

Minutes of Extraordinary Council Meeting held on Tuesday, 24 May 2011**Meeting commenced at 6.37pm****ACKNOWLEDGEMENT OF COUNTRY BY CHAIRPERSON**

We meet tonight on the traditional land of the Cadigal people of the Eora nation. I acknowledge the terrible wrongs committed against the Aboriginal peoples of this country and their care of the land over many generations. I celebrate their ongoing survival and achievements in today's society.

COUNCILLORS PRESENT

Byrne (Mayor/Chair)	Iskandar (Deputy Mayor)	O'Sullivan
Thanos	Olive	Kontellis
Macri	Peters	Phillips
Tsardoulias	Wright	Hanna

APOLOGIES: Nil**DISCLOSURES OF INTERESTS:**

Councillor Peters: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. She has a pecuniary interest in the following property in the Marrickville LGA and that interest is as follows:

- 7 Edgware Road, Enmore – owns the property

She has sought, and been granted, dispensation from the Minister which removes her pecuniary interest disabilities in relation to the draft LEP. She is disclosing this interest in accordance with that dispensation.

Councillor Thanos: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 490 Marrickville Road, Dulwich Hill – this property is owned by his sister
- 492 Marrickville Road, Dulwich Hill – this property is jointly owned by his siblings and himself
- 494 Marrickville Road, Dulwich Hill – this property is owned by his sister
- 496 Marrickville Road, Dulwich Hill – this property is owned by his brother
- 498 Marrickville Road, Dulwich Hill – he owns this property
- 504 Marrickville Road, Dulwich Hill – this property is owned by Aldaraan Nominees of which he is a trustee and beneficiary with his siblings.

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

Councillor Tsardoulis: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 113 Windsor Road, Dulwich Hill – this property is owned by his father
- 2 Arlington Street, Dulwich Hill – this property is owned by his aunt
- 201 Marrickville Road, Marrickville – this property is leased by the company EZ Subway Pty Ltd, of which he is a Director and shareholder
- 27 Buckley Street, Marrickville – the company that he runs leases the property

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

Councillor Byrne: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. She has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 44 Edith Street, St Peters – joint owner of property with her spouse
- 838-840 Princes Highway, Tempe – her spouse's employer leases this property

She has sought, and been granted, dispensation from the Minister which removes her pecuniary interest disabilities in relation to the draft LEP. She is disclosing these interests in accordance with that dispensation.

Councillor Wright: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. She has a pecuniary interest in the following property in the Marrickville LGA and that interest is as follows:

- 26 Railway Street, Petersham – this property is her family home and is 50% jointly owned by her

She has sought, and been granted, dispensation from the Minister which removes her pecuniary interest disabilities in relation to the draft LEP. She is disclosing this interest in accordance with that dispensation.

Councillor Kontellis: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. She has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 12 Pine Street, Marrickville – family home
- 33 O'Hara Street, Marrickville – this is an investment property which she jointly owns
- 160 Enmore Road, Enmore – property owned by her spouse's parents

She has sought, and been granted, dispensation from the Minister which removes her pecuniary interest disabilities in relation to the draft LEP. She is disclosing these interests in accordance with that dispensation.

Councillor O'Sullivan: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. She has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 21 Ness Avenue, Dulwich Hill – this property is jointly owned by her
- 10/147 Constitution Road, Dulwich Hill – this property is owned her sister

She has sought, and been granted, dispensation from the Minister which removes her pecuniary interest disabilities in relation to the draft LEP. She is disclosing these interests in accordance with that dispensation.

Councillor Phillips: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 16 Hastings Street, Marrickville – this property is leased by him
- 4 Tamar Street, Marrickville – this property is owned by his father

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

Councillor Hanna: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 235 Marrickville Road, Marrickville – this property is owned by Iskanderia Pty Ltd of which he is a Director
- 27 Woodland Street, Marrickville – this property is owned by his 3 children
- 60 Samuel Street, Marrickville – this property is owned by his 3 children
- 118-120 Old Canterbury Road, Lewisham – this property is owned by his brother-in-law's company

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

Councillor Olive: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 29 Premier Street, Marrickville – this property is owned by him
- 1/13 Silver Street, St Peters – this property is owned by his brother

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

Councillor Iskandar: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 5 Moncur Street, Marrickville – this property is owned by his sister
- 13/374 Livingstone Road, Marrickville – this property is owned by his brother
- 6/24 Glen Street, Marrickville – this property is owned by his brother
- 15 Robert Street, Marrickville – this property is owned by his uncle

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

Councillor Macri: declared a pecuniary conflict of interest in relation to EC0511 Item 1 concerning the draft LEP. He has a pecuniary interest in the following properties in the Marrickville LGA and those interests are as follows:

- 253 Marrickville Road, Marrickville – this property is owned by his parents
- 285 Marrickville Road, Marrickville – this property is owned by his parents
- 28 Fernbank Street, Marrickville – this property is owned by his aunt and uncle
- 30 Fernbank Street, Marrickville – this property is owned by his cousin
- 31 Fernbank Street, Marrickville – this property is owned by his aunt and uncle
- 33 Fernbank Street, Marrickville – this property is owned by his aunt and uncle
- 55 Petersham Road, Marrickville – this property is owned by his aunt and uncle

He has sought, and been granted, dispensation from the Minister which removes his pecuniary interest disabilities in relation to the draft LEP. He is disclosing these interests in accordance with that dispensation.

The following persons address the Council:

- * Michael Smith
- * David Freeman
- * Helayne Short
- * Dr Tuan Bui
- * Lisa Esposito
- * Sarina Kilham
- * Heather Davie
- * Ruby

EC0511 Item 1 POST PUBLIC EXHIBITION REPORT - DRAFT LOCAL ENVIRONMENT PLAN 2010

EC0511 Item 1 SUPPLEMENTARY REPORT - DRAFT MARRICKVILLE LOCAL ENVIRONMENT PLAN 2010

MOTION: Byrne / Thanos

That Council adopt draft Marrickville Local Environmental Plan (dMLEP) 2010 (subject to the items 1-29 below) and resolve to forward the draft Plan to the Department of Planning and Infrastructure (DP&I) with a request for referral to the Minister for Planning and Infrastructure to make the Plan, and to seek the Governor's approval of the Plan:

- 1 The General Manager be delegated authority to authorise any changes to the adopted Plan necessary to comply with amendments to the Standard Instrument LEP, required by the DP&I or Council's consideration that do not constitute material policy changes. Where these changes would result in a material policy change to the Plan, the DP&I be advised of these matters and a course of action confirmed.
- 2 In submitting dMLEP 2010, the DP&I's advice be sought on the likely finalisation date of the subregional strategy and request that the DP&I advise on its policy position concerning the Victoria Road corridor in the context of its previous position on other industrially zoned areas within the LGA such as Carrington Road.
- 3 The dMLEP 2010 be amended to allow 'health consulting rooms' as permissible with consent within the R2 Low Density Residential zone.
- 4 The dMLEP 2010 Land Zoning Map for 340 & 342 Marrickville Road, Marrickville, be amended to B1 Neighbourhood Centre.
- 5 The Land Zoning Map for 275 Addison Road, Petersham, be amended to R1 General Residential and the Height of Building Map be amended to N (14.0 metres).
- 6 The Durham Lane laneway at the rear of walkway and 554 to 570 Marrickville Road be removed from the Land Reservation Acquisition Map.
- 7 The Land Reservation Acquisition Map be amended to terminate the laneway proposed for acquisition at the western boundary of 307 King Street so that it does not extend across 305 and 307 King Street.
- 8 The Land Reservation Acquisition Map be amended to extend the laneway proposed for acquisition across the rear of 47 to 57 Enmore Road and this proposal be pursued as part of the next draft amendment to the Plan to enable property owners to comment on the proposal.
- 9 The Land Reservation Acquisition Map of be amended to delete the extension to Alice Lane off Holmwood Street Newtown at the rear of 533 to 537 King Street Newtown.
- 10 The reservation for the acquisition of 65 Newington Road together with 20 Tupper Street as shown in the Land Reservation Acquisition Map be removed but the reservation for the remainder of the Tupper Street and Alma Avenue properties remain.
- 11 The existing reservation over the northern extension to Tuohy Lane as shown in the Land Reservation Acquisition Map be retained and the "L" shaped southern extension to Tuohy Lane be deleted.

- 12 The Land Reservation Acquisition Map be amended to remove the splays which extend into 2 Ross Street and 779 New Canterbury Road.
- 13 The Land Reservation Acquisition Map be amended to add a splay extending into 751 New Canterbury Road.
- 14 Council make further representations to the Department of Planning & Infrastructure, with the s68 report, to protect public purpose lands, particularly school sites through the use of the SP2 zone.
 - 14A As part of its Section 68 submission, Council request that the Minister for Planning agree to an amendment to the dMLEP 2010 which would result in all land currently used for educational establishments and zoned Special Uses (A) under MLEP 2001 adopting a Special Purposes (SP2) Educational Establishments zoning.
- 15 The wording of the section 'Recommended Management' on the Heritage Inventory Sheets be altered to clarify that significant features should be conserved only 'where present.'
- 16 Cases in which property owners were concerned that the historical facts on the inventory sheet were not correct be referred back to the consultant's to verify against their research.
- 17 A heritage review process be established for the items raised in the objection process, whose heritage value is demonstrated to be significantly reduced, or HCA boundaries which have been raised in the submission table, and are demonstrated to be unsupported on heritage grounds.
- 18 A report to Council be prepared outlining a scope and estimated cost for a further Heritage Study process.
- 19 Council advise the State Government that increases in population arising from the provisions of dMLEP 2010 will require it to continue to implement a range of initiatives to improve public transport locally and across the region and that Council will work with the NSW Government to ensure these improvements occur.
- 20 Discussions be initiated with the DP&I to gauge their support for further investigations into the feasibility and desirability of additional bulky goods development along the Princes Highway.
- 21 Adjust the FSR to 0.95:1 for all the IN1 General Industrial, IN2 Light Industrial, B6 Enterprise Corridor and B7 Business Park zoned land where the default 0.85:1 FSR was originally set.
- 22 That Council:
 - i. Adopt the W2 Recreational Waterways zone for the Cooks River for the area east of the Princes Highway.
 - ii. Remove consent requirements for mooring from the W2 Recreational Waterways zone.
 - iii. Negotiate with the DP&I regarding the implementation of this approach and the outstanding objection by NSW Maritime.
- 23 Negotiate with the DP&I regarding the outstanding objection by Sydney Ports.
- 24 Amend the planning controls for Housing NSW as follows:
 - i. Amend the Height of Buildings Map for 165-185 Parramatta Road, Camperdown from 14m to 17m.
 - ii. Rezone 76-80 Lord Street, Newtown, to R3 Medium Density.
 - iii. Increase the FSR from 0.85:1 to 1.10:1 and the height from 14m to 17m for 31 Station Street, Enmore.
 - iv. Increase the proposed floor space ratio from 0.6:1 to 0.85:1 for 38 Audley Street, Petersham.
 - v. Amend proposed zoning for 20 Camden Street; and 1-17 & 43 Alice Street, Newtown, to R1 General Residential to provide more flexibility for residential development, and increase the proposed height from 9.5m to 14m to permit a 3 storey built form.
 - vi. The DP&I be informed of matters raised in the Housing NSW submission which Council does not support.
- 25 The draft Plan be amended in accordance with the recommendations contained within Attachments S1 to S4.

- 26 The draft Plan be amended to rectify errors and anomalies as per the recommendations contained within Attachment S5.
- 27 Adopts the changes to dMLEP 2010 as recommended in Attachments 1 & 2 to this report in addition to, and where conflicting, supplanting those within the main report to the 24 May 2011 Extraordinary Council meeting.

Amendment: Olive / Kontellis

That Council:

- Amends the MLEP2011 so as to achieve the outcomes specified in Attachment 1 (*copy attached at end of Minutes*).
- Notes the recent defeat of the NSW State Labor Government and recognises that one of the main reasons for its defeat was community concern regarding changes to development laws, most notably Part 3A, Joint Regional Planning Panels, the Complying Housing SEPP, the Affordable Housing SEPP and the housing targets of the Metro Strategy.
- Acknowledges that the housing targets set by Marrickville Council's Urban Strategy (2007) were endorsed by all councillors. Further that these targets were significantly less than those forced on Marrickville Council by the recently defeated NSW Labor Government through the Metro Strategy.
- Notes that The MLEP2011 contains significant increases in Floor Space Ratios (FSR) and Height of Buildings (HoB), especially in areas covered by the Marrickville Village Centres Urban Design Study. Most extreme of these are the proposed FSR changes to the Grove Street site, Dulwich Hill, from 1.10:1 up to 1.7:1, the Height of Buildings on Marrickville and Illawarra Roads, up from 3-4 storeys to 20 metres and the Height of Buildings on Touhy Lane, Marrickville, up to 29m.

Amendment Lost

For Motion: Councillors Byrne, Kontellis, Olive, Peters and Phillips

Against Motion: Councillors Hanna, Iskandar, Macri, O'Sullivan, Thanos, Tsardoulis and Wright

Amendment: Wright / Phillips

Health Consulting Rooms and Proximity Controls:

The draft MDCP 2010 not include provisions restricting the permissibility of health consulting rooms in proximity to commercial centres.

Amendment Carried

For Motion: Councillors Byrne, Iskandar, Kontellis, Olive, O'Sullivan, Peters, Phillips, Tsardoulis and Wright

Against Motion: Councillors Hanna, Macri and Thanos

Amendment: Olive / Kontellis

Dormer Windows:

The report to the July LAC Committee Meeting on the draft MDCP 2010 discuss the options and provide recommendations that will permit new dormer windows in all proposed heritage conservation areas.

Amendment Carried

For Motion: Councillors Byrne, Kontellis, Olive, Peters, Macri, Phillips and Thanos

Against Motion: Councillors Hanna, Iskandar, O'Sullivan, Tsardoulis and Wright

Amendment: Olive / Peters

St Peters Precinct:

All existing residential dwelling houses within the area subject to the St Peters Triangle Masterplan be zoned R2 Low Density Residential with corresponding generic FSR and height of building controls.

Amendment Lost

For Motion: Councillors Byrne, Kontellis, Olive, Peters and Phillips

Against Motion: Councillors Hanna, Iskandar, Macri, O'Sullivan, Thanos, Tsardoulis and Wright

Amendment: Olive / Peters

68 Hutchinson Street, St Peters:

Rezone No. 68 Hutchinson Street, St Peters from R1 General Residential to R3 Medium Density Residential.

Amendment Lost

For Motion: Councillors Byrne, Kontellis, Olive, Peters and Phillips

Against Motion: Councillors Hanna, Iskandar, Macri, O'Sullivan, Thanos, Tsardoulis and Wright

Amendment: Olive / Phillips

Item 6: Marrickville Hospital Site

The area identified as Precinct B in the land owners submission for the Marrickville Hospital Site be zoned RE1 Public Recreation.

Item 9: 31, 41-45 & 129 Princes Highway, St Peters

The following buildings within the St Peters Triangle Masterplan area be zoned R2 Low Density Residential with corresponding generic FSR and height of building controls to encourage their adaptive re-use in accordance with clause 6.9 of dMLEP 2010:

- 129 Princes Highway, St. Peters (post-war warehouse with large barrel vault roof forms); and
- 31 & 41-45 Princes Highway, St. Peters (early-mid 20th C warehouse).

Item 11: Jubilee Street, Lewisham

That the planning controls for Nos. 2-14 Jubilee Street be amended to R2 zone, 9.5m HoB and D code FSR to encourage retention of existing dwellings.

Item 12: Dulwich Hill Shops (Site 11 in MVCUDS)

That Nos. 16-24 Seaview Street be amended to R2 zone to encourage retention of existing dwellings.

Item 13: Marrickville (Site 5 in MVCUDS)

Amend dMLEP 2010 to reduce HoB from 7 storeys to 4 storeys on Tuohey Lane matched with a commensurate reduction in FSR.

That Nos. 258-272 Illawarra be amended to 20.0m HoB with a commensurate reduction in FSR.

Note: The report to the July LAC Committee Meeting on the draft MDCP 2010 will recommend appropriate amendments to the draft DCP's site-specific controls if the above recommendation is adopted.

Item 14: Grove Street, Dulwich Hill (Dulwich Hill Green Corridor in MVCUDS)

That Attachment 2.4.01 concerning Grove Street, Dulwich Hill be amended to provide for no change recommended to dMLEP or dMDCP 2010 in order that the HoB and FSR of this site not be changed from that currently in dMLEP 2010.

Amendment Lost

For Motion: Councillors Byrne, Kontellis, Olive, Peters and Phillips

Against Motion: Councillors Hanna, Iskandar, Macri, O'Sullivan, Thanos, Tsardoulis and Wright

Amendment: Olive / Wright

Item 15: Corner Sites

That the report to the July LAC Committee Meeting on the draft MDCP 2010 discuss options and provide recommendations regarding amendments to improve corner streetscape outcomes, changing setback and other provisions to allow secondary frontages to address the street.

Item 16: Heritage Conservation Areas

As part of its Section 68 submission, Council request that the Minister for Planning consider revised criteria for the determination of heritage conservation areas to make their establishment more achievable and that some degree of State-wide protection be given to pre 1939 buildings where blanket policies such as the Codes SEPP and Affordable Housing SEPP are introduced.

Item 17: Dwelling Targets

As part of its Section 68 submission, Council request that the Minister for Planning require that residential targets for LGAs used in the Metropolitan Strategy and other State Government planning strategies be based on the desired population rather than dwelling numbers.

Amendment Carried

For Motion: Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

Against Motion: Nil

Amendment: Kontellis / Phillips

Amend dMLEP 2010 to permit home occupation (sex services) as development not requiring consent within zones where dwelling houses are permitted.

Retain the MLEP 2001 provisions as they relate to brothels in the General Business 3a zone including the 75m radius proximity control for land proposed to be zoned Local Centre B2 under the MLEP 2010.

Amendment Lost

For Motion: Councillors Byrne, Kontellis, Olive, Peters and Phillips

Against Motion: Councillors Hanna, Iskandar, Macri, O'Sullivan, Thanos, Tsardoulis and Wright

Amendment: (Byrne/Iskandar)

As part of its Section 68 submission, Council request that the Minister for Planning confirm that provisions enabling Councils to seek developer contributions and/or provide bonus floor space for the provision of affordable housing will be included in the Affordable Housing SEPP or Standard Instrument LEP as previously advised by the DP&I and failing any progress on this matter the affordable housing clause in the draft MLEP 2010 submitted under section 64 of the EP&A Act, 1979 be added to the draft Plan.

That the Mayor write to the Hon Brad Hazzard MP, NSW Minister for Planning to:

- note that he has indicated that he will reform the Affordable Housing SEPP 2009 and will establish an Affordable Housing Taskforce to advise on alternate approaches to encourage affordable housing, especially in Sydney;
- request that he include representatives of Councils with experience in facilitating affordable housing in the their LGAs and community housing providers on the Taskforce.

Amendment Carried

For Motion: Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

Against Motion: Nil

Amendment: Olive / Byrne

Heritage: That 316 Princes Highway, St. Peters – Dynamo Auto Electrical (Heritage Item I276) and 113 Illawarra Road, Marrickville – Former Butcher's Shop (Heritage Item I95) be removed from Schedule 5 of dMLEP 2010 and subject to the findings of the peer review process be added to MLEP as part of a future amendment.

Amendment Carried

For Motion: Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

Against Motion: Nil

Motion: Byrne

That Council adopt draft Marrickville Local Environmental Plan (dMLEP) 2010 (subject to the items 1-29 below) and resolve to forward the draft Plan to the Department of Planning and Infrastructure (DP&I) with a request for referral to the Minister for Planning and Infrastructure to make the Plan, and to seek the Governor's approval of the Plan:

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- 3 The dMLEP 2010 be amended to allow 'health consulting rooms' as permissible with consent within the R2 Low Density Residential zone.
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- 14 Council make further representations to the Department of Planning & Infrastructure, with the s68 report, to protect public purpose lands, particularly school sites through the use of the SP2 zone.

- 14A As part of its Section 68 submission, Council request that the Minister for Planning agree to an amendment to the dMLEP 2010 which would result in all land currently used for educational establishments and zoned Special Uses (A) under MLEP 2001 adopting a Special Purposes (SP2) Educational Establishments zoning.
- 15 The wording of the section 'Recommended Management' on the Heritage Inventory Sheets be altered to clarify that significant features should be conserved only 'where present.'
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- 17 A heritage review process be established for the items raised in the objection process, whose heritage value is demonstrated to be significantly reduced, or HCA boundaries which have been raised in the submission table, and are demonstrated to be unsupported on heritage grounds.
- 18 A report to Council be prepared outlining a scope and estimated cost for a further Heritage Study process.
- 19 Council advise the State Government that increases in population arising from the provisions of dMLEP 2010 will require it to continue to implement a range of initiatives to improve public transport locally and across the region and that Council will work with the NSW Government to ensure these improvements occur.
- 20 Discussions be initiated with the DP&I to gauge their support for further investigations into the feasibility and desirability of additional bulky goods development along the Princes Highway.
- 21 Adjust the FSR to 0.95:1 for all the IN1 General Industrial, IN2 Light Industrial, B6 Enterprise Corridor and B7 Business Park zoned land where the default 0.85:1 FSR was originally set.
- 22 That Council:
- i. Adopt the W2 Recreational Waterways zone for the Cooks River for the area east of the Princes Highway.
 - ii. Remove consent requirements for mooring from the W2 Recreational Waterways zone.
 - iii. Negotiate with the DP&I regarding the implementation of this approach and the outstanding objection by NSW Maritime.
- 23 Negotiate with the DP&I regarding the outstanding objection by Sydney Ports.
- 24 Amend the planning controls for Housing NSW as follows:
- i. Amend the Height of Buildings Map for 165-185 Parramatta Road, Camperdown from 14m to 17m.
 - ii. Rezone 76-80 Lord Street, Newtown, to R3 Medium Density.
 - iii. Increase the FSR from 0.85:1 to 1.10:1 and the height from 14m to 17m for 31 Station Street, Enmore.
 - iv. Increase the proposed floor space ratio from 0.6:1 to 0.85:1 for 38 Audley Street, Petersham.
 - v. Amend proposed zoning for 20 Camden Street; and 1-17 & 43 Alice Street, Newtown, to R1 General Residential to provide more flexibility for residential development, and increase the proposed height from 9.5m to 14m to permit a 3 storey built form.
 - vi. The DP&I be informed of matters raised in the Housing NSW submission which Council does not support.
- 25 The draft Plan be amended in accordance with the recommendations contained within Attachments S1 to S4.
- 26 The draft Plan be amended to rectify errors and anomalies as per the recommendations contained within Attachment S5.
- 27 Adopts the changes to dMLEP 2010 as recommended in Attachments 1 & 2 to this report in addition to, and where conflicting, supplanting those within the main report to the 24 May 2011 Extraordinary Council meeting.

- 28 **Health Consulting Rooms and Proximity Controls:**
The draft MDCP 2010 not include provisions restricting the permissibility of health consulting rooms in proximity to commercial centres.
- 29 **Dormer Windows:**
The report to the July LAC Committee Meeting on the draft MDCP 2010 discuss the options and provide recommendations that will permit new dormer windows in all proposed heritage conservation areas.
- 30 **Item 15: Corner Sites**
That the report to the July LAC Committee Meeting on the draft MDCP 2010 discuss options and provide recommendations regarding amendments to improve corner streetscape outcomes, changing setback and other provisions to allow secondary frontages to address the street.
- 31 **Item 16: Heritage Conservation Areas**
As part of its Section 68 submission, Council request that the Minister for Planning consider revised criteria for the determination of heritage conservation areas to make their establishment more achievable and that some degree of State-wide protection be given to pre 1939 buildings where blanket policies such as the Codes SEPP and Affordable Housing SEPP are introduced.
- 32 **Item 17: Dwelling Targets**
As part of its Section 68 submission, Council request that the Minister for Planning require that residential targets for LGAs used in the Metropolitan Strategy and other State Government planning strategies be based on the desired population rather than dwelling numbers.
- 33 As part of its Section 68 submission, Council request that the Minister for Planning confirm that provisions enabling Councils to seek developer contributions and/or provide bonus floor space for the provision of affordable housing will be included in the Affordable Housing SEPP or Standard Instrument LEP as previously advised by the DP&I and failing any progress on this matter the affordable housing clause in the draft MLEP 2010 submitted under section 64 of the EP&A Act, 1979 be added to the draft Plan.
- 34 That the Mayor write to the Hon Brad Hazzard MP, NSW Minister for Planning to:
 - note that he has indicated that he will reform the Affordable Housing SEPP 2009 and will establish an Affordable Housing Taskforce to advise on alternate approaches to encourage affordable housing, especially in Sydney;
 - request that he include representatives of Councils with experience in facilitating affordable housing in the their LGAs and community housing providers on the Taskforce.
- 35 Heritage: That 316 Princes Highway, St. Peters – Dynamo Auto Electrical (Heritage Item I276) and 113 Illawarra Road, Marrickville – Former Butcher's Shop (Heritage Item I95) be removed from Schedule 5 of dMLEP 2010 and subject to the findings of the peer review process be added to MLEP as part of a future amendment.

Motion Carried

For Motion: Councillors Hanna, Iskandar, Macri, O'Sullivan, Thanos, Tsardoulis and Wright

Against Motion: Councillors Byrne, Kontellis, Olive, Peters and Phillips
Motion Carried

Motion: Byrne / Kontellis

That Council consider an urgent Item of Business without notice.

Motion Carried

For Motion: Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

Against Motion: Nil

Business without Notice: O'Sullivan / Wright

That Council acknowledges the LEP's provision of 450 additional dwellings over the next 20 years via the opportunities arising from zonings for the St Peters Precinct. Council strongly endorses the St Peters Masterplan as integral to the overall LEP.

In reviewing the LEP for the first Amendment consideration be given to the Master Plan specifically the option of rezoning 31, 41-45 & 129 Princes Highway St Peters from B6 Enterprise corridor to an R 1 or R4 residential zoning consistent with adaptive reuse. That a condition of such rezoning be neither a negative nor an additional impact on the integrity of the St Peters Masterplan and the dwelling targets it aims to deliver.

Motion Carried

For Motion: Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Tsardoulis and Wright

Against Motion: Councillor Thanos

Meeting closed at 10.02 pm.

CHAIRPERSON

Attachment 1:

(Amendment: Olive / Kontellis)

(Note: Areas correspond to the Marrickville Village Centres Urban Design Study)

LEWISHAM –Site 13

- Retention of 18, 16 and 14 Victoria Street
- Retention of Knox Hall and Hobart on Railway Terrace
- Retention of 2 story terrace Building on the corner of Railway Terrace and Hunter Street

LEWISHAM - Site G

- Retention of existing housing stock on Jubilee Street

LEWISHAM – Site H

- Retention of 35 Barker Street
- Achieve 5 Storeys nears train line on Old Canterbury Road

PETERSHAM – Site 15

- The rezoning of Trafalgar St to encourage Warehouse Conversion
- Retention of the existing 3 terraces on Fisher Street
- The rezoning of the remainder of Trafalgar, Fisher and Regent Street to encourage 3 and 4 storey terraces on <200m² blocks

PETERSHAM – Site 16A

- Retention of 2 storey period buildings on Gordon Street
- Retention of 2C equivalent zoning on Sadlier Crescent

PETERSHAM – 16B

- Retention 319 Trafalgar Street for Warehouse Conversion
- Retention period buildings on Nelson Place

PETERSHAM- Site 16 C

- Retention of existing 2 Storey buildings on Gordon Street and encourage ancillary buildings on Balanaming Lane

PETERSHAM – Site 17

- Retention of existing buildings

DULWICH HILL STATION - Sites 9 and 10

- Retention of 3 southern 2 storey buildings and corner garage on Wardell Road
- Retention of period houses on Dudley Street
- Reduction of heights to P on Wardell Road

DULWICH HILL SHOPS –Site 11

- The rezoning of Seaview Street period housing R2 and encourage ancillary dwellings at rear

DULWICH HILL GREEN CORRIDOR

- Retention of existing period dwellings
- Encourage the subdivision of Grove Street frontage into R2 < 200m² for terrace development
- The reinstatement of the FSR's proposed in the MVCUDS

MARRICKVILLE TOWN CENTRE – Site 1

- Reduce height to 5 storeys

MARRICKVILLE – Site 2

- Retention of existing 2 storey Period buildings, if any
- 3 storey limit on new buildings with facade built to front to comply with "massing" in DCP

MARRICKVILLE – Site 3

- Retain existing 2 storey Period buildings, if any.
- 3 storey limit on new buildings with facade built to front to comply with "massing" DCP

MARRICKVILLE – Site 4

- The rezoning of the "Westside" site as residential to allow for warehouse conversion
- Retention of existing 2 storey Period buildings, if any.
- 4 storey limit on new buildings with facade built to front to comply with "massing" DCP

MARRICKVILLE – Site 5

- Retain existing 2 storey Period buildings along Illawarra Rd
- 4 storey limit on new buildings with facade built to front to comply with "massing" DCP
- Reduction from 7 storeys to 4 storeys on Tuohy Lane
- 3 storey limit on new buildings on Marrickville Road with facade built to front to comply with "massing" DCP
- Retention of period buildings along Petersham Road
- Encourage ancillary dwellings at rear of shops at Illawarra Road and Petersham Road intersection
- Delete through road at Tuohy Lane

MARRICKVILLE – Site 7

- The retention of current street levels on Station Street
- Retention of 2 storey period Buildings
- Reduction of heights to Q

MARRICKVILLE – Site 8

- The reduction of heights to P