

**Minutes of Ordinary Council Meeting
held at Ashfield Service Centre on 6 December 2016**

Meeting commenced at 6:30pm

Present:

Richard Pearson	Administrator
Rik Hart	Interim General Manager
Peter Gainsford	Deputy General Manager Assets and Environment
John Warburton	Deputy General Manager Community and Engagement
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
Joe Strati	Group Manager Legal
Nellette Kettle	Group Manager Integration, Customer Service and Business Excellence
Wal Petschler	Group Manager Footpaths, Roads, Traffic and Stormwater
Simone Schwarz	Group Manager Communications, Engagement and Events
Pav Kuzmanovski	Group Manager Finance
Tanya Whitmarsh	Group Manager Governance
Phil Sarin	Director Planning and Environment
Popy Mourgelas	Manager Corporate Governance, Ashfield
Ian Naylor	Manager Governance & Administration, Leichhardt
Gill Dawson	Manager Environment and Urban Planning, Leichhardt
Lyn Gerathy	Manager Property and Commercial Services, Leichhardt
Katerina Maros	Governance Officer, Leichhardt (Minute Taker)

Public Speakers: see last two pages of these minutes.

1. Acknowledgement of Country by Chairperson

"I acknowledge the Gadigal and Wangal people of the Eora nation on whose country we are meeting today, and their elders past and present."

2. Notice of Live Streaming of Council Meeting

The Administrator advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

3. Disclosures of Interests

The Administrator declared that he had no declarable interests in any matter listed on the business paper.

4. Confirmation of Minutes

The Administrator confirmed the Minutes of the Council Meeting held on Tuesday, 25 October 2016.

C1216 Item 26 Administrator's Minute: Westconnex - Traffic In Local Neighbourhoods And Streets And Assessing Stage 3 Impacts

The Administrator determined that:

1. Council immediately commission a study, including appropriate traffic modelling, to assess the impacts each stage of WestConnex will have on residential neighbourhoods and streets following the progressive opening of each stage of WestConnex;
2. The study recommend appropriate traffic management measures to respond to the impacts predicted to occur and Council use this to lobby the State Government to oppose WestConnex and fund the implementation of required measures which are to be put in place prior to any stages of WestConnex opening to traffic;
3. Council ensure that the study addresses what the impacts on Stage 1 (Haberfield/Ashfield) and Stage 2 (St Peters/Tempe) residential environments will be with and without Stage 3 of WestConnex, in order to shape Council's and the community's final position on Stage 3;
4. Council engage specialist consultants in the areas of engineering, air pollution, transport and other key disciplines to undertake a detailed assessment of key issues to inform Council's submissions on the Stage 3 design plans and EIS;
5. Council allocate \$250,000 for traffic modelling studies and \$250,000 for specialist consultants to be funded in the next quarterly budget review; and
6. Council hold a public meeting to inform the community of the studies being undertaken for Council in relation to Stage 3 of the WestConnex project.

C1216 Item 1 Minutes of LRAC Meeting Held 8 November 2016 and IAG Meeting held 10 November 2016

The Administrator determined that the:

1. minutes of the LRAC Meeting held on 8 November 2016 be noted;
2. revised LRAC Terms of Reference shown as Attachment 2 be adopted; and
3. minutes of the IAG Meeting held on 10 November 2016 be noted.

C1216 Item 2 Exhibition Draft Comprehensive Inner West DCP for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park And Summer Hill

The Administrator determined that:

1. Council note the submissions raised in submissions received during the public exhibition of the draft DCP and that in accordance with Part 3, Section 21 of the Environmental Planning and Assessment Act Regulation 2000 these issues have been adequately considered by Council;
2. the General Manager be authorised to make minor amendments to the DCP recommended in the report and any minor clerical amendments to the DCP which do not change the content and intent of the document;
3. in accordance with Part 3, Clause 21 of the Environmental Planning and Assessment Act Regulation 2000, Council endorse and give public notice of the adoption of the Inner West Comprehensive DCP for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill as shown at Attachment 1 and amended by resolution (2), and give public notice in the local newspaper within 28 days of Council's resolution;
4. Council give notice in the local newspaper of the repeal of the Ashfield Development Control Plan 2007, Pursuant to Part 3, Clause 23 of EPA Act Regulation 2000; and
5. Council provide the Secretary of the Department of Planning and Environment the DCP Plan pursuant to Part 3, Clause 25 AB of EPA Act Regulation 2000.

C1216 Item 3 39 Smith Street Summer Hill - Planning Proposal

The Administrator determined that:

1. Council resolve to progress a Planning Proposal to amend Ashfield Local Environmental Plan (LEP) 2013 to delete Heritage Item no 620, from Schedule 5 Environmental Heritage of the Ashfield LEP 2013;
2. Council forward the Planning Proposal to the Department of Planning and Environment for Gateway Determination to allow the LEP plan amendment process to commence under Section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act);
3. Council resolve to request The Department of Planning and Environment to issue written authorization to Council's General Manager to exercise and implement delegations in accordance with Section 23 of the EP& A Act 1979 to facilitate the plan making process following the Gateway determination;
4. following the Gateway Determination by the Department of Planning and Environment, the Planning Proposal be progressed by Council, be put on formal public exhibition, and procedures carried out as required under the EP& A Act 1979; and
5. people who made a submission as part of the preliminary community engagement process be advised of Council's decision.

C1216 Item 4 Statement of Vision and Priorities

The Administrator determined that Council adopt the Statement of Vision and Priorities for the purpose of community review subject to the following change;

That Priority 4 - Sustainability and Environment be amended to add an additional dot point to read 'Protecting and enhancing our natural heritage'.

C1216 Item 5 Parramatta Road Urban Transformation Strategy 2016

The Administrator determined that:

1. The report be noted and a further report be brought back to the February 2017 Council Meeting with a more detailed analysis;
2. Council work collaboratively with Strathfield, Burwood, Canada Bay and City of Sydney councils in advocating for provision of centre running public transport on Parramatta Road from "Day 1";
3. Council work collaboratively with other councils along the Corridor to adopt a consistent approach to assessing planning proposals where proponents want to use the *Out of Sequence Check List*; and
4. An urgent meeting be sought with the Department of Planning & Environment and Greater Sydney Commission to resolve the implications of having to consider planning proposals prior to the required precinct wide studies and planning being completed. .

C1216 Item 6 67 - 73 Lords Road, Leichhardt - Planning Proposal Public Exhibition

The Administrator determined that Council:

1. Note that the Planning Proposal to rezone 67-73 Lords Road, Leichhardt from IN2 Light Industrial to R3 Medium Density Residential and increase the maximum permissible floor space ratio (FSR) from 1:1 to 2.4:1 has been placed on public exhibition by the (SCPP);
2. Endorse the attached draft submission (Attachment 3) which strongly objects to the Planning Proposal and recommends that the SCPP not support the proposal;
3. Requests the SCPP to extend the public exhibition of the Planning Proposal by a further 28 days given the timing of the exhibition period;
4. Request the Sydney Central Planning Panel as relevant planning authority holds a hearing on the issues raised in this submission under section 57(5) of the Environmental Planning and Assessment Act 1979 No 203; and
5. Hold a public meeting early in 2017 to discuss the Proposal.

C1216 Item 7 Draft Affordable Housing Policy and Best Practice in Value Capture

The Administrator determined that Council:

1. Endorses the draft *Affordable Housing Policy* and the *Position Paper: Best Practice in Value Capture*;
2. Places the draft *Affordable Housing Policy* and *Position Paper: Best Practice Value Capture* on public exhibition until 13 February 2017 and, following exhibition, submits a report to Council detailing submissions received and a final *Affordable Housing Policy* for Council's adoption;
3. Send the Affordable Housing Policy and Value Capture paper to the NSW Premier, Prime Minister, NSW Minister for Planning, the economic policy unit of Australian Treasury and the Reserve Bank Governor;
4. Seeks State Government approval for amendments to *SEPP 70 — Affordable Housing (Revised Schemes)* to make relevant amendments to its LEP, to enable the levying of Mandatory Affordable Housing Contributions under s94F of the Act to create Affordable Rental Housing in perpetuity;
5. Note, for the purpose of Mandatory Affordable Housing Contributions, Council's share of land value uplift will be taken as 15% of Gross Floor Area of the development for developments with a Gross Floor Area of 1,700m² or greater;
6. Commits to a target of 30% of all residential development on government owned land in the Bays Precinct to be Affordable Housing and undertakes a fully funded planning study to identify financially viable models to achieve this target;
7. Prepares a 5-10 year housing action plan to implement the *Affordable Housing Policy* based on the *Policy's* background data and *Best Practice in Value Capture* position paper, and drawing on existing Council research and plans;
8. Continues to work with all levels of government and other key stakeholders such as the Greater Sydney Commission and Unions NSW to review the range of definitions of key workers, particularly shift workers;
9. References its commitment to a 15% affordable housing target in its submission to the Greater Sydney Commission on the recently released District Plan;
10. Continues to advocate to all levels of government and key stakeholders such as the Greater Sydney Commission regarding the need for setting a 15% target for affordable housing in the Inner West LGA; and
11. Allocates funds to undertake an integrated communication strategy to promote the *Affordable Housing Policy*, including the organisation of a community forum in 2017.

The Administrator called a short recess at 9.00pm. The meeting resumed at 9.12pm.

The Administration declared that, as no member of the public had indicated they wished to speak to Items 9,15,16,17,18,19, 23, 24 and 25, in accordance with Clause 6.02 of the Code of Meeting Practice, he moved and declared that 9,15,16,17,18,19, 23, 24 and 25 in the Open Council Section of the Business Paper be dealt with en bloc. He further determined to adopt the recommendations contained in the reports for Items 9,15,16,17,18,19, 23, 24 and 25.

C1216 Item 9 Expansion of Inner West Outside School Hours Care Services

The Administrator determined that Council endorse applications to the NSW Government *Before and After School Care Fund* for:

- a) a grant of \$30,000 to expand the existing Camdenville Outside School Hours Care service to create an additional 15 placements; and
- b) a grant of \$30,000, to expand the existing Marrickville West Outside School Hours Care service to create an additional 30 placements.

C1216 Item 15 Outcomes from Investigations into the Feasibility of Constructing Cricket Nets at Petersham Park

The Administrator determined that:

1. The report is received and noted;
2. Stakeholders are updated on the outcome of investigations into cricket nets at Petersham Park; and
3. Cricket net facilities be included in any upcoming recreation needs research for the Inner West Local Government Area.

C1216 Item 16 Sky+Park - Proposed Rooftop Open Space Facility on TfNSW Commuter Carpark, Ashfield

The Administrator determined that Council:

1. Not proceed with the proposal to fund an additional level and open space embellishments to the commuter carpark to be constructed by TfNSW adjacent Ashfield Station at this point in time.
2. Seek provision in the current design to cater for the future construction of an additional floor to accommodate open space embellishment or some other Council use in the future.
3. Negotiate an agreement with TfNSW to provide public toilets as part of the proposed car park development and delegate authority to the General Manager to execute an agreement.
4. Consider a budget allocation to fund its contribution to the provision of these public toilets as part of the 2017/18 budget.

C1216 Item 17 Audited Financial Reports as at 12 May 2016

The Administrator determined that Council:

1. Receives and notes the report
2. Receives the final audited reports from the former Ashfield (Attachment 1), former Leichhardt ([Attachment 2](#)) and former Marrickville (Attachment 3) Councils financial reports for the period ending 12 May 2016.

C1216 Item 18 EquityFest

The Administrator determined that Council agree to partner with Sydney Local Health District on the inaugural Sydney EquityFest.

C1216 Item 19 Fee Waiver Applications for the use of Council Facilities and the Leichhardt Park Aquatic Centre (LPAC) In 2017

The Administrator determined that Council:

1. Approve the fee waiver applications submitted by regular annual hirers for use of Council venues and facilities in 2017 as listed in Attachment 1 and Attachment 2; and
2. Undertakes a review of Fees & Charges and relevant policies for fee waivers and concessions with a view to consistency, equity and transparency across the LGA.

C1216 Item 23 Reporting of Code of Conduct Complaints for Inner West and Former Councils

The Administrator determined that Council receive and note this report.

C1216 Item 24 Community Grants Contingency Fund for the use of Petersham Town Hall By Dulwich Hill Public School P & C Association

The Administrator determined that Council provide \$1,000 from the Community Grants Contingency Fund to cover part of the cost of the hire fee of the Petersham Town Hall being the maximum amount allowed under the Community Grants Contingency Fund Guidelines

Reports with Confidential Information**C1216 Item 25 Sale of Closed Road to Adjacent Owners – Part Yeend Street Birchgrove**

The Administrator determined that Council sell the closed part of Yeend Street behind 16 Ballast Point Road to the owners of that property (as per Leichhardt Council resolution C68/14) for a price calculated as set out in confidential attachment 1.

Procedural Motion

The Administrator determined that Item 20 be brought forward and considered at this time.

C1216 Item 20 Proposed Schedule For Council Meetings 2017

The Administrator determined that the:

1. Ordinary Council meetings be held at Ashfield Service Centre on 28 February, 28 March and 26 April 2017;
2. Ordinary Council meetings be held on 23 May, 27 June and 25 July 2017 and the venue of the meetings be determined at a later stage; and
3. Ordinary Council meetings be held on 26 September, 24 October, 21 November and 12 December 2017 and the venue of the meetings be determined by the new Council.

C1216 Item 8 Draft Homelessness Policy: Responding to Rough Sleeping in the Inner West

The Administrator determined that the “Draft Homelessness Policy: Responding to the needs of homeless people in the Inner West Community” be placed on public exhibition from 14 December 2016 to 30 January 2017.

C1216 Item 10 Stronger Communities Fund Major Projects Program

The Administrator determined that Council adopt the schedule of projects as assessed by the Stronger Communities Fund Assessment Panel, in accordance with the preferred option with the highest community support with a focus on recreation and sustainability and submit this to the Office of Local Government as Inner West Councils’ three year plan for allocating the \$14m Stronger Communities Fund.

C1216 Item 11 Floor Space Ratio (FSR) Review - Post-Gateway Determination Review

The Administrator determined that Council:

1. Notes the Post-Gateway Review that has been issued; and
2. Amends the planning proposal to be consistent with Option 3 of the FSR Review and proceed to public exhibition in accordance with Gateway Determination requirements.

C1216 Item 12 Planning Proposal for Small Bars: Leichhardt LEP 2013 & Leichhardt DCP 2013 Amendments Public Exhibition Community Consultation

The Administrator determined that:

1. The report and attached Planning Proposal and Leichhardt Development Control Plan 2013 Amendment be noted.
2. Council resolves to adopt the amended Small Bars Planning Proposal to amend Schedule 2 of the Leichhardt Local Environmental Plan 2013 for a change of use exemption between small bars, restaurants and cafes in the B2 Local Centre zone.
3. Council forwards the amended Planning Proposal to the Department of Planning and Environment and requests that it makes arrangements for the publication of LLEP 2013 amendment on the NSW Legislation website.
4. Council endorses the amended Leichhardt Development Control Plan 2013 in accordance with the requirements of Clause 21 of *Environmental Planning and Assessment Regulations 2000* and place a public notice in the local newspaper with the specified date of commencement.

C1216 Item 13 Local Traffic Committee Meeting held on 3 November 2016

The Administrator determined that the Minutes of the Local Traffic Committee Meeting held on 3 November 2016 be received and recommendations for Items 1-37 & 39 be adopted.

URGENCY MOTION

The Administrator determined that Items 36, 37 and Late Item regarding Grove Street, Birchgrove of the Local Traffic Committee Meeting held on 1 December 2016 be considered as a Matter of Urgency in accordance with Section 241 (3b) of the Local Government Regulation 2005.

C1216 Item 27 Local Traffic Committee Meeting Held On 1 December 2016 - Item 36, 37 and Late Item

The Administrator determined that the Minutes for Items 36, 37 and the Late Item of the Local Traffic Committee Meeting held on 1 December 2016 be received and recommendations for these Items be adopted.

C1216 Item 14 Open Inner West 2017 Program Recommendations

The Administrator determined that:

1. The report be received and noted; and
2. Council endorse funding for the 15 applications as outlined in Attachment 1, totalling \$60,175 for the Open Inner West 2017 Grants Program.
3. Council give further consideration to supporting the Respectful Relationships Project.

**C1216 Item 21 Quarterly Budget Review Statement for the Period Ended 30
September 2016**

The Administrator determined that this matter be deferred.

C1216 Item 22 Inner West Council Investments as at 31 October 2016

The Administrator determined that the report be received and noted.

Meeting closed at 10:05pm.

Public Speakers:

Item 1:	John Stamolis, Leichhardt LRAC Ted Cassidy, Ashfield LRAC Julie Passas, Ashfield LRAC Rochelle Porteous	Balmain Haberfield Ashfield Balmain
Item 2:	Frank Breen, Leichhardt LRAC Alex Lofts, Ashfield LRAC Rene Holmes Richard Denham Julie Passas, Ashfield LRAC Ted Cassidy, Ashfield LRAC	Balmain Summer Hill Ashfield Croydon Ashfield Haberfield
Item 3:	Jason Balgi Marilyn Lean Julie Passas, Ashfield LRAC	Summer Hill Summer Hill Ashfield
Item 4:	John Stamolis, Leichhardt LRAC Frank Breen, Leichhardt LRAC	Balmain Balmain
Item 5:	Frank Breen, Leichhardt LRAC Linda Kelly, Leichhardt LRAC Hall Greenland Sharon Carey Bob Masters John Stamolis, Leichhardt LRAC Simon Emsley, Leichhardt LRAC	Balmain Leichhardt Leichhardt Taverners Hill Newington Balmain Leichhardt
Item 6:	Simon Emsley, Leichhardt LRAC Colin Menzies Margot Moore Jennifer McNamara Hall Greenland Sharon Carey	Leichhardt Haberfield Leichhardt Leichhardt Leichhardt Taverners Hill
Item 7:	Mark Drury, Ashfield LRAC Linda Kelly, Leichhardt LRAC Wendy Hayhurst Hal Pawson Brian Murnane Simon Emsley, Leichhardt LRAC Ted Cassidy, Ashfield LRAC	Ashfield Leichhardt Surry Hills Petersham Lewisham Leichhardt Haberfield
Item 8:	John Stamolis, Leichhardt LRAC Linda Kelly, Leichhardt LRAC Lucille McKenna, Ashfield LRAC Alex Lofts, Ashfield LRAC	Balmain Leichhardt Summer Hill Summer Hill
Item 10:	Mark Drury, Ashfield LRAC	Ashfield
Item 11:	John Stamolis, Leichhardt LRAC	Balmain
Item 12:	Linda Kelly, Leichhardt LRAC	Leichhardt
Item 13:	John Stamolis, Leichhardt LRAC	Balmain
Item 14:	John Stamolis, Leichhardt LRAC	Balmain

Item 20: Adrienne Shilling Petersham
John Stamolis, Leichhardt LRAC Balmain
Hall Greenland Leichhardt
Ted Cassidy, Ashfield LRAC Haberfield

Item 21: Mark Drury, Ashfield LRAC Ashfield

Item 22: Frank Breen, Leichhardt LRAC Balmain

Item 26: Alex Lofts, Ashfield LRAC Summer Hill
Julie Passas, Ashfield LRAC Ashfield
Michelle Price Not supplied
Ted Cassidy, Ashfield LRAC Haberfield
Rochelle Porteous Balmain
Lucille McKenna, Ashfield LRAC Summer Hill
Bob Masters Newington