

COMMENCING: 6.09pm

PRESENT: Councillor G Vaccari (Chairman)
Councillor D Bott
Councillor R Datta
Councillor S Kokkolis
Councillor H McLucas
Councillor S Ok

Councillor A Soulos arrived later in the proceedings

STAFF: General Manager
Director Corporate Services
Director Operations
A/Director Technical Services (Manager Strategic Planning)
Group Coordinator Communications and IT
Governance Coordinator

1. OPENING: The Prayer was read.

2. RECOGNITION OF TRADITIONAL CUSTODIANS: The Recognition was read.

3. PECUNIARY INTEREST/CONFLICT OF INTEREST

Nil.

4. APOLOGIES

Councillor Bott advised Councillor Soulos would be late.

Councillor Soulos entered the meeting room during discussion on Item 5 and declared a conflict of interest concerning the following matters:

Item 5. Columbia Lane Precinct Part 3a Proposal Preferred Project Report
– Council Submission

Item 7. Closed Session - Item 1. Draft Strathfield Local Environmental Plan 2011

Councillor Soulos made the following disclosure:

“I do *not* have *any* direct interest myself in these matters. However, certain members of my extended family or his/her/their corporate associates (especially relating to the company “Esperia Court Pty Limited) do own or are employees at certain commercial property in Strathfield Town Centre (which includes and is not limited to, Strathfield Private Hotel).

Strathfield Private Hotel is on land (a portion of which) abuts lands generally known as Strathfield Plaza.

For the following reasons my tangential association with such land does **not** offend (presently nor in the immediate future), Council's Pecuniary Interest principles as noted in its current Code of Conduct (version published 5 October 2010):

- (i) I know that various planning controls (including Floor Space Ratio and permitted maximum height for structures) in the Draft Strathfield LEP 2011 are *different* for Strathfield Private Hotel and Strathfield Plaza (indeed my enquiries are that the Plaza is allowed both greater FSR ratio and height in the Draft LEP) – i.e there is no parity nor linkage in controls applicable to one with respect to the other – what happens to this neighbour does not affect the planning controls on Esperia Court Pty Limited's lands. Moreover, as Councillors know public submissions regarding the Draft LEP 2011 have closed (indeed the final matters for this Draft LEP now rest entirely with the Minister).
- (ii) My informal enquiries are that Esperia Court Pty Limited has not made a continuing *further* submission to the Draft LEP 2011 since the closing date nor lodged a D.A. on its own behalf in Strathfield Town Centre nor presently have lodged an objection to any D.A. of adjacent sites – i.e there is no ongoing interest nor concerns with its neighbour. I have no means of confirming whether the foregoing intentions may or may not change at any time in the (near or distant) future. Obviously, commercial circumstances may alter to encourage or discourage a change in intention.
- (iii) *In any event I submit that the matter for discussion by Councillors in closed session is in the nature of minor grammatical form rather than substantive changes to the ratios/ approved uses etc within the Draft LEP 2011 (i.e The Pecuniary Interest matters are relatively illusory for this particular matter).*

Finally, I note in passing that my **role** as elected representative (**s.232(2)** of the Local Government Act 1993 (NSW)) especially mindful of my expressed (and confirmed) mandate from the electorate regarding ensuring the community's involvement in the decision making of Council, favour my presence for most matters involving Council and Strathfield Town Centre. I should be present for this item. To be absent sets an unfortunate (and indeed undemocratic) precedent.

Nevertheless, on this occasion (as a courtesy) I will defer to the decision of the Chair as to whether I am to be excluded from discussion of this Item."

Councillor Vaccari indicated that it is the decision of Councillor Soulos whether he remains for discussion on these matters.

Councillor Soulos informed Council that he intends to remain for discussion on these matters.

CLOSED SESSION

224/12

RESOLVED: (Vaccari)

In accordance with Section 10A (2) of the Local Government Act 1993 the following matter will be considered in Closed Session for the reason stated:

5. Columbia Lane Precinct Part 3A Proposal Preferred Project Report – Council Submission

The above matter is being considered in Closed Session as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

5. COLUMBIA LANE PRECINCT PART 3A PROPOSAL PREFERRED PROJECT REPORT – COUNCIL SUBMISSION

225/12

RESOLVED: (Soulos/Bott)

1. That Council endorse the draft submission prepared in response to the notification of the Part 3A Preferred Project Report for the Mixed Use Development, Columbia Precinct, 2-20 Parramatta Rd & 11-13 Columbia Lane MP 10_0143 and that it be forwarded to the Department of Planning & Infrastructure.
2. That Council investigate options to address all the issues raised in Council's submission to the Department. This would include, in addition to the normal monetary levies as calculated by Council's Direct Contributions Plan (s94), an agreement for potential funding or part funding of design, construction and land dedication to Council's standards of items including:
 - a. Critical connections between the 'site' and adjacent open spaces along Powells Creek;
 - b. A critical connection over Parramatta Road between the parcels of Regional Open Space separated by Parramatta Road; and
 - c. The parcel of Regional Open Space that is within the ownership of one of the applicants.
3. That subject to the Department's assessment process and timing, a report to Council be prepared on the proposed approach for Council's endorsement.

Voting on this item was unanimous.

The above Resolution was first moved as an Amendment to the following Motion:

MOTION: (McLucas/Datta)

That Council endorse the draft submission prepared in response to the notification of the Part 3A Preferred Project Report for the Mixed Use Development, Columbia Precinct, 2-20 Parramatta Rd & 11-13 Columbia Lane MP 10_0143 and that it be forwarded to the Department of Planning & Infrastructure.

SUSPENSION OF STANDING ORDERS

226/12

RESOLVED: (McLucas/Kokkolis)

That Standing Orders be suspended to allow consideration of the following matter in Closed Session in accordance with Section 10A (2) of the Local Government Act 1993:

Closed Session item 1. Draft Strathfield Local Environmental Plan 2011

The above matter is being considered in Closed Session as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Voting on this item was unanimous.

1. Draft Strathfield Local Environmental Plan 2011

Councillor Bott declared that he lives in the vicinity of Davidson Street, Greenacre however he intends to take part in discussion concerning this matter.

227/12

RESOLVED: (Vaccari/McLucas)

1. That Council note the changes to the draft Strathfield LEP 2011 (draft LEP) by the Department of Planning & Infrastructure.
2. That Council endorse the draft letter (refer Attachment 1) to be sent to the Department of Planning & Infrastructure in response to the Department's 29 November 2012 letter concerning changes to the draft LEP.

Voting on this item was unanimous.

Open Council resumed and details of the resolutions made in Closed Session were provided.

Standing Orders were resumed.

6. KOREAN GARDENS

228/12

RESOLVED: (Ok/Soulos)

That Council note previous resolutions and actions undertaken regarding the development of a Korean themed garden and community facility within the Strathfield LGA.

Voting on this item was unanimous.

229/12

RESOLVED: (Ok/Soulos)

That Council invite representatives of the Member for Strathfield's subcommittee to participate in the planning and implementation of a Korean Gardens and Cultural Centre.

Voting on this item was unanimous.

230/12

RESOLVED: (Ok/Soulos)

That Council limit the number of representatives from the office of the Member for Strathfield to one.

For the Motion: Councillors Bott, Datta, McLucas and Soulos

Against the Motion: Councillors Vaccari, Kokkolis and Ok

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7.19PM.

The foregoing Minutes were confirmed at an ORDINARY MEETING of the Council of the Municipality of Strathfield held on 5 February 2012.

Chairman_____ General Manager_____