

**MIN NO**            **MINUTES OF THE EXTRAORDINARY COUNCIL MEETING OF ASHFIELD COUNCIL, HELD ON LEVEL 6, CIVIC CENTRE, 260 LIVERPOOL ROAD, ASHFIELD ON THURSDAY 28 MARCH 2013, COMMENCING AT 6:33 PM.**

**PRESENT**            His Worship the Mayor, Councillor Mansour in the Chair and Councillors Drury, Lofts, McKenna, Passas, Raciti, A Raiola, M Raiola, Stott, Wang and Wangmann

Ms V Chan            General Manager  
Mr P Sarin            Director Planning and Environment  
Mr R Sim             Manager Strategic Planning  
Mr C Colot            Senior Strategic Planner & Projects  
Ms G Rennard        Manager Corporate Services

**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**

**122/13                RESOLVED                                Wangmann / Stott**

**An apology for lateness was received and accepted from Councillor A.Raiola**

**An apology for non attendance was received and accepted from Councillor Cassidy**

Councillor A.Raiola attended the meeting at 6.34pm

**DISCLOSURES OF INTEREST**

Councillor Drury declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Drury noted an interest in land at 69 Heighway Avenue, Croydon and 11/85 Alt Street, Ashfield. The completed disclosure form was tabled at the meeting.

Councillor Lofts declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in

relation to item ECM 8.1. Councillor Lofts noted an interest in land at the 27 Kensington Road, Summer Hill. The completed disclosure form was tabled at the meeting.

Councillor Mansour declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Mansour noted an interest in land at the following:- 2/13-15 Tintern Road, Ashfield; 10/33 Alt Street, Ashfield; 6/24 King Street, Ashfield and noted that an associated person being his son owns the property located at 7/122 Frederick Street, Ashfield. The completed disclosure form was tabled at the meeting.

Councillor McKenna declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor McKenna noted an interest in land at 69 Dobroyd Parade, Haberfield. The completed disclosure form was tabled at the meeting.

Councillor Passas declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Passas noted an interest in land at 12 Cecil Street, Ashfield. The completed disclosure form was tabled at the meeting.

Councillor Raciti declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Raciti noted an interest in land at 262 Hawthorne Parade, Haberfield and 264 Hawthorne Parade, Haberfield. The completed disclosure form was tabled at the meeting.

Councillor A.Raiola declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor A.Raiola noted an interest in land at 6 Forrest Street, Haberfield. The completed disclosure form was tabled at the meeting.

Councillor M Raiola declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor M Raiola noted an interest in land at 6 Forrest Street, Haberfield. The completed disclosure form was tabled at the meeting.

Councillor Stott declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Stott noted an interest in land at 33 Tintern Road, Ashfield, 2a Teakle Street, Summer Hill and 6 Nowranie Street, Summer Hill. The completed disclosure form was tabled at the meeting.

Councillor Wang declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Wang noted an interest in land at 9/29 Elizabeth Street, Ashfield. The completed disclosure form was tabled at the meeting.

Councillor Wangmann declared a Special Disclosure of Pecuniary Interests under sections 451(4) and (5) of the Local Government Act 1993 in relation to item ECM 8.1. Councillor Wangmann noted an interest in land at 38 Albert Parade, Ashfield. The completed disclosure form was tabled at the meeting.

All of the above noted completed special disclosure of pecuniary interests forms are publicly available for inspection.

**DRAFT LOCAL ENVIRONMENTAL PLAN 2013.****ECM 8.1****Members of the public addressed the meeting.**

Silvester Chiang, 190 Liverpool Road, Ashfield, addressed Council at 6.38pm and concluded at 6.42pm

Bernard Yau, 190 Liverpool Road, Ashfield addressed Council at 6.43pm and concluded at 6.44pm

James Phillips, Weir Phillips Architects, addressed Council at 6.45pm and concluded at 6.53pm

Tim Simpson addressed Council at 6.55pm and concluded at 7.05pm

Gulian Vaccari addressed Council at 7.06pm and concluded at 7.08pm

Emma Brooks Maher, 17 Forrest Street, Haberfield addressed Council at 7.09pm and concluded at 7.19pm

Rene Holmes, 3 Church Street, Ashfield addressed Council at 7.19pm and concluded at 7.27pm

Toula Chrisafis addressed Council at 7.29pm and concluded at 7.33pm

Graham Alderton addressed Council at 7.33pm and concluded at 7.35pm

Peter Mottee, 95 Church Street, Croydon addressed Council at 7.35pm and concluded at 7.39pm

George Pappadan addressed Council at 7.40pm and concluded at 7.41pm

**FIRST WARNING**

The Mayor issued Councillor Passas with a first warning for disrespecting

the Chair.

**123/13****RESOLVED****McKenna / Stott**

**1/6 Council adopt the following recommendations in relation to the deferred items and late submissions:**

- a) **Retain the proposed Rathgael Estate Heritage Conservation Area in Draft Ashfield LEP 2013, amend the ranking from '1' to '4' of 8 and 12 Bay Street, Croydon and commit to carrying out a review of individual property rankings within the conservation area in consultation with affected property owners as part of the review of Ashfield DCP 2007.**
- b) **Remove the proposed individual heritage item listings of 12, 12A, 14, 14A, 16, 16A, 18 & 18A Kenilworth Street, Croydon from Draft Ashfield LEP 2013 (noting that these properties will still remain in the proposed Ivanhoe Estate Heritage Conservation Area).**
- c) **Retain the proposed heritage item listing of 2 Knox Street, Ashfield in Draft Ashfield LEP 2013.**
- d) **Retain the proposed heritage item listing of 190 Liverpool Road, Ashfield in Ashfield Draft LEP 2013.**
- e) **Remove the proposed heritage item listings of 212-212A Liverpool Road, Ashfield from Ashfield Draft LEP 2013.**
- f) **Retain the proposed heritage item listings of 214-216 Liverpool Road, Ashfield in Draft LEP 2013.**
- g) **Remove the proposed heritage item listings of 218-222 Liverpool Road, Ashfield from Ashfield Draft LEP 2013.**
- h) **Retain the proposed heritage item listings of 236-242 Liverpool Road, Ashfield in Draft Ashfield LEP 2013.**
- i) **Remove the proposed heritage item listings of 202-204 and 208-210 Old Canterbury Road, Summer Hill from Draft Ashfield LEP 2013.**
- j) **Remove the proposed heritage item listing of 107 Prospect Road, Summer Hill from Draft Ashfield LEP 2013.**
- k) **Remove the proposed individual heritage item listings of 40, 42, 44, 46 & 48 Service Avenue, Ashfield from Draft Ashfield LEP (noting that these properties will still remain in the Service Avenue Heritage Conservation Area).**
- l) **Retain the proposed heritage listing of 40 William Street, Ashfield in Draft Ashfield LEP 2013.**

**2/6 Council adopt Draft Ashfield Local Environmental Plan 2013 (as amended in accordance with Council resolutions from Extraordinary Council Meetings held on 14, 21 & 28 February 2013 and Part 1 of this recommendation) and forward it to the Department of Planning and Infrastructure (DOPI) with a Section 68 Report and request that the Minister for Planning and Infrastructure make the Draft Plan.**

- 3/6 The General Manager be granted delegated authority to process amendments to the adopted Draft Ashfield LEP 2013 that do not constitute significant policy changes and are necessary to comply with legal/technical requirements identified by DOPI.**
- 4/6 The Ashfield Development Control Plan 2007 be reviewed and updated to ensure that it is consistent with the Draft Ashfield LEP 2013.**
- 5/6 The Ashfield Section 94 Development Contributions Plan be reviewed to respond to development outcomes contained in the Draft Ashfield LEP 2013.**
- 6/6 All persons who made a submission on Draft Ashfield LEP 2013 be provided with a copy of the minutes of Council's resolution from the 28 March 2013 Extraordinary Council Meeting.**

The voting was as follows:-

For the Motion

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

Against the Motion

Councillors Raciti, Passas, M Raiola and A Raiola.

The Motion was Carried

A Foreshadowed Motion was moved by Councillor Passas and seconded by Councillor M.Raiola

MOVED Passas / M.Raiola

- 1/3 That no property be listed as a heritage item unless requested by residents.
- 2/3 That no new conservation areas be listed without a commission of enquiry
- 3/3 That no delegated authority be given to the General Manager

The Foreshadowed Motion was not addressed

Note: A Rescission Motion has been lodged in relation to Minute No. 123/13 by Councillors Passas, Cassidy, Raciti, M Raiola and A Raiola. This will be considered at the meeting of 09 April 2013.

**MIN NO**

**MINUTES OF EXTRAORDINARY COUNCIL MEETING  
THURSDAY 28 MARCH 2013**

**PROCEEDINGS TERMINATED AT 8.28PM**

Chairperson of the meeting of Extraordinary Council Meeting  
when the Minutes were confirmed

Chairperson

Date