses) with maximum 3 storey height plane and maximum FSR 0.7:1.</p>
10	<p>Request by: Vincent Crowe (not owner of land)</p> <p>Owners S & C Pighini</p> <p>Affected land : 142 Alt Street, Haberfield (currently zoned Residential 2(c))</p> <p>Request: Extend Conservation Area boundary to include site and presumably apply a low density residential zone.</p>	<p>That an independent consultant adviser should investigate the site and establish its degree of heritage significance and relevance, if any, to the Haberfield Conservation Area. The land owner should also be consulted as the request has come from an unrelated third party. A further report to be then brought back to Council as to whether the site should be included in the Haberfield Conservation Area.</p>
11	<p>Request by: GSA Planning on behalf of the Site Owner</p> <p>Affected land : 106-108 Liverpool Road, Ashfield</p> <p>Request: Make land zoning R3 or R4, with max height 5 storeys.</p>	<p>That the sites are shown as zoned R3 (Residential) with a max FSR of 0.7:1, max height of 3 storeys, in Draft LEP.</p> <p>That the spatially, in terms of urban design, noting the Council depot to the rear, 106–108 Liverpool Road is able to take buildings of 5 storeys in height. Land should be zoned Mixed Use B4 with maximum 5 storey height plane and maximum FSR 1.5:1.</p>

	<p align="center">Column 1 Application Requests</p>	<p align="center">Column 2 RECOMMENDATIONS</p>
		<p>That reconsideration should be given to the land at: 2-6 Victoria Street, sites along Liverpool Road from 90-106 Liverpool Road, and sites at 124 -127 Carlton Crescent, to be zoned Mixed Use B4 with 5 storey height limit and maximum FSR 1.5:1.</p> <p>A foreshadowed motion was Moved by Councillor Kennedy and seconded by Councillor Stott</p> <p>MOVED Kennedy/Stott</p> <p>That zoning remain as R2.</p> <p>The voting was as follows:</p> <p><u>For the motion</u> Councillors Wangmann, Kennedy, Rerceretnam and Stott</p> <p><u>Against the motion</u> Councillors Cassidy, Mansour, Adams, Wang, Lofts, McKenna and Drury</p> <p><u>The Foreshadowed motion was lost</u></p>
<p>12</p>	<p>Request by: Zongde Xiao Bo Hua</p> <p>Affected land : 154 Parramatta Rd, Ashfield</p> <p>Request: Rezone from 3(b) to a new zoning which allows place of public worship and public assembly rooms.</p>	<p>That the Draft LEP shows the site within an Enterprise Zone will allow churches and assembly rooms, and this should remain.</p>
<p>13</p>	<p>Request by: site owners</p> <p>Affected land : 441-459 Liverpool Road Ashfield</p> <p>Request: Rezone from a number of different zones to Mixed Use B4.</p>	<p>That the Draft LEP proposes B4 Zoning for the properties 441-459 Liverpool Road, with a four storey height limit and maximum FSR 1.5:1 and this should remain.</p> <p>A foreshadowed Amendment was Moved by Councillor Kennedy and seconded by Councillor Stott</p> <p>MOVED Kennedy/Stott</p>

	<p style="text-align: center;">Column 1 Application Requests</p>	<p style="text-align: center;">Column 2 RECOMMENDATIONS</p>
		<p>That the Draft LEP proposes B4 Zoning for the properties 441-459 Liverpool Road, with a three storey height limit and maximum FSR 1.5:1 and this should remain.</p> <p><u>The voting was as follows</u></p> <p><u>For the motion</u> Councillors Cassidy, Wangmann, Kennedy, Rerceretnam and Stott</p> <p><u>Against the motion</u> Councillors Mansour, Adams, Wang, Kelso, McKenna and Drury.</p> <p><u>The Foreshadowed Amendment was Lost</u></p>
<p>14</p>	<p>Request by: Mills Oakley lawyers on behalf of site owners.</p> <p>Affected land : 1-5 Hawthorne Parade , Haberfield</p> <p>Request: Land is zoned Residential 2(a) and is used as a caryard, supports B6 Enterprise Zone, and requests in such a zone that “Bulky Goods Premises” and “Timber and Building Supplies” and “Caryards” will be permissible uses.</p>	<p>That the Draft LEP shows the site within an Enterprise Zone. This lists “Bulky Goods Premises” and “Timber and Building Supplies” and “Caryards” as permissible uses, and so this should remain.</p> <p>A Foreshadowed Motion was Moved by Councillor Wangmann and seconded by Councillor Adams</p> <p>MOVED Wangmann/Adams</p> <p>That existing zoning be retained.</p> <p><u>For the motion:</u> Councillor Wangmann</p> <p><u>Against the motion:</u> Councillors Cassidy, Mansour, Adams, Wang, Kennedy, McKenna, Lofts, Rerceretnam and Stott.</p> <p><u>The Foreshadowed motion was lost</u></p>
<p>15</p>	<p>Request by: SJB Planning on behalf of “EG Funds Management” (site owners)</p> <p>Affected land : 2-32 Smith Street, Summer Hill</p>	<p>That the Department of Planning via “Director General Requirements”, have opened the opportunity for a concept plan approval for the site to allow Mixed Use on the site, and to allow the building design specified on the approval. If such an approval is given, Council’s LEP will be required to have its LEP controls match</p>

	Column 1 Application Requests	Column 2 RECOMMENDATIONS
	<p>Request: Land is zoned Industrial 4(b) and was previously used as Flour Mills. They request the land be made B4—Mixed use.</p>	<p>such an approval.</p> <p>If no concept plan approval is forthcoming from DOP, the zoning of the land should be B4 – mixed use with appropriate development standards including height and floor space ratios to be determined by Council.</p> <p>RESOLVED Kennedy/Lofts</p> <p>An Amendment was moved by Councillor Kennedy and accepted by the mover and seconder</p> <p>That the DOP is currently assessing the site and that present zoning remain as is, until Part 3A is determined.</p> <p><u>The Amendment was Carried</u></p>
16	<p>Request by: Tony Tuxworth , Coastal Planning, on behalf of site owner.</p> <p>Affected land: 43-45 Junction Road , Summer Hill</p> <p>Request: Land is zoned Residential 2(a) and contains a shop and rear brick building previously used for light industry. Requests zoning be changed to B1– Local Centre.</p>	<p>That the Land at 43-45 Junction Road Should be zoned B1 - Local Centre, maximum 2 storey height plan and maximum FSR 1.5:1, as currently shown in draft LEP.</p>

Councillor Kelso attended the meeting at 8:54pm.

ASHFIELD LEP PROJECT - PROPOSAL TO REFER DRAFT LOCAL ENVIRONMENTAL PLAN TO DEPARTMENT OF PLANNING (DOP) FOR PRELIMINARY FEEDBACK. Con Colot - Senior Strategic Planner & Projects. Report Submitted with attachments 1 to 7. (05/05/11)Planning & Building>Local Environmental Plan (LEP) >Ashfield LEP Project

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SPC 8.2 Attached

RESOLVED

Kennedy/Lofts

- 1/7** That amendments resolved to be made by Council to the Draft Local Environmental Plan arising from the separate report “Ashfield LEP Project – Amendments Submissions” be incorporated into the Draft Local Environmental Plan document contained in Attachments 2 and 3 of the Officer’s report.
- 2/7** That Council endorse the contents of the Draft Local Environmental Plan contained in Attachments 2 and 3 and as amended by “Recommendation 1” above and as follows the Summer Hill and Croydon Town Centre heights, FSR and heights for Town Centre, Greenway and no officer be delegated to agree on any alterations or amendments to the draft LEP.
- 3/7** That Council refer the Draft Local Environmental Plan as amended to the Department of Planning for the purpose of making a “Pre -Section 64” referral, and to carry out a “Section 64” submission procedure under the provisions of the Environmental Planning and Assessment Act, in order to obtain a “Section 65 Certificate” from the Department of Planning to enable Ashfield Council to publicly exhibit the Draft Local Environmental Plan.
- 4/7** That Council officers advise Council of any major changes the Department of Planning stipulate Council make to the content of the Draft Local Environmental Plan or any conditions attached to a Section 65 Certificate prior to the exhibition of the Draft Local Environmental Plan.
- 5/7** That there should be a 2 storey height maximum in the Summer Hill Town Centre, and the maximum height plane should be 10m – not 13m (with the exception of the Eastern side of Lackey St, Summer Hill, which will be as per the officers recommendation in Map 1).
- 6/7** That there should be a 2 storey height maximum in the Croydon Town Centre and the maximum height plane should be 10m – not 13m.
- 7/7** That Charlotte Street precinct be zoned B2 rather than B4

**MINUTES OF STRATEGIC PLANNING AND ECONOMIC
DEVELOPMENT COMMITTEE
TUESDAY 31 MAY 2011**

A motion to amend the draft LEP was moved by Councillor Stott and seconded by Councillor Kennedy

RESOLVED: Stott/Kennedy

That there should be a 2 storey height maximum in the Summer Hill Town Centre, and the maximum height plane should be 10m – not 13m (with the exception of the Eastern side of Lackey St, Summer Hill, which will be as per the officers recommendation in Map 1).

For the Amendment:

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

Against the Amendment:

Nil

The Amendment was carried

A motion to amend the draft LEP was moved by Councillor Wangmann and seconded by Councillor Stott

RESOLVED Wangmann/Stott

That there should be a 2 storey height maximum in the Croydon Town Centre and the maximum height plane should be 10m – not 13m.

For the Amendment:

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

Against the Amendment:

Councillor Drury.

The Amendment was carried

A motion to amend the draft LEP was moved by Councillor Wangmann and seconded Councillor Kennedy

RESOLVED Wangmann/Kennedy

That Charlotte Street precinct be zoned B2 rather than B4

The voting was as follows

For the Amendment:

Wangmann, Kennedy, Kelso, Cassidy, Mansour, Rerceretnam, Stott

MIN NO

**MINUTES OF STRATEGIC PLANNING AND ECONOMIC
DEVELOPMENT COMMITTEE
TUESDAY 31 MAY 2011**

Against the Amendment:

Councillors Loftis, McKenna, Drury and Wang.

The Amendment was carried

*Councillor Adams left the meeting at 10:06pm and returned to the meeting at 10:12pm.
Councillor Adams left the meeting at 10:15pm.*

GENERAL BUSINESS

NIL

PROCEEDINGS TERMINATED AT 11:00pm

Chairperson of the meeting of Strategic Planning and Economic Development Committee
when the Minutes were confirmed

Chairperson

Date