

**DRAFT MINUTES OF THE ORDINARY MEETING OF ASHFIELD COUNCIL HELD ON LEVEL 6, CIVIC CENTRE, 260 LIVERPOOL ROAD, ASHFIELD ON TUESDAY 10 MAY 2016, COMMENCING AT 6:35PM.**

**PRESENT**

Her Worship the Mayor, Councillor McKenna OAM in the Chair and Councillors Cassidy PSM, Drury, Lofts, Passas, Raciti, A Raiola, M Raiola, Stott, Wang and Wangmann

Ms V Chan	General Manager
Ms G Rennard	Acting Director Corporate and Community Services
Mr P Sarin	Director Planning and Environment
Ms C Edwards-Davis	Director Works and Infrastructure
Ms P Mourgelas	Manager Corporate Governance

**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**

The Mayor acknowledged that Councillor Mansour was not in attendance having previously been granted Leave of Absence.

**CONDOLENCE AND SYMPATHY MOTIONS**

Council acknowledged the passing of Greens MP John Kaye.

**SUDDEN PASSING OF DEIRDRE AFFLECK**

**MM17/2016**

**RESOLVED:** McKenna OAM

That a letter of condolence be sent to her family.

**MOMENT OF PRIVATE CONTEMPLATION**

The chairperson invited Councillors, staff, members of the press and gallery to stand and observe a moment of private contemplation.

**DISCLOSURES OF INTEREST**

No disclosures were made.

**DRAFT MINUTES OF ORDINARY MEETING  
TUESDAY 10 MAY 2016**

**CONFIRMATION OF MINUTES**

**RESOLVED:** Drury/Stott

That the minutes of the Council Meeting held on Tuesday 26 April 2016 be confirmed.

**RESOLVED:** Lofts/Stott

That the minutes of the Ashfield Youth Committee Meeting held on 04 April 2015 be confirmed and the recommendations contained in the Minutes be adopted.

**MAYORAL MINUTES**

**PROPOSAL TO CELEBRATE 40TH ANNIVERSARY OF STATE EMERGENCY  
SERVICES WITH ESTABLISHMENT OF AN ANNUAL ASHFIELD MAYOR'S STATE  
EMERGENCY SERVICE YOUNG LEADER AWARD**

**MM16/2016**

**RESOLVED:** McKenna OAM

- 1/3 That Council support this initiative in the establishment of an Annual Ashfield Mayor's SES Young Leadership Award.
- 2/3 That the Award coincide with the SES 40th Anniversary in 2016.
- 3/3 That Council allocate \$450 for the provision of the Plaques.

**DRAFT MINUTES OF ORDINARY MEETING  
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**STAFF REPORTS**

**DEVELOPMENT APPLICATION: 10.2015.203.1  
2-32 SMITH STREET SUMMER HILL**

**CM 10.1**

**RESOLVED:** Lofts/Stott

That Council as the consent authority pursuant to Clause 80(1) of the Environmental Planning and Assessment Act 1979 (as amended) grant consent to Development Application No. 10.2015.203.1 for alterations and additions to the *Mungo Scott* building and the attached former administration building for:

- The use of the buildings into four (4) ground floor level retail tenancies and five (5) levels (including the existing mezzanine) of commercial tenancies above; and include a waste store, amenities (for staff and for the public) and a cold store.

on Lot A & B DP 302421, Lot 1 & 2 DP 131120, Lot 1 DP 171676, Lot B DP 171931, Lot 11, 13, 14 & 15 DP 315, Lot 16 DP 130884 Lot 1 DP 182276 Lot B DP 172600 Lot 1 DP 302585, Lot 100 DP 221222, Lot 1 DP 955001 Lot 1 DP 951124 & Lot 1 DP 73521, known as 2-32 Smith Street, Summer Hill, subject to conditions as noted on pages 55-76 of the business paper.

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

**For the Motion**

Councillors Stott, Wangmann, Cassidy PSM, Wang, Lofts, Drury, A Raiola, M Raiola, Raciti, Passas and McKenna OAM.

**Against the Motion**

Nil.

**DRAFT MINUTES OF ORDINARY MEETING  
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**DRAFT DEVELOPMENT CONTROL PLAN 2016**

**CM 10.2**

Councillor Cassidy PSM left the meeting at 6.51pm and returned at 6.55pm

Councillor Raciti left the meeting at 6.52pm and returned at 6.55pm

Councillor A Raiola left the meeting at 7.09pm and returned at 7.13pm

**RESOLVED:** Lofts/Stott

- 1/5 That Council endorse the draft Draft Ashfield Comprehensive DCP 2016 as shown at Attachment 1 of this report, for public exhibition.
- 2/5 That Council place Draft Ashfield Comprehensive DCP 2016 and ancillary documents on public exhibition as required under the procedures of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.
- 3/5 That the exhibition of the Draft Ashfield Comprehensive DCP 2016 be carried out in accordance with the Public Engagement Strategy described in the report.
- 4/5 That the General Manager be authorised to make any minor clerical amendments to the Draft DCP content as required for its exhibition that do not result in any significant policy changes.
- 5/5 That, after completion of the public exhibition, a report be submitted for Council's consideration.

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

**For the Motion**

Councillors Stott, Wangmann, Cassidy PSM, Wang, Lofts, Drury and McKenna OAM.

**Against the Motion**

Councillors A Raiola, M Raiola, Raciti and Passas.

**The Motion was Carried.**

**DRAFT MINUTES OF ORDINARY MEETING  
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**COUNCIL PLANNING FRAMEWORK AND BUDGET**

**CM 10.3**

**RESOLVED:** Drury/Passas

- 1/3 That Council receives the Quarterly Budget Review Statement for the period 1 January 2016 to 31 March 2016 and adopts the recommended budget adjustments outlined in the report for the purposes of public exhibition.
- 2/3 That Council adopt the draft Council Plan 2016-2020 for public exhibition.
- 3/3 That Council adopt the draft Annual Plan 2016/17, including the pricing policy and fees and charges, for public exhibition.

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

**For the Motion**

Councillors Stott, Wangmann, Cassidy PSM, Wang, Lofts, Drury and McKenna OAM.

**Against the Motion**

Councillors A Raiola, M Raiola, Raciti and Passas.

**The Motion was Carried.**

**APPOINTMENT OF COUNCILLOR TO WESTCONNEX COMMITTEES**

**CM 10.4**

**RESOLVED:** Drury/Lofts

- 1/2 That Council nominate the Mayor and Deputy Mayor as representative/s for the NoW Public Transport Inc Community Organiser Steering Committee.
- 2/2 That Council nominate Councillor Cassidy PSM to be the representative for the SMC Urban Design Review Panel. Councillor Wangmann as the alternate, supported by appropriate Council staff.

**WESTCONNEX M4 EAST - PROJECT UPDATE ON PROPOSED ACTIVITIES**

**CM 10.5**

Councillor A Raiola left the meeting at 8.08pm and returned at 8.12pm  
Councillor Raciti left the meeting at 8.20pm

Members of the public addressed the meeting.

Mr John Hyde addressed the meeting at 7.52pm and concluded 8.01pm.

**RESOLVED:** Lofts/Drury

- 1/5 That the information regarding Reg Coady land acquisitions be received.
- 2/5 That Council staff provide appropriate comments to the Joint Venture regarding the Flood Mitigation Strategy for works during construction.
- 3/5 That Council staff provide appropriate comments to the Joint Venture regarding the Stormwater Drainage Report for works during construction.
- 4/5 That Council seek urgent legal advice from Council solicitors on the possibility of obtaining an injunction from the Supreme Court NSW to have SMC cease all demolition works in the Ashfield Council area until SMC have demonstrated to Ashfield Council that they are complying with all conditions of its Ministerial planning consent in regard to heritage items proposed for demolition to facilitate the Westconnex project.
- 5/5 That Council ask for the identity of the SMC Heritage Consultants.

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

For the Motion

Councillors Stott, Wangmann, Cassidy PSM, Wang, Lofts, Drury and McKenna OAM.

Against the Motion

Councillors A Raiola, M Raiola and Passas.

The Motion was Carried.

**DRAFT MINUTES OF ORDINARY MEETING  
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Councillor Raciti returned to the meeting at 8.30pm

**CLOSED (PUBLIC EXCLUDED) COMMITTEE**

**RESOLVED:** Drury/M Raiola

That the following items be considered in Closed (Public Excluded) Meeting and the Press and Public be excluded in accordance with Section 10A Subclause (2)(c)(d) of the Local Government Act, the time being 8.30pm.

**TENDER15/56458 - CLEANING SERVICES AT ASHFIELD COUNCIL CORPORATE  
AND COMMUNITY BUILDINGS**

**CM 10.6**

**TENDER 15/56753 - CARE TAKING, CONCIERGE AND MINOR FACILITY  
MANAGEMENT SERVICES AT ASHFIELD COUNCIL CIVIC CENTRE BUILDING**

**CM 10.7**

**RESOLVED:** Drury/Lofts

That the meeting revert to an open meeting at 9.10pm.

**RESOLVED:** Drury/Lofts

The Chairperson reported that the Closed (Public Excluded) meeting passed the following resolutions.

**TENDER15/56458 - CLEANING SERVICES AT ASHFIELD COUNCIL CORPORATE  
AND COMMUNITY BUILDINGS**

**CM 10.6**

**RESOLVED:** Drury/Lofts

- 1/ 2 That Council note the report of the TEC relating to Contract Number 15/56458 and determine not to accept any of the tenders.
- 2/2 That Council request a report be brought back to Council discussing the pros and cons of having one contract for cleaning rather than two contracts and staff cleaning with regard to providing a quality cost effective service.

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**TENDER 15/56753 - CARE TAKING, CONCIERGE AND MINOR FACILITY  
MANAGEMENT SERVICES AT ASHFIELD COUNCIL CIVIC CENTRE BUILDING**

**CM 10.7**

**RESOLVED:** Drury/Stott

- 1/2 That Council appoint K Jezzini Caretaking as the Contractor under the Contract Number 15/56753 subject to satisfactory outcome of the financial assessment.
- 2/2 That Council inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

**PROCEEDINGS TERMINATED AT 9.10pm**

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

Chairperson

Date