

MIN NO **MINUTES OF THE ORDINARY MEETING OF ASHFIELD COUNCIL
HELD ON LEVEL 6, CIVIC CENTRE, 260 LIVERPOOL ROAD,
ASHFIELD ON TUESDAY 24 SEPTEMBER 2013, COMMENCING AT
6:40 PM.**

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

Ms V Chan General Manager
Ms N Kettle Director Corporate and Community Services
Mr A Bas Acting Director Planning and Environment
Mr P Cormican Director Works and Infrastructure
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

334/13 RESOLVED Drury / Lofts

An apology for lateness was received and accepted from Councillor Cassidy

An apology for non attendance was received and accepted from Councillor McKenna

Note: Councillor Cassidy did not actually attend the meeting

DISCLOSURES OF INTEREST

Councillor Lofts declared a Less-than Significant, Non-Pecuniary Interest in item NM 27/2013 as Ms Tai is a member of the Ashfield Youth Committee and he is the Chairperson of the Committee. Councillor Lofts will remain and participate in this item as the conflict is such that it will not influence him in carrying out his public duty.

CONFIRMATION OF MINUTES**335/13 RESOLVED Lofts / Wang**

That the minutes of the Ordinary Council Meeting held on 10 September 2013 be confirmed and the recommendations contained in the Minutes be adopted with the following amendment:

- That on page 7 of the minutes, the words “and endorsed” be removed from the resolution for Minute No. 333/13.

336/13 RESOLVED Stott / Wangmann

That the minutes of the Seniors’ Action Committee Meeting held on 10 September 2013 be confirmed and the recommendations contained in the Minutes be adopted.

337/13 RESOLVED Stott / Wangmann

That the minutes of the Access Committee Meeting held on 27 August 2013 be confirmed and the recommendations contained in the Minutes be adopted with the following amendments:

- General Business on page 3 of the minutes under “Accessible Playground” be amended to read:
 “...the existing entrance from the Ormond Street bus stop *in to* the park...”
 “ ...adequate boundaries to contain the children *within* the play area.”
- General Business on page 3 of the minute under “Mobility Parking”, insertion of “additional” to read:
 “Council Officers to report options for *additional* Mobility Parking...”

338/13 RESOLVED Drury / Lofts

That the minutes of the Pratten Park Advisory Committee Meeting held on 6 June 2013 be confirmed and the recommendations contained in the Minutes be adopted.

DEVELOPMENT APPLICATION: 10.2013.052.1
30 CHANDOS STREET ASHFIELD

CM 10.2

Members of the public addressed the meeting.

Mr Duncan Reed addressed Council at 6:51pm and concluded at 6:58pm.
Ms Mary Foster addressed Council at 6:59pm and concluded at 7:06pm
Mr Nigel White addressed Council at 7:10pm and concluded at 7:14pm.

339/13**RESOLVED****Wangmann/Stott**

1/5 That the application be deferred and brought back to Council with the following amended drawings that clearly show:

- a) A 16 room boarding house that is only 2 storeys in height**
- b) And resolve the connection(s) between the Victorian structure and the proposed additions**
- c) Reasonable scale (1:200) shadow diagrams**
- d) All the revised locations for vehicle parking (cars, motorbikes and bicycles)**
- e) The revised landscaping required by Council**
- f) Compliance with Council's privacy requirements**
- g) Compliance with the stormwater controls**

2/5 That the application be conditioned to require

- a) The safe movement of vehicles on the site, including speed signs to indicate the maximum permissible speed for vehicles on the driveway at 10km/h**
- b) The Management Plan for the site is to indicate appropriate disciplinary actions resulting from non-compliance with speed limits and for repeated anti-social behaviour related to excessive use of illegal drugs or alcohol**
- c) That smoking should not be permitted on the balcony of the upper floor of the existing Victorian building**
- d) That the living room be relocated in order to protect amenity of neighbours**
- e) That the common room be closed at 9:30pm**
- f) That any air conditioning system comply with Council requirements**

3/5 Any amended scheme is to be notified to parties who previously made submissions regarding the application so that they may provide further feedback on how they believe they will be impacted by the amended proposal.

4/5 That officers provide a reasonable and enforceable conditions of consent regarding consumption of alcohol.

5/5 That a Plan of Management in regards to the site be submitted to Council

The voting was as follows:-

For the Motion

Councillors Mansour, Stott, Wangmann, Wang, Lofts, A.Raiola, M.Raiola Raciti and Passas.

Against the Motion

Councillor Drury.

The Motion was Carried

A foreshadowed motion was moved by Councillor Drury and seconded by Councillor Wangmann

That Council as the consent authority pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) refuse Development Application No. 10.2012.52 for alterations and additions to an existing boarding house on Lot 1 in DP: 169164, known as 30 Chandos Street, Ashfield due to the following reasons:

- Impact on privacy of surrounding residents
- The bulk and scale
- Overshadowing
- Excessive hard paved area
- Impact on the character of the local area

The foreshadowed motion was not addressed

DEVELOPMENT APPLICATION: 10.2012.269.1
380-384 LIVERPOOL ROAD ASHFIELD, 38 MILTON STREET
ASHFIELD, 36 MILTON STREET ASHFIELD

CM 10.3

Councillor Passas left the meeting, the time being 7:53 pm.

Members of the public addressed the meeting.

Ms Christina Totas addressed Council at 7:52pm and concluded at 7:54pm.

Mr Nigel Dickson addressed Council at 7:55pm and concluded at 7:56pm

340/13

RESOLVED

Drury/Raciti

That Council as the consent authority pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) grant deferred commencement consent to Development Application No. 10.2012.269 for the demolition of existing structures and construction of a six storey commercial and residential flat building with ground floor retail, two levels of basement car parking, lane widening and landscaping on part Lot 100, DP 1016118, Lot 8, DP 244344, part Lot A, DP 393265 and part Lot B, DP 393265, known as

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380-384 Liverpool Road, Ashfield and 36-38 Milton Street, Ashfield, subject to conditions as noted on pages 155 – 176 of the business paper.

The voting was as follows:-

For the Motion

Councillors Mansour, Stott, Wangmann, Wang, Lofts, Drury, A Raiola, M Raiola and Raciti.

Against the Motion

Nil.

The motion was carried

DEVELOPMENT APPLICATION: 10.2013.111.1
99 SMITH STREET SUMMER HILL

CM 10.1

341/13

RESOLVED

Stott / Lofts

That Council as the consent authority pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) grant a deferred commencement consent for Development Application No. 10.2013.111 alterations and additions to an existing mixed use development and the construction of a new two storey infill development on the vacant portion located at the western side of the existing building at Lot A in DP: 437936, known as 99 Smith Street, Summer Hill, in accordance with the attached conditions as noted on pages 34 - 50 of the business paper.

The voting was as follows:-

For the Motion

Councillors Mansour, Lofts, Wang, A.Raiola, M.Raiola, Raciti.

Against the Motion

Councillor Stott, Wangmann and Drury.

The motion was carried.

A Foreshadowed motion was moved by Councillor Drury and seconded by Councillor Wangmann

That Council as the consent authority pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) refuse

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consent for Development Application No. 10.2013.111 alterations and additions to an existing mixed use development and the construction of a new two storey infill development on the vacant portion located at the western side of the existing building at Lot A in DP: 437936, known as 99 Smith Street, Summer Hill, due to non compliance with car parking requirements.

The foreshadowed motion was not addressed.

INVESTMENT REPORT AUGUST 2013.

CM 10.4

342/13

RESOLVED

Drury/Raciti

That the investment report for August 2013 be received and noted.

The motion was Carried

RESPONSIBLE ACCOUNTING OFFICER'S REPORT - AUG '13.

CM 10.5

343/13

RESOLVED

Drury/A Raiola

That the Responsible Accounting Officers report for August 2013 be noted.

The motion was Carried

ORGANISATIONAL STRUCTURE REVIEW.

CM 10.6

344/13

RESOLVED

Lofts/Stott

That Council confirm the current organisational structure.

The motion was Carried

Councillor Passas returned to the meeting, the time being 8:12 pm.

MAYORAL MINUTES

ALGIE PARK.

MM44/2013

345/13

RESOLVED

Mansour

1/3 That Council is of the view that the hiring or leasing of Algie Park for for-profit soccer is inconsistent with the objective of

maintaining current use of the Park by organised sports at current levels of intensity. Furthermore we believe that the potential impact on residents is such that the hiring or leasing of the ground for such purposes should not even be considered.

- 2/3** That Council requires the General Manager to ensure that a tender is awarded for Summer and Spring evening soccer at Centenary Park (in accordance with previous resolutions and the Centenary Park Plan of Management 2011) by February 2014.
- 3/3** That a report on how to manage parking in streets surrounding Centenary Park be returned to Council by February 2014. That the report incorporate how Council will consult with all park users, organisations and their members booking the park and surrounding residents.

The motion was Carried

NOTICES OF MOTION

SUPPORTING MS LILIANA TAI: REPRESENTING AUSTRALIA AT THE AUSTRALIAN SCHOOLS' DELEGATION TO THE HAGUE INTERNATIONAL MODEL UNITED NATIONS. **NM27/2013**

346/13

RESOLVED

Lofts/Mansour

That Council make an appropriate contribution of \$300 to Ms Liliana Tai, who has been selected as a delegate to The Hague International Model United Nations, to be held in January 2014.

The motion was Carried

REFUND OF RATEPAYERS FUND.

NM28/2013

Councillor Raciti left the meeting, the time being 8:21pm.

MOVED

Passas/M Raiola

That the General Manager contact the appropriate body seeking a full refund of our ratepayers' funds immediately.

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

For the Motion

Councillors A.Raiola, M.Raiola and Passas.

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Against the Motion

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

347/13

RESOLVED

Drury/Mansour

That Council write to ALGA and request information on what they intend to do with the levy for Constitutional recognition.

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

For the Motion

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

Against the Motion

Councillors A.Raiola, M.Raiola and Passas.

The motion was Carried

INFRASTRUCTURE FUNDING.

NR6/2013

Councillor Raciti returned to the meeting, the time being 8:32 pm.

MOVED

Passas/M Raiola

That Minute No.326/2013 - CM10.1 Infrastructure Funding, be rescinded.

The voting was as follows:-

For the Motion

Councillors A.Raiola, M.Raiola, Raciti and Passas.

Against the Motion

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

The rescission motion was Lost.

GENERAL BUSINESS

FLOWER POT AT MILTON ST

Councillor Wangmann – requested that Council contact the applicant of 380 Liverpool Road to negotiate the relocation of the “flower pot” and other garden

fixtures unwanted by the applicant. Could Council Officers please advise of the outcome and where they might be relocated.

PUBLIC CAR PARK AT CADIGAL RESERVE

Councillor Wangmann – that officers please provide Councillors with information on how to restore the public car park to users of Cadigal Reserve. It appears to be used by residents of the nearby dwellings and is apparently not available for the GreenWay and dog park users.

ELECTION OF MAYOR AT MARRICKVILLE DEPUTY MAYOR AT BURWOOD

Councillor Lofts – requested that the Mayor write to congratulate the new Mayor of Marrickville Councillor Jo Haylen and the new Deputy Mayor of Burwood Councillor Tony Doueihi.

MILTON STREET LANE

Councillor Drury – that the matter of Milton Street Lane be referred to the Traffic Committee for consideration noting whether any parking or traffic improvements can be implemented in conjunction with the DA 10.2012.269.1.

GRAFFITI CLEAN UP

Councillor Drury – thanked Council officers for response to removing graffiti at 266 Liverpool Road Ashfield. He noted that the most prominent graffiti was on the western wall high above 266 Liverpool Road and could officers please investigate and undertake removal.

SIGNAGE ADVISING OF COUNCIL MEETINGS

Councillor Passas – requested explanation as to why there was no signage displaying time and location of the Council meeting.

General Manager – the matter has been taken on notice.

Councillor Drury left the meeting, the time being 8:48 pm.

PROCEEDINGS TERMINATED AT 8:49pm

Chairperson of the Ordinary Council Meeting
when the Minutes were confirmed

Chairperson

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Date