



Burwood Council

heritage ▪ progress ▪ pride

ORDINARY MEETING

Notice is hereby given that a meeting of the Council of Burwood will be held in the Council Chamber, Suite 1, Level 2, 1-17 Elsie Street, Burwood on Tuesday 25 July 2017 at 6.00 to consider the matters contained in the attached Agenda.

Michael McMahon
GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

CONFLICT OF INTERESTS

What is a "Conflict of Interests" - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Non-pecuniary – are private or personal interests the Council official has that do not amount to a pecuniary interest as defined in the Local Government Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

Who has a Pecuniary Interest? - A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- The person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
- A company or other body of which the person, or a nominee, partner or employer of the person, is a member.

No Interest in the Matter - However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
- Just because the person is a member of, or is employed by, a Council or statutory body or is employed by the Crown.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter so long as the person has no beneficial interest in any shares of the company or body.

N.B. "Relative", in relation to a person means any of the following:

- a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - A person does not breach the Act if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

What interests do not have to be disclosed (S 448 Act)?

- (a) an interest as an elector,
- (b) an interest as a ratepayer or person liable to pay a charge,
- (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
- (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,
- (e) an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),
- (f) an interest of a member of a council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,
- (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (i) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - (ii) land adjoining, adjacent to or in proximity to land referred to in subparagraph (i), if the person or the person, company or body referred to in section 443 (1) (b) or (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,
- (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,

- (i) an interest of a person arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,
- (j) an interest of a person arising from the making by the council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - (i) the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation,
 - (ii) security for damage to footpaths or roads,
 - (iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council or by or under any contract,
- (k) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor),
- (l) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252,
- (m) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor,
- (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
- (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or member of a council committee,
- (p) an interest arising from appointment of a councillor to a body as representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 448 of the Local Government Act.

Non-pecuniary Interests - Must be disclosed in meetings.

If you are a Council official, other than a member of staff of Council and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:

- a) Remove the source of the conflict by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official;
- b) Have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in Section 451(2) of the Act apply.

If you determine that a non-pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.

Disclosures to be Recorded - A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee must be recorded in the minutes of the meeting.

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AGENDA

FOR AN ORDINARY MEETING OF BURWOOD COUNCIL
TO BE HELD ON TUESDAY 25 JULY 2017 IN THE COUNCIL CHAMBERS, 1-17 ELSIE STREET, BURWOOD
COMMENCING AT 6.00 PM.

I DECLARE THE MEETING OPENED AT (READ BY MAYOR)

ACKNOWLEDGEMENT OF COUNTRY (READ BY MAYOR)

"I would like to acknowledge the Wangal people who are the Traditional Custodian of this Land. I would also like to pay respect to the Elders both past and present of the Wangal Nation and extend that respect to other Aboriginals present".

PRAYER (READ BY MAYOR)

"Lord, we humbly beseech thee to vouchsafe thy blessing on this Council, direct and prosper its deliberations for the advancement of this area and the true welfare of its people."

TAPE RECORDING OF MEETING (READ BY MAYOR)

"Members of the Public are advised that Meetings of Council and Council Committees are audio recorded for the purpose of assisting with the preparation of Minutes.

The tape recordings will be subject to the provisions of the Government Information (Public Access) Act 2009 (GIPA).

Tapes are destroyed two (2) months after the date of the recording"

APOLOGIES/LEAVE OF ABSENCES

DECLARATIONS OF INTERESTS BY COUNCILLORS

DECLARATION OF POLITICAL DONATIONS (READ BY MAYOR)

"Councillors & Members of the Gallery

As a result of recent changes to the Legislation that governs the legal process for the determination of Development Applications before Council, a person who makes a relevant application to Council or any person with a financial interest in the application must now disclose any reportable political donation or gift made to any local Councillor or employee of Council. Council will now require in its Development Application Forms this disclosure to be made.

Council is also required to publish on its website all reportable political donations or gifts. Should any person having business before Council this evening and being an applicant or party having a financial interest in such application feel that they have not made the appropriate disclosure, Council now invites them to approach the General Manager and to make their disclosure according to Law."

RECORDING OF COUNCILLORS VOTING ON PLANNING DECISIONS

In accordance with Section 375A of the Local Government Act a division must be called for and taken on every Environmental Planning & Assessment decision. The names of those Councillors supporting and those opposed to the decision are to be recorded in the meeting minutes and the register retained by the General Manager.

OPEN FORUM ACKNOWLEDGMENT (READ BY MAYOR)

The Mayor to ask each speaker to confirm that they had read the guidelines about addressing the Council and acknowledge that they had been informed that the meeting was being recorded and that the Council accepts no responsibility for any defamatory comments made. Speakers should refrain from providing personal information unless it is necessary to the subject being discussed, particularly where the personal information relates to persons not present at the meeting

OPEN FORUM COMMENCES

CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the following Meeting of Burwood Council:

A. Council Meeting held on 27 June 2017

copies of which were previously circulated to all Councillors be and hereby confirmed as a true and correct record of the proceedings of that meeting.

ADDRESS BY THE PUBLIC ON AGENDA ITEMS ACKNOWLEDGMENT (READ BY MAYOR)

The Mayor to ask each speaker to confirm that they had read the guidelines about addressing the Council and acknowledge that they had been informed that the meeting was being recorded and that the Council accepts no responsibility for any defamatory comments made.

ADDRESS BY THE PUBLIC ON AGENDA ITEMS COMMENCES

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That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (d) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

QUESTIONS WITHOUT NOTICE

Councillors are requested to submit any Questions Without Notice in writing.

(ITEM 40/17) CONSIDERATION OF POTENTIAL HERITAGE ITEM - ELY HOUSE - 122-126 BURWOOD ROAD BURWOOD

File No: 17/6436

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

Council, at its 22 November 2016 meeting, considered the potential heritage listing of Ely House at 122-126 Burwood Road Burwood. Council resolved to defer the matter to enable the owner to make a written submission. This report discusses the submission which has since been received.

Background

At its meeting on 24 August 2015, Council considered the findings of the *Assessment of Potential Heritage Items - Stage 1*. The study recommended that several properties be listed as heritage items of local significance, including Ely House at 122-126 Burwood Road Burwood.

Council resolved to undertake preliminary consultation with property owners which was the subject of a subsequent report at the Council Meeting on 22 March 2016. Council resolved to undertake further investigation of four properties. This peer review included Ely House and the findings of the second study were reported to Council in November 2016.

At its meeting on 22 November 2016, Council considered a report on several heritage matters. A representative for the owners of Ely House spoke at the Council meeting against the heritage listing of that property. It was resolved at the meeting:

1. *That Council endorse the preparation of a Planning Proposal encompassing the following heritage matters and submit the Planning Proposal to NSW Planning and Environment for a Gateway Determination:*
 - *The heritage listing of three properties following a peer review, being 18 Liverpool Road Croydon, 99 Burwood Road Enfield, and 109 Burwood Road Enfield*
 - *The heritage listing of 16 Eureka Street Burwood*
 - *The heritage listing of the former Electrical Substation at 185 Georges River Road Croydon Park*
 - *The amendment of the listing for PLC at Croydon*
2. *That subject to the Gateway Determination, the Planning Proposal be publicly exhibited and consultation with any relevant public authorities be undertaken.*
3. *That the results of the public exhibition and consultation be reported back to Council.*
4. ***That heritage listing for 122-126 Burwood Road Burwood be deferred to enable the owner to make a written submission.***

In accordance with Council's resolution, a letter was sent inviting the owners of Ely House to make a submission.

Discussion

The owner's submission, prepared by Urbis Pty Ltd, was received by Council on 8 February 2017. The submission objects to the heritage listing of Ely House, summarised as follows:

- The mixed-use (commercial and residential) is common.
- The building has been substantially modified, specifically the ground floor and internally. The

ground floor presents as a contemporary row of retail tenancies. Only on the first-floor does the building embody elements of the Inter-War Spanish Mission style.

- The building fabric is in poor condition and does not present a good example of its type as the building was of a representative design without distinction.
- The assessment of “rarity” should not be based on examples in the Local Government Area as these boundaries are subject to change. While the Spanish Mission style itself is potentially rare within the Burwood region, the style is evident in other significantly superior examples throughout Sydney.
- A heritage listing would promote façadism.

The full submission is at **Attachment 1**.

Preceding this submission, two heritage assessments were commissioned by Council which supported a heritage listing of the property. Both assessments were carried out by independent heritage consultants, being City Plan Services and Colin Israel Heritage Advice.

The following is an overview of matters considered in determining whether to progress a heritage listing of Ely House:

- The initial nomination for heritage listing came from the Burwood and District Historical Society.
- The owner’s submission does not refute the historical facts (i.e. ownership details, date of construction, architectural style) contained in the assessments commissioned by Council.
- Both of the assessments commissioned by Council found the property to satisfy the heritage criteria of (a) historic significance, (c) aesthetic significance, and (f) rarity.
- The heritage listing would acknowledge that the ground floor shopfronts have been altered. Indeed, the listing would be similar to the 34 other parcels on Burwood Road where only the building elements above the awning level (i.e. first floor façades) are identified as being significant.
- The assessment criteria for local heritage items is based on its value to the “local area”, regardless of Council boundaries, and are not based on a Sydney-wide context as suggested by the submission.
- In particular, Colin Israel’s assessment found that:

Spanish Mission style buildings from the Inter-War period are relatively rare in Burwood. This example exemplifies characteristic features of the style and is prominently located within Burwood Road’s streetscape. Apart from the alteration of the ground floor shops, the form, materials and design retain original character and stylistic elements.

Relevant sections of the heritage assessments by City Plan Services and Colin Israel Heritage Advice are at **Attachment 2** and **Attachment 3** respectively.

Consultation

The property was the subject of a preliminary consultation in late 2015. No submissions were received from the property owners at that time.

On account of representations made to the Council Meeting on 22 November 2016, Council deferred the matter to enable a submission to be made by the owner. The submission is the subject of this report.

Should heritage listing be progressed, a formal public exhibition of the Planning Proposal and community consultation process is required by the legislation. Property owners would again be invited to make a submission during the public exhibition.

Planning or Policy Implications

Any heritage listing would need to be progressed through a Planning Proposal process.

A potential heritage property is not afforded any legislative protection until such time as the property is included in a Planning Proposal on public exhibition. As such, the property is at risk of alteration ahead of the Planning Proposal process.

Financial Implications

A Planning Proposal which provides for the heritage listing of several other properties (considered in the 22 November 2016 report) has already progressed through the Gateway Determination and public exhibition stages. It is, therefore, unlikely that the Ely House matter can be incorporated into the existing Planning Proposal. Instead, the Ely House matter would be progressed as a stand-alone Planning Proposal.

The consequence is additional resources in terms of staff time, however, the existing budget is sufficient to provide for the preparation and progression of a Planning Proposal.

Conclusion

It is recommended that the heritage listing of Ely House be progressed through a Planning Proposal. This recommendation is based upon the two heritage assessments commissioned by Council which support a heritage listing of the property.

Recommendation(s)

1. That Council endorse the preparation of a Planning Proposal for the heritage listing of Ely House at 122-126 Burwood Road Burwood and submit the Planning Proposal to NSW Planning and Environment for a Gateway Determination.
2. That subject to the Gateway Determination, the Planning Proposal be publicly exhibited and consultation with any relevant public authorities be undertaken.
3. That the results of the public exhibition and consultation be reported back to Council.

Attachments

- 1 Submission
- 2 Assessment by City Plan Services
- 3 Assessment by Colin Israel Heritage Advice

HERITAGE ASSESSMENT AND OBJECTION REPORT

122-126 BURWOOD RD, BURWOOD NSW 2134

8 FEBRUARY 2017
SH982
FINAL
PREPARED FOR EUSTON INVESTMENT PTY LTD, H.R.P.E. PTY LTD,
CELERMAJER INCOME TRUST

URBIS

ATTACHMENT 1

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road Burwood.DOC Submission

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Stephen Davies, B Arts Dip. Ed., Dip. T&CP, Dip. Cons. Studies
Heritage Consultant	Ashleigh Roddan, B Property Economics
Job Number	SH982
Report Number	2017 02 07 Draft 2017 02 08 Final

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You must read the important disclaimer appearing within the body of this report.

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1. INTRODUCTION

1.1. BACKGROUND

We have been engaged by Euston Investment Pty Ltd, H.R.P.E. Pty Ltd, Celermajor Income Trust to prepare the following Heritage Assessment report to accompany an objection to a proposed heritage listing of the subject property at 122-126 Burwood Road Burwood.

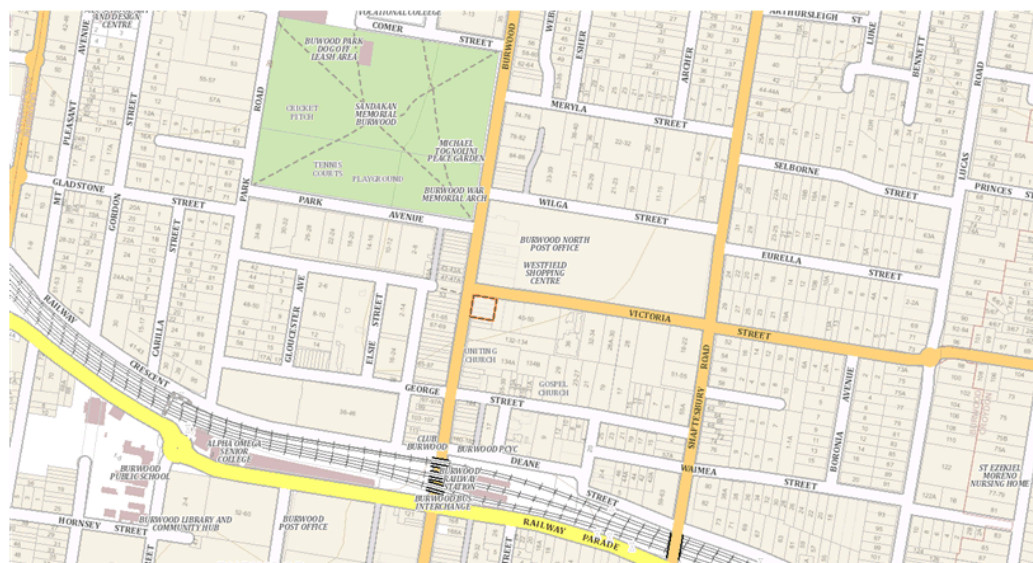
At its meeting of 22 March 2016, Burwood Council considered a report on the preliminary consultation with affected property owners and resolved, in part, to undertake further investigation of four properties for potential heritage listing, including the subject property.

A peer review of the initial heritage study has been undertaken by Council by their heritage consultant, Colin Israel (trading as Heritage Advice). Detail of Colin Israel's consideration of the subject property's heritage significance is included in Section 4.2 of this report.

1.2. SITE LOCATION

The subject site is a consolidation of four (4) lots located at the south-east corner of the intersection of Victoria Road and Burwood Road in Burwood. The site is described as the whole of the land contained within Lots 1, 2, 3 and 4 in Deposited Plan 14009.

Figure 1 – Locality diagram



Source: SIX Maps, 2017

1.3. METHODOLOGY

The heritage assessment contained in Section 4.2 of this report has been prepared in accordance with the NSW Heritage Branch guideline 'Assessing Heritage Significance' (2001). The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999 (revised 2013).

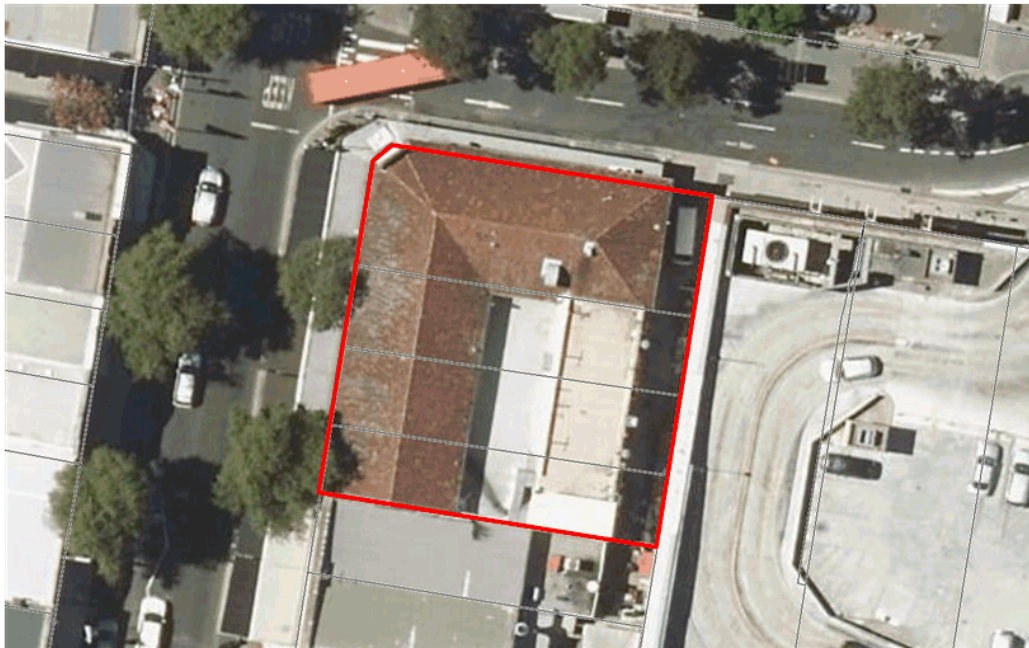
1.4. AUTHOR IDENTIFICATION

The following report has been prepared by Ashleigh Roddan (Heritage Consultant). Stephen Davies (Director) has reviewed and endorsed its content. Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

2. SITE DESCRIPTION

The subject site is a consolidation of four (4) lots located at the south-east corner of the intersection of Victoria Road and Burwood Road in Burwood. The site is described as the whole of the land contained within Lots 1, 2, 3 and 4 in Deposited Plan 14009. Together the site is a regular shaped corner site, with a total land area of approximately 750 square metres. The natural topography of the site is generally level.

Figure 2 – Aerial Image



Source: SIX Maps 2017

Immediately surrounding development comprises a mixture of retail and commercial use buildings in a shop-front configuration along both Burwood Road and Victoria Road. Most buildings are of a two-storey height with retail / commercial operations at the ground, street-level, and residential or commercial uses above. Opposite the subject property site along Victoria Street is located the Burwood Westfield complex, which itself occupies almost an entire block. An extension of this Westfield Complex, being the Event Cinema building, is located directly east of the subject property and adjoins its eastern boundary.

The subject property comprises a two-storey mixed-use building, with five (5) retail tenancies on the ground floor, and residential accommodation above. The building is constructed of brick with areas of exaggerated stucco render, and a timber framed and tiled roof. The building has been substantially modified with the ground floor presenting as a contemporary row of retail tenancies. Only the first-floor does the building still embody elements of the Inter-War Spanish Mission style, including its semi-circle tile capped splay corner parapet and grouped arched openings to first-floor balconies.

ATTACHMENT 1

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Submission



Picture 1 – View facing south east towards subject site
Source: Urbis



Picture 2 – View of Burwood Road frontage of the subject property
Source: Urbis



Picture 3 – View of the eastern elevation of the subject property
Source: Urbis



Picture 4 – View of the first-floor terrace
Source: Urbis



Picture 5 – View of the first-floor terrace
Source: Urbis



Picture 6 – View of the first-floor terrace
Source: Urbis

ATTACHMENT 1

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Submission



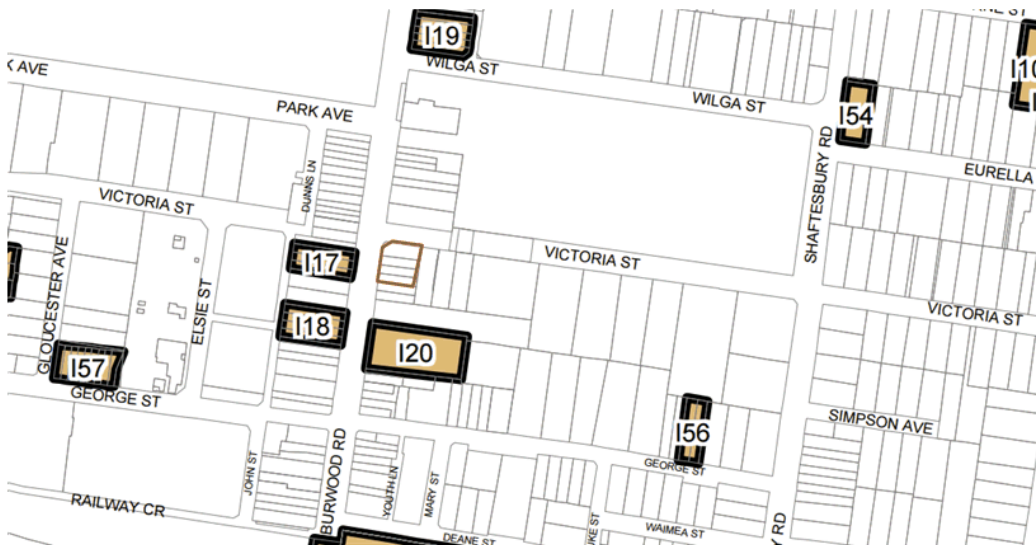
Picture 7 – View of the internal staircase
Source: Urbis



Picture 8 – View of an internal room on the first-floor
Source: Urbis

The subject site is not a heritage listed item under the Burwood Local Environmental Plan 2012, nor is it within a Heritage Conservation Area under this legislation.

Figure 3 – Extract of heritage map



Source: Burwood Local Environmental Plan 2012, Heritage Map HER_001

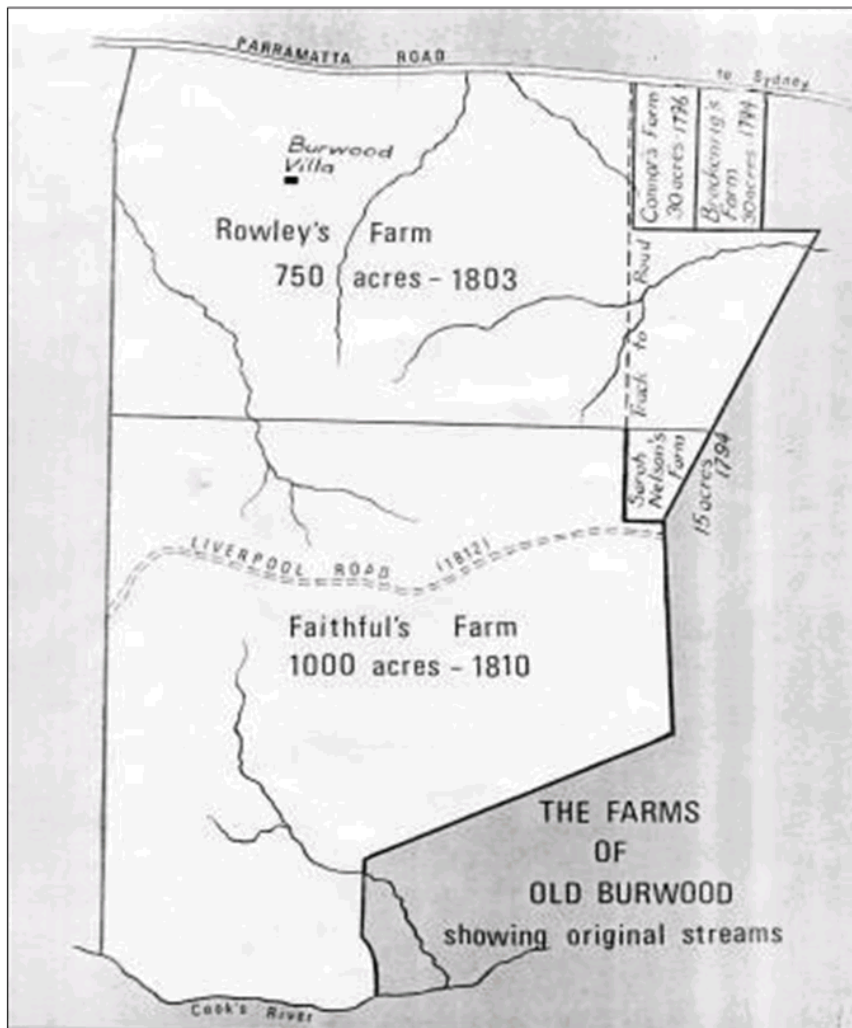
3. HISTORICAL OVERVIEW

3.1. AREA HISTORY

The subject property is located in the suburb of Burwood, approximately 12 kilometres to the west of Sydney City. The history of this suburb began in 1791 with the establishment of Parramatta Road, which was originally established as a way to connect Governor Phillip's settlement at Sydney Cove and a small farming community he had established at Parramatta (then 'Rose Hill'). The construction of the road improved the accessibility of land to the west of Sydney Cove, and settlement of the area soon followed.

In 1799, a 250-acre land grant was made by Governor Hunter to Captain Thomas Rowley, also of the NSW Corps. Rowley named this land 'Burwood Farm' after his hometown of Burwood, Cornwall, and it is from this estate that the modern suburb of Burwood derives its name (Sunday Times 18 November 1928: 22).

Figure 4 – Map showing early land grants in the Burwood area

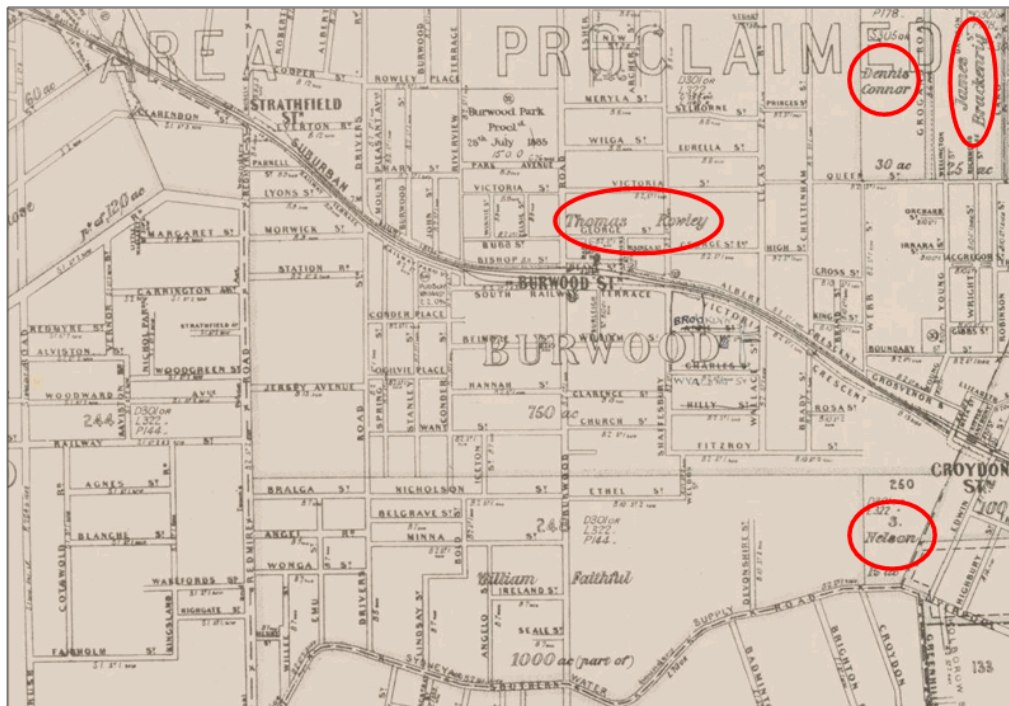


Source: Dunlop 1974: 195

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Submission

The first recorded resident of Burwood was Sarah Nelson. Nelson was a free settler who established a farm in 1794 on 15 acres of land in the area now known Malvern Hill. Nelson was closely followed in that same year by James Brackenrig, a private soldier in the New South Wales Corps who was granted 25 acres of land on the southern side of Parramatta Road. In 1796, a convict named Denis Connor was granted a 30-acre parcel of land to the immediate west of Brackenrig's property, and the settlement of Burwood had begun (Pollon 1988: 41) (Figure 5).

Figure 5 – 1898 Concord parish map showing the location of land grants



Source: MAP RM 2535, Spatial Information eXchange Maps – Historical Lands Records Viewer, 2014

Rowley died in 1806, and his will stipulated that the Rowley's children, who were the trustees of his estate, were not to sell the property. Rowley's children soon after relocated to England, at which time Governor Macquarie nominated Thomas Moore as trustee. Moore then sold the property to Alexander Riley in 1812 for £520, and it was inherited by his son W.E. Riley in 1833. Upon their return from England, Rowley's heirs learned that the property had been disposed of contrary to their father's will, and instigated court action. They were ultimately awarded the estate and went on to subdivide and sell the land from 1833 onwards. A number of other land owners in the local area followed suit, and Burwood entered a period of residential growth.

Prompted by the increasing number of residents and consequent increase of traffic along Parramatta Road, Burwood began to prosper. A stagecoach began running from Burwood to Parramatta in 1814, and during the 1820s a number of inns were built at 10 kilometre intervals along the road where the coaches stopped to change horses. In 1821 the Longbottom Government Farm was established; the farm eventually grew to cover over 700 acres of land, and provided employment for over 100 men. A stone schoolhouse was opened in 1847, and St Thomas' church was established in 1848. In 1855 the railway line connecting Sydney to Parramatta was opened and Burwood railway station was constructed, furthering the growth of the suburb (The Sydney Morning Herald 2 August 1913: 8).

The Municipality of Burwood was incorporated by proclamation into the Government Gazette on 27 March 1874. At this time, the population numbered some 1,200 people. By 1900 the population had grown to 7,400, and by 1930 this number had more than doubled.

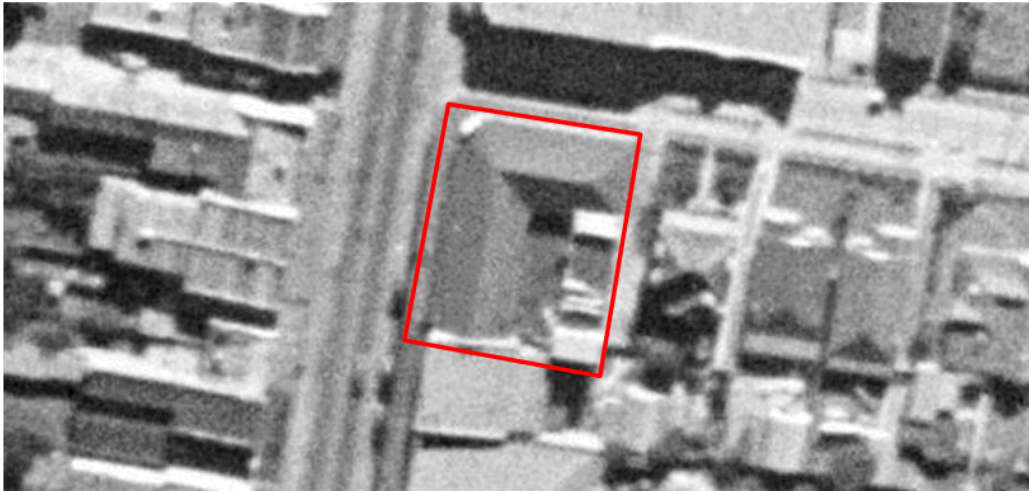
3.2. SUBJECT SITE HISTORY

The following specific site history has been drawn from the revised historical notes contained in the proposed heritage inventory sheet, included in Burwood Council's Ordinary Meeting Minutes of 22 November 2016, p.19.

The property was subdivided into its present form in 1925 by then owners George, Wilfred & Harold Bignam, who purchased the property that year. The sequence of construction is not known, but in 1929 the property was transferred to Maria and George Ely as Tenants in Common. Shortly afterwards, leases were signed with various tenants for the shops at 124 Burwood Road, including a Chemist, Motor Mechanic, Furniture Shop, Confectioners Shop and Radio Shop.

The building acquired its name from the new owners and was called 'Ely House' as displayed on the splay corner parapet. This suggests that the Ely's purchased the building as an investment from the Bignams who were most likely to have been responsible for its construction. The Bignams also sold the remaining lots from the 1925 subdivision. As the construction of the Ely building may have been staged, the date of construction is clouded, but the Ely building was certainly complete and fully tenanted by 1929.

Figure 6 – Extract of 1943 aerial



Source: SIX Maps 2017

4. HERITAGE SIGNIFICANCE

4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place; why it is important, why a statutory listing was made to protect these values.

4.2. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been prepared in accordance with the 'Assessing Heritage Significance' (2001) guides.

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Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
<p>A – Historical Significance <i>An item is important in the course or pattern of the local area's cultural or natural history.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • shows evidence of a significant human activity <input type="checkbox"/> • is associated with a significant activity or historical phase <input type="checkbox"/> • maintains or shows the continuity of a historical process or activity <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • has incidental or unsubstantiated connections with historically important activities or processes <input type="checkbox"/> • provides evidence of activities or processes that are of dubious historical importance <input checked="" type="checkbox"/> • has been so altered that it can no longer provide evidence of a particular association <input checked="" type="checkbox"/> 	<p>Ely House was constructed for and occupied as a mixed-use development. This use is common throughout the Burwood town centre and of itself is not a historically significant use.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Inventory Sheet Statement</p> <p>Ely House has continually operated as its original intended design as a mixed use commercial and residential development since the early 1930s. As a mixed use development it accommodated both residential and commercial activities combining more life and business to the surrounding street, this importance use is continuing today.</p> <p>Colin Israel's Discussion</p> <p>Statement indicates origin and continuity of activity 1920s and 1930s – mixed use of a substantial scale. While the activity is common the evidence of continuity in a particular historical phase is substantially intact.</p>

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Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
<p>B – Associative Significance</p> <p><i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • shows evidence of a significant human occupation <input type="checkbox"/> • is associated with a significant event, person, or group of persons <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • has incidental or unsubstantiated connections with historically important people or events <input type="checkbox"/> • provides evidence of people or events that are of dubious historical importance <input checked="" type="checkbox"/> • has been so altered that it can no longer provide evidence of a particular association <input checked="" type="checkbox"/> 	<p>Ely House has no known significant associations with a person or group of persons. The building was named for Maria and George Ely, who purchased the property in 1929. However, it is not clear that they were responsible for the construction of the building, nor are they considered to be of historical importance.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Nil.</p> <p>Colin Israel Response</p>

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Submission

Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
<p>C – Aesthetic Significance</p> <p><i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • shows or is associated with, creative or technical innovation or achievement <input type="checkbox"/> • is the inspiration for a creative or technical innovation or achievement <input type="checkbox"/> • is aesthetically distinctive <input type="checkbox"/> • has landmark qualities <input type="checkbox"/> • exemplifies a particular taste, style or technology <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is not a major work by an important designer or artist <input checked="" type="checkbox"/> • has lost its design or technical integrity <input checked="" type="checkbox"/> • its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded <input checked="" type="checkbox"/> • has only a loose association with a creative or technical achievement <input checked="" type="checkbox"/> 	<p>Ely House is a greatly modified example of an Inter-War mixed use building with elements of the Spanish Mission style. The building has been so substantially altered that its street-level presence bears no resemblance to its original Spanish Mission style. The integrity of the fabric has been further eroded by the recent removal of the original Victoria Street entry door.</p> <p>Whilst the first-floor facades to Burwood Road and Victoria Street retain a number of Spanish Mission elements, this fabric is in poor condition and does not present as a good example of its type as the building was of a representative design without distinction and has had half its façade altered significantly.</p> <p>In particular the variations between the Victoria Street first-floor façade and Burwood Road first-floor façade support the assumption that the building was a staged development and therefore does not present as a unified, cohesive Spanish Mission example.</p> <p>Internally, the integrity of the first-floor fabric has been substantially compromised by numerous modifications and is in poor aesthetic and functional condition. No original fabric remains on the ground floor internally. Being a representative example on the upper floor does not mean it meets the criterion for individual listing on aesthetic grounds. The building has not been included in previous heritage studies and there is the tendency to revisit buildings of poorer quality that do not meet the threshold.</p> <p>If this was a poor example in a streetscape of excellent examples, such as a group, then it may qualify under a group listing however this is not the case. It is an isolated and much altered example of a style much better represented and recognised elsewhere.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Inventory Sheet Statement</p> <p>Ely House is a good example of the Inter-War Spanish Mission style architecture on the first floor and the access or entry stairwell on Victoria Street West. In addition, it contributes a sense of heritage character to the wider streetscape.</p> <p>Colin Israel's Discussion</p> <p>Spanish Mission style buildings from the Inter-War period are relatively rare in Burwood. This example exemplifies characteristic features of the style and is prominently located within Burwood Road's streetscape. Apart from the alteration of the ground floor shops, the form, materials and design retain original character and stylistic elements. Its original landmark qualities (as street corner feature) are subsumed by the scale of later surrounding development.</p>

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Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
<p>D – Social Significance</p> <p><i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • is important for its associations with an identifiable group <input type="checkbox"/> • is important to a community's sense of place <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is only important to the community for amenity reasons <input checked="" type="checkbox"/> • is retained only in preference to a proposed alternative <input checked="" type="checkbox"/> 	<p>Ely House has no known significant social associations with a group of persons or community group.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Nil.</p> <p>Colin Israel Response</p>

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Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
<p>E – Research Potential</p> <p><i>An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • has the potential to yield new or further substantial scientific and/or archaeological information <input type="checkbox"/> • is an important benchmark or reference site or type <input type="checkbox"/> • provides evidence of past human cultures that is unavailable elsewhere <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • the knowledge gained would be irrelevant to research on science, human history or culture <input type="checkbox"/> • has little archaeological or research potential <input checked="" type="checkbox"/> • only contains information that is readily available from other resources or archaeological sites <input checked="" type="checkbox"/> 	<p>It probable likely that structures were located on the subject site prior to the construction of Ely House in c. 1929, based on Sands Directory records, however this has not been confirmed. The subject site has no known archaeological potential. Notwithstanding the above, it is beyond the scope of this report to assess the archaeological potential of the subject site.</p> <p>Ely House is a substantially modified building and a significant amount of the original fabric has been removed. It is unlikely that the building will provide any significant research or knowledge to the community that would not already be available, in a better intact example elsewhere or by recording the current building in the event of future redevelopment.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Inventory Sheet Statement</p> <p>Ely House has potential to add research and educational knowledge to the community in regards to the documentation of the Inter-War Spanish Mission style architecture.</p> <p>Colin Israel's Discussion</p> <p>This assertion is largely conjectural.</p>

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Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
<p>F – Rarity</p> <p><i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • provides evidence of a defunct custom, way of life or process <input type="checkbox"/> • demonstrates a process, custom or other human activity that is in danger of being lost <input type="checkbox"/> • shows unusually accurate evidence of a significant human activity <input type="checkbox"/> • is the only example of its type <input type="checkbox"/> • demonstrates designs or techniques of exceptional interest <input type="checkbox"/> • shows rare evidence of a significant human activity important to a community <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is not rare <input checked="" type="checkbox"/> • is numerous but under threat <input type="checkbox"/> 	<p>Rarity should not be based on the local government area as these areas have been and are currently subject to potential change. The decision must rest on the rarity as an architectural type and for this example there is been no evidence of survey work done by the consultants in Burwood or surrounding local government areas or in the Sydney region. Notwithstanding that the Spanish Mission style itself is potentially rare within the Burwood region, it is evident in other significantly superior examples throughout Sydney.</p> <p>The subject Ely House is a highly modified example of its type, with over 50% of its original fabric having been removed, and the ground floor level bearing no resemblance to the style at all. In heritage terms this equates to virtual demolition.</p> <p>As discussed above, the first-floor facades to Burwood Road and Victoria Street are considered to have some merit for their Spanish Mission details, however, these facades are not of a high architectural integrity and do not present Ely House as a cohesive well-planned singular building.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Inventory Sheet Statement</p> <p>Ely House is a rare example of the Inter-War Spanish Mission style locally within the Burwood Municipality.</p> <p>Colin Israel's Discussion</p> <p>This style is rare within Burwood and is relatively rare in other Inter-War suburbs. Examples are therefore valued as part of the diversity of the Inter-War styles. Its use may also be indicative of more cosmopolitan tastes influenced by both immigration and Hollywood.</p>

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Criteria	Urbsis Significance Assessment	Current Inventory Detail and Collin Israel Response
<p>G – Representative</p> <p><i>An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or cultural or natural environments.</i></p> <p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • is a fine example of its type <input type="checkbox"/> • has the principal characteristics of an important class or group of items <input type="checkbox"/> • has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity <input type="checkbox"/> • is a significant variation to a class of items <input type="checkbox"/> • is part of a group which collectively illustrates a representative type <input type="checkbox"/> • is outstanding because of its setting, condition or size <input type="checkbox"/> • is outstanding because of its integrity or the esteem in which it is held <input type="checkbox"/> <p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is a poor example of its type <input checked="" type="checkbox"/> • does not include or has lost the range of characteristics of a type <input checked="" type="checkbox"/> • does not represent well the characteristics that make up a significant variation of a type <input type="checkbox"/> 	<p>Ely House has some merit in it representative features of the Spanish Mission style. However, the building is substantially altered with a high degree of fabric having been removed, and as such it does not present as an intact example of the style.</p> <p>Ely House does not meet this criterion for heritage listing at a state or local level.</p>	<p>Nil. Collin Israel Response</p>

4.3. STATEMENT OF SIGNIFICANCE

The subject Ely House is not considered to meet the threshold for heritage listing on any of the above criteria. The substantially modified condition of the building has resulted in the loss of its Spanish Mission character, and removal of a substantial degree of original fabric. It is not considered to be a fine example of its type.

5. HERITAGE LISTING OBJECTION RATIONALE

The heritage assessment contained in Section 4.2 of this report concludes that the subject Ely House does not meet the requisite threshold for heritage listing at a state or local level. We do not support the proposed listing of the subject property for the following reasons:

- Ely House was constructed for and occupied as a mixed-use development. This use is common throughout the Burwood town centre and of itself is not a historically significant use. The continuation of this use since the 1920s is evident, but the continuity of this typical use does not provide sufficient justification for the heritage listing of the property.
- The subject Ely House is a highly-modified example of its type, with over 50% of its original fabric having been removed, and the ground floor level bearing no resemblance to the style at all. The integrity of the fabric has been further eroded by the recent removal of the original Victoria Street entry door. Internally, the integrity of the first-floor fabric has been substantially compromised by numerous modifications and is in poor aesthetic and functional condition. No original fabric remains on the ground floor internally. The historical significance of the building itself and its remaining original fabric has been sufficiently degraded from the removal of most of the original fabric. The substantial alterations undertaken and limited remaining fabric of any integrity is not considered sufficient reason to warrant a heritage listing.
- Being a representative example on the upper floor does not mean it meets the criterion for individual listing on aesthetic grounds. The building has not been included in previous heritage studies and there is the tendency to revisit buildings of poorer quality that do not meet the threshold.
- The first-floor façades to Burwood Road and Victoria Street are considered to have Spanish Mission details, however, these façades are not of a high architectural integrity and do not present Ely House as a cohesive well-planned singular building. The first-floor planning without a central courtyard around small flats with poor amenity, currently in poor condition, provides accommodation which will require considerable alteration to sustain the building's viability in the Burwood Town Centre. The retention of a resultant façade to Burwood Road and to Victoria Street does not meet the criteria for individual listing. Facadism, under the guise of whole building, is not to be encouraged in this situation. Without the original ground-floor and internal fabric, the two façades remain as the only somewhat significant features, albeit demeaned by their situation. Heritage listing the building as a means of protecting the remaining elements of the first-floor façades only is not sufficient cause for the listing of the whole property.

6. CONCLUSION AND RECOMMENDATIONS

It is acknowledged that the two remaining first-floor façades to Burwood Road and Victoria Street have some merit for their Spanish Mission detail. However, they appear out of context compared with the modified and contemporary ground-floor of the building and we do not support the building's listing as a means of promoting facadism for their retention.

Having regard to the significance assessment included in Section 4.2, it is our opinion that the subject property Ely House does not meet the requisite criteria for heritage listing at the local or state level. Therefore, it is our recommendation that the subject property Ely House not be put forth for heritage listing as proposed in Burwood Council's 2015 report 'Assessment of Potential Heritage Items (Stage 1)'.

7. BIBLIOGRAPHY AND REFERENCES

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[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

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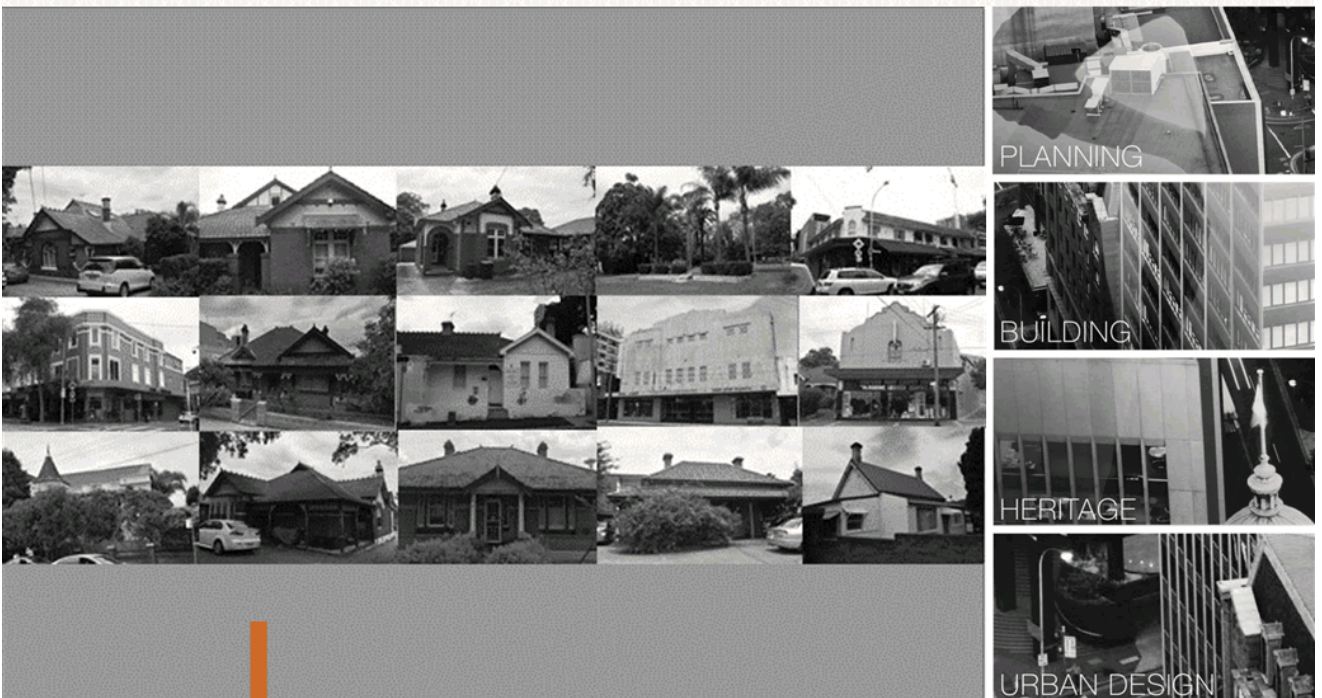
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Assessment of Potential Heritage Items Summary Report

Prepared for Burwood Council

FINAL


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March 2015 | 14-171

ATTACHMENT 2

**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
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Assessment by City Plan Services**

Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
01	13/01/15	Evan Oxland <i>Graduate Heritage Consultant</i> Susan Kennedy <i>Senior Heritage Consultant</i>	Kerime Danis <i>Director - Heritage</i>	Kerime Danis <i>Director - Heritage</i> 
02	25/02/15	Evan Oxland <i>Graduate Heritage Consultant</i>	Susan Kennedy <i>Senior Heritage Consultant</i>	
03	19/03/15	Kerime Danis <i>Director - Heritage</i>	Kerime Danis <i>Director - Heritage</i>	

This document is preliminary unless approved by a Director of City Plan Heritage.

CERTIFICATION

This report has been authorised by City Plan Heritage, with input from a number of other expert consultants, on behalf of Burwood Council. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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1. Introduction

1.1 Background

In October 2014, the Municipality of Burwood engaged City Plan Heritage to prepare heritage assessment of fifteen (15) potential heritage items.

In September 2014, Burwood Council issued the following Project Brief:

Schedule 5 of the Burwood Local Environmental Plan 2012 currently identifies 213 heritage items and 21 heritage conservation areas. The majority of these items and precincts were identified within the Burwood Heritage Study 1989. Council is presently reviewing the Inventory Sheets of its existing heritage items to ensure the information is relevant and robust. Following from this exercise, Council seeks to assess the potential heritage significance of a number of properties that are not presently identified as heritage properties.

Consistent with the brief, Council has nominated fifteen properties that have been identified either by Burwood Council or the community as having potential heritage significance. City Plan Heritage has been engaged to assist in Council's assessment of the potential heritage significance of the fifteen properties that are not presently identified as heritage items.

The Burwood and District Historical Society and the Australian National Trust have both submitted items for heritage listing consideration by council. In part, this report is Council's due diligence in response to those organisation's recommendations.

1.2 Purpose

This study investigates and assesses the potential heritage significance of fifteen different properties in the Burwood Municipal area.

The primary purpose of this study is to identify sites of heritage significance which warrant statutory protection through the inclusion on Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2013 as locally heritage listed items or within heritage conservation areas. Deliverables identified by Council are:

- An assessment of significance for each property undertaken in accordance with the NSW Heritage Division, Office of Environment and Heritage (formerly Heritage Office) publication 'Assessing Heritage Significance'.
- A completed Inventory Sheet for each of the fifteen (15) properties.
- A clear recommendation in respect to whether or not a property should be heritage listed or encompassed within a heritage conservation area.

1.3 Assessment Sites

The list of properties subject of this heritage significance assessment together with the basis for review and matters for consideration as identified by Burwood Council noted in the table below:

Table 1: List of fifteen properties nominated for consideration under this heritage assessment study.

Item #	Address/Item	Lot/DP	Basis for Review	Matters for Consideration
1.	55 Liverpool Road, Burwood Heights	Lot 43 DP 12249	One of three properties that formed part of the original Hoskins Estate (Appian Way) but were excluded from the heritage conservation area in 1985 because of subdivision	If found to be significant, consider the merits of individual heritage listing versus inclusion in the conservation area. If including in a

ATTACHMENT 2

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road Burwood.DOC Assessment by City Plan Services

Item #	Address/Item	Lot/DP	Basis for Review	Matters for Consideration
			and infill development. The cases of 92 Liverpool Road and 18 Wyatt Avenue suggest that these houses may be the subject of community concern if demolition were proposed. Identified by Historical Society in 2010.	conservation area, should it be only the three properties or group of properties along Liverpool Road.
2.	59 Liverpool Road, Burwood Heights	Lot 15 DP 12249	As above.	As above.
3.	67 Liverpool Road, Burwood Heights	Lot 12 DP 12249	As above.	As above.
4.	Burwood Park, Burwood (Bounded by Comer Street, Burwood Road, Park Avenue and Park Road)	Lot 1 DP 54247 & Lot 1 DP 1164681	The initial Heritage Study 1989 contains an inventory sheet (1.50) for the park, but no landscape items or reserves were heritage listed at that time. The Memorial Arch is also on the Australian Heritage Database. Identified by Historical Society as far back as 1994 and again in 2010 submission.	
5.	"Ely House", 122-126 Burwood Road, Burwood	Lots 1, 2, 3, 4 DP 14009	Identified by Historical Society in 2009 submission.	If found to be significant, consider the merits of listing only the "first floor facades" as with some other Burwood Road listings.
6.	Club Burwood, 97 Burwood Road, Burwood	Lot 1 DP 83700	Identified by Historical Society in 2009 submission.	If found to be significant, consider the merits of listing only the "upper floor facades" as with some other Burwood Road listings.
7.	29 Victoria Street, Burwood	Lot 22 DP 552	Federation house using concrete blocks. Recently listed by the National Trust NSW. Identified by Historical Society in 2005 and 2010.	
8.	4 Burleigh Street, Burwood	Lot E DP 438222	Early home of Angus and Malcolm Young of AC/DC, and older brother George Young of the Easybeats. Possible social significance. Recently listed by the National Trust NSW. Identified by Historical Society in 2010.	If found to be significant, consider whether the adjoining semi-detached property should also be conserved.

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Item #	Address/Item	Lot/DP	Basis for Review	Matters for Consideration
9.	Former Enfield Savoy Cinema, 306-308 Liverpool Road, Enfield	Lot C DP 316722	Identified by Historical Society in 1994 (referring to research by the Theatre Historical Society) and again in 2010. See also 'Cinemas of Burwood Municipality' and http://cinematreasures.org/theaters/35280	If possible, identify whether any significant interiors exist that warrant conservation.
10.	Former Croydon Park Theatre, 167-171 Georges River Road, Croydon Park	Lot 1 DP 4102	Identified by Historical Society in 1994 (referring to research by the Theatre Historical Society) and again in 2010. See also 'Cinemas of Burwood Municipality' and http://cinematreasures.org/theaters/35271	If possible, identify whether any significant interiors exist that warrant conservation.
11.	18 Liverpool Road, Croydon	Lot 1 DP 1179269 (SP 87303)	Council's resolution on LEP 48 makes an undertaking to investigate the potential heritage significance of this property (together with 99 Burwood Rd & 109 Burwood Rd).	
12.	99 Burwood Road, Enfield	Lot B DP 104640	Associated with Rupert Cook's Burwood Road Brickworks - refer 'Working the Clays'. Council's resolution on LEP 48 makes an undertaking to investigate the potential heritage significance of this property (together with 18 Liverpool Rd & 109 Burwood Rd). Identified by Historical Society in 2010.	Consider the impact of the second dwelling erected upon the site upon the setting/context of the original house.
13.	109 Burwood Road, Enfield	Lot C DP 304943	Associated with Rupert Cook's Burwood Road Brickworks - refer 'Working the Clays'. Council's resolution on LEP 48 makes an undertaking to investigate the potential heritage significance of this property (together with 99 Burwood Rd & 18 Liverpool Rd). Identified by Historical Society in 2010.	
14.	94 Liverpool Road, Burwood Heights	Lot A DP 360555	Following the demolition of the adjacent building at 92 Liverpool Road, the Burwood and District Historical Society has suggested that 94 Liverpool Road be heritage listed. Also separately nominated by a community	Consider extent of alterations. If found to be significant, consider recommendations to protect the house's context/setting at the

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Item #	Address/Item	Lot/DP	Basis for Review	Matters for Consideration
			member in 2010. Property has been subject to a number of modifications, including the subdivision and the replacement of its original roof and verandah posts. It is noted that the building was converted to two flats in 1966, a use which continued well into the 1980s, at which point the building was deemed to be dilapidated.	centre of a medium density precinct.
15.	"Koorali", 41 Nicholson Street, Burwood	Lot B DP 399238	Identified by Historical Society in 2010. Historical Society advises it was a former school and has some research on this house.	Consider extent of alterations.

1.4 Author Identification

This study has been undertaken by the following City Plan Heritage team members:

- Kerime Danis, Director - Heritage
- Susan Kennedy, Senior Heritage Consultant
- Flavia Scardamaglia, Heritage Consultant
- Anna McLaurin, Graduate Heritage Consultant
- Evan Oxland, Graduate Heritage Consultant

1.5 Acknowledgements

The study team acknowledges the support and assistance provided by the following:

- Diwei Luo, Manager Strategic Planning - Burwood Council
- Marianna Kucic, Executive Strategic Planner - Burwood Council
- Dr Noni Boyd - Australian Institute of Architects
- Kasia Malicka, Local Studies Librarian - Burwood Library and Community Hub
- Jon Breen, President - Burwood and District Historical Society

1.6 Assessment area

The area surrounding the subject properties in this Heritage Assessment includes the following suburbs:

- Burwood
- Burwood Heights
- Enfield
- Croydon
- Croydon Park

The assessment takes into consideration nearby heritage items and conservation areas, listed on Schedule 5 of the BLEP 2012, as the base rationale for individual site

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recommendation for either individual listing or inclusion into a heritage conservation area. The following heritage map identifies the general area of Burwood Council and existing state and locally listed heritage items and conservation areas:

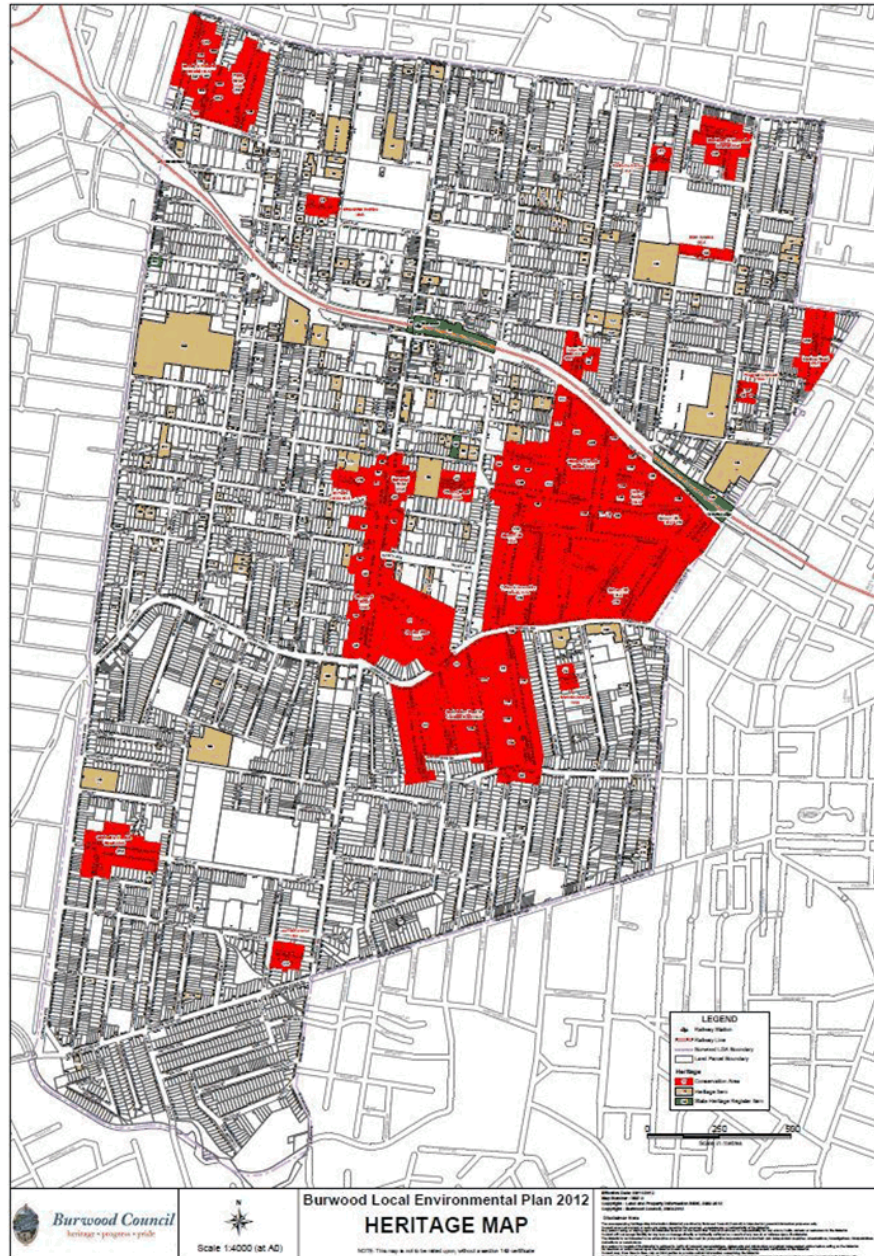


Figure 1: Heritage map identifying the general area of Burwood Council and existing state and locally listed heritage items and conservation area

1.7 Limitations

While every effort has been made to thoroughly investigate the study area, no heritage study is exhaustive and complete. The following limitations of this study are highlighted:

- Most potential items were identified and described on the basis of an external survey, with limited access to the properties themselves, or to the interior of buildings.
- Limited resources for historical research allowed for only brief historical notes for the identified potential heritage items; for example date of construction, builder or architect (where known), early owners, and the subdivision history. As such, this study should not be considered as a full heritage assessment of each site recommended for heritage listing rather it includes sufficient information to inform the decision making on the recommended potential heritage items.

2. Study methodology

This heritage study comprehensively reviewed the nominated fifteen properties through a range of methods. Consistent with best practice standards and guidelines for heritage assessments and studies, this study has investigated the history of each subject property alongside the completion of physical surveys. Through these combined methods, this study has recommended a number of the nominated properties that demonstrate the unique history and heritage values of Burwood for heritage listing.

2.1 Historic research

A major component of this assessment was conducting historic research of each individual property to understand its significance in itself and relational importance in regards to wider patterns of development or historic trends. This research was conducted in two main forms.

Firstly, research contained in secondary sources, including a past heritage study (1989) for the Burwood local government area, was reviewed and highlighted as a background to this study. National Trust listing sheets, were of particular use.

Primary document research was conducted to establish ownership, this included investigation of municipal records of rate books, property valuations, development applications, and the Sands directories. In addition, where relevant, historic newspapers, maps and photographs were also consulted.

Finally, the history of individual sites was researched and a summary history included in the State Heritage Inventory (SHI) forms for all fifteen properties considered as part of this heritage study. These inventories are included in Appendix 2. The primary and secondary sources researched for these site histories are outlined in the individual SHI forms.

2.2 Site Survey

Site surveys were conducted by City Plan Heritage during November and December 2014. All properties were observed from the public domain. Additional investigation undertaken where access was provided by owners or occupants of the properties. Some sites were investigated internally, but complete or even partial access could not be organised for all properties included in this study. The extent of survey is noted in Table 2 below. Detailed location maps are shown in Appendix 1.

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Table 2: Extent of survey undertaken

Item #	Address	Extent of Exterior Investigation	Extent of Interior Investigation
1.	55 Liverpool Road, Burwood Heights	From public domain.	No investigation, owners were not present.
2.	59 Liverpool Road, Burwood Heights	Complete investigation.	Complete investigation.
3.	67 Liverpool Road, Burwood Heights	From public domain.	No investigation, owners were not present.
4.	Burwood Park, Burwood	Complete investigation.	No investigation of components' interiors, access could not be organised.
5.	"Ely House", 122-126 Burwood Road, Burwood	Complete investigation.	No investigation of residences, owners were not present. Staircase and public interior hallways and courtyard investigated.
6.	Club Burwood, 97 Burwood Road, Burwood	Complete investigation.	Complete investigation.
7.	29 Victoria Street, Burwood	From public domain.	No investigation, owners not present.
8.	4 Burleigh Street, Burwood	From public domain.	No investigation, medical practise during office hours.
9.	Former Enfield Savoy Cinema, 306-308 Liverpool Road, Enfield	From public domain.	Partial investigation of public showroom, owner was not present.
10.	Former Croydon Park Theatre, 167-171 Georges River Road, Croydon Park	From public domain.	No investigation.
11.	18 Liverpool Road, Croydon	From public domain.	No investigation, owners were not present.
12.	99 Burwood Road, Enfield	From public domain.	No investigation, owners were not present.
13.	109 Burwood Road, Enfield	From public domain.	No investigation, owners were not present.
14.	94 Liverpool Road, Burwood Heights	Complete investigation.	Complete investigation.
15.	"Koorali", 41 Nicholson Street, Burwood	From public domain.	No investigation, owners were not present.

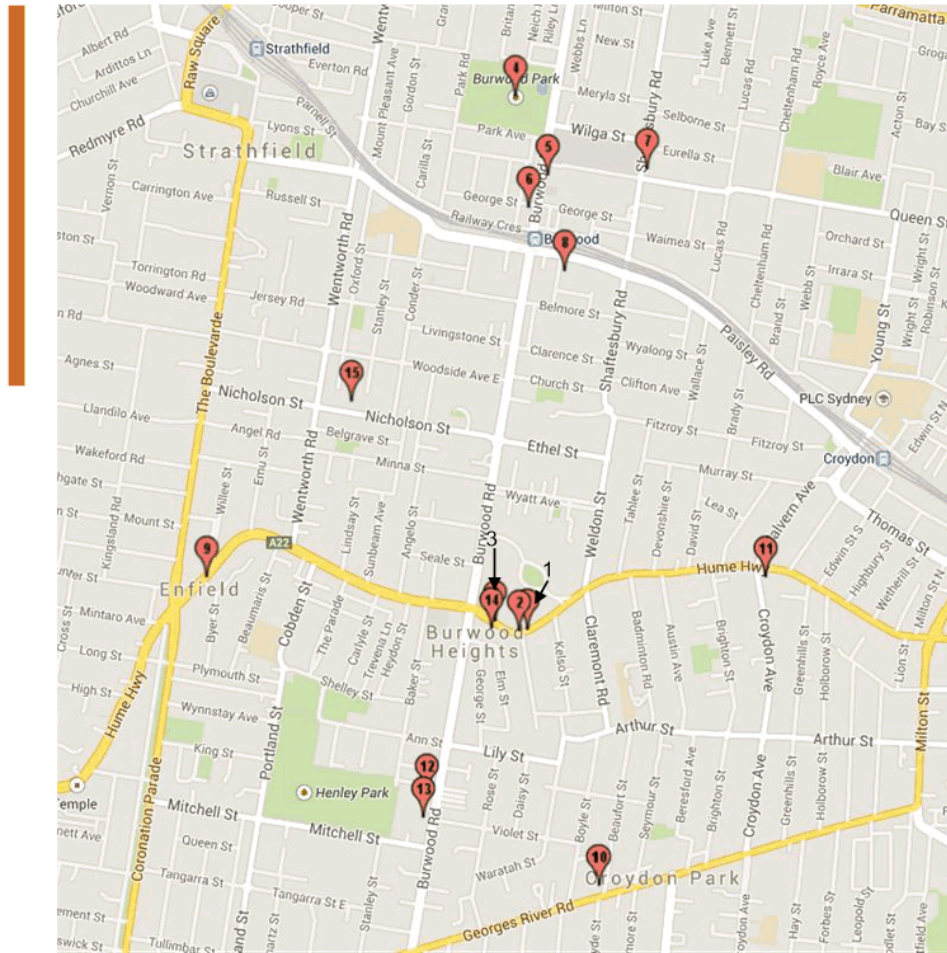


Figure 2: Nominated sites in the context of the surrounding area (Source: Google Maps)

2.3 Heritage Assessment Standards

This heritage assessment study has been prepared in accordance with the best practice heritage standards for assessing heritage significance and heritage studies established by the NSW Heritage Council, Heritage Division - Office of Environment and Heritage (formerly Heritage Office) and NSW Department of Urban Affairs and Planning, as set out in the *NSW Heritage Manual*.

It has also been prepared in accordance with the national best practice standards for heritage assessment contained in The *Australia ICOMOS Charter for Places of Cultural Significance* known as The Burra Charter (revised 2013). The Burra Charter defines significance as the:

Aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

To determine whether the nominated fifteen properties have heritage significance and therefore warrant heritage listing, each property has been assessed against the seven

NSW criteria of heritage significance as set out in the *NSW Heritage Manual*. The seven criteria for heritage significance include:

- *Criterion (a): An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);*
- *Criterion (b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);*
- *Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);*
- *Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*
- *Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the culture or natural history of the local area);*
- *Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);*
- *Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or environments.*

The *NSW Heritage Manual* guidelines establish that a site warrants heritage listing where it fulfils one or more of these seven criteria of local heritage significance. For each property recommended for listing in this study, a succinct statement of significance summarising this assessment has been prepared, contained in the inventory forms in Appendix 2 of this report.

Architectural style and detailing of all buildings considered under this study have been described and assessed in accordance with Apperly, R. Irving, R, Reynolds, P., 1989, *A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the present*.

3. Historical Context

A detailed historical investigation is beyond the scope of this report. The following historical summary is limited to the context of the nominated fifteen properties. It should be noted that this historical summary is limited to the post-contact settlement of the area surrounding the subject fifteen properties. No assessment of Aboriginal history is included, although it is recognised that Aboriginal people would have inhabited the site prior to European contact. At the time of European contact, indigenous people who lived around Burwood were the Wangal people of the Eora nation. The Wangal did travel for trade and food, but their general territory was to the south of Parramatta River.¹ The area in and surrounding Burwood lacked rock shelters for camping but was plentiful in Eucalypt trees, native grasses and access to both the Cook and Parramatta freshwater rivers. This was most likely an area where the Wangal people gathered and hunted food, making in a significant part of their territory.² Their land ranged from Iron Cove to Homebush Bay, and to the south from the Parramatta River to the watershed between Cooks River and Sydney Harbour.³

3.1 Burwood

Burwood's post-contact history begin with Australia's earliest pioneering and convict settlement days. By 1791 rough bush track forged by Governor Phillip between two of the earliest convict settlements Sydney Cove and Parramatta. By 1792 a small number of crude huts were built at the present site of St. Luke's Park as a resting place for parties of soldiers and convicts marching through the mid-point between the two settlements.⁴ The first European settlers included a free woman, a soldier and an ex-convict moved into the area around 1794 and established a small farming community. The suburb at this stage existed in heavily wooded country running parallel to the present-day Parramatta Road.⁵

The name 'Burwood' was officially established when a grant of 260 acres was made to Captain Thomas Rowley (1748 – 1806) who subsequently named his property Burwood Park after his native Cornwall. Rowley was granted increased holdings, expanding his property to 750 acres which ran from Parramatta Road to Nicholson Street, and from the Boulevard to Croydon Station.⁶

However, the largest share of contemporary Burwood was encompassed by a grant in Enfield to William Faithful who arrived in Australia in 1792. Faithful was a Private in the New South Wales Corps, his land was then bought by Simeon Lord, who became one of Sydney's wealthiest merchants, and in 1824 W.H. Moore bought and cleared the land for timber and farming (Parsons, 1966). Both the names of Rowley and Faithful remained on the municipal maps of Concord Parish, well into 1915 when the Greater Sydney area was regionally known as Cumberland.⁷

Upon Rowley's death in 1806 the land was sold by trustees in 1812, contrary to his will, to Sydney businessman Alexander Riley for £520. Riley built the first house in the area 'Burwood Villa' located west of Burwood Park. Riley further cleared over 500 acres of land and cultivated orange, lemon, pomegranate, cherry, grape, peach apple and other various fruit types to supply the colony.⁸ By 1833, Captain Rowley's children realised the fault of the trustees and undertook court action, winning the case and reclaiming their land.⁹

From 1834 the land was subdivided and gradually sold off by Rowley's children. Burwood remained a roadside village between Sydney and Parramatta until the railway line connecting the two settlements was established in 1855. The construction of a railway marked a change in the development of Burwood as the area became far more accessible

¹ (Attenbrow, 2014, P. 22).

² (Strathfield Heritage, 2014)

³ (Smith et. al., 2006 & Burwood Council, 2014).

⁴ (Burwood, 2014).

⁵ (Pollon, 1996, P. 41).

⁶ (Pollon, 1996, P. 42).

⁷ (Pollon, 1996).

⁸ (Fletcher, 1966)

⁹ (Pollon, 1996 & Burwood, 2014).

to the population, attracting wealthy merchants and industrialists to build large country houses there.¹⁰ A public school was erected in 1858 and a post office in 1861, St Pauls Church was completed in 1871 and designed by notable architect Edmund Blacket who was also responsible for St. Andrew's Cathedral and the University of Sydney's Great Hall and Quadrangle.¹¹ By 1874 the Municipality of Burwood was incorporated and held the first council election amongst a population of 1,200 people and 300 buildings.¹²

Burwood was originally covered by Turpentine-Ironbark forest,¹³ but the construction of Riley's Burwood Villa in 1814 marked the beginning of land clearance and agricultural cultivation of the land that would become Burwood Park. In 1879, after 17 acres was dedicated as a public park on that January, a ratepayer's association signed a petition of 250 signatures. As a result the petitioned government was to appoint other trustees, and the council was without quorum when 5 aldermen, including the Mayor, resigned.¹⁴ On 4th of October, 1882, an area of 15 acres was resumed by the new Concord District Municipality for park purposes at the suggestion of Alderman A.J. Simson, and at a cost of 15,600 pounds.¹⁵ A prize of 5 pounds was awarded to the best design for the layout of the park, and F.A. Carson of Five Docks won this competition with the patriotic site plan layout based on the Union Jack. It was officially transferred to the control of the local Aldermen as its trustees on 28 July 1885,¹⁶ under the Public Parks Act.¹⁷ Its original main entrance was directly opposite Burwood Villa on Park Road. Mayor of Burwood in 1887, R.W. Hardie began the first concerted effort at formalised ornamental plantings which consisted of Ficus and Canariensis date palms, some of which still exist today.¹⁸ By 1890 pathways were constructed out of asphalt in the Union Jack pattern and flower beds and ornamental trees were established. Burwood Park has been a gathering place for community and local civic functions both historically and at present.

Around the time of council elections Burwood started to develop from a farming community towards a modern suburb. A steel industrial pioneer, George Hoskins, conceived a suburb inspired by international garden city/city beautiful ideas following international trends of model suburbs. A key tenant of these ideas includes the power of planning and architecture to normatively fashion good morals and citizenry through the creation of amenable environments of civic beauty, nature, and recreation.¹⁹ For this reason, Hoskins chose not to immediately sell the properties, and instead leased them out, remaining active in their operation throughout his life.²⁰ His finest Arts and Crafts and Queen Anne style homes were oriented around the heroically named Appian Way, after a historically early and strategic road between Ancient Rome and Brindisi in Puglia. As a planned suburb it is but a year or two later built than the development of Haberfield in nearby Ashfield Council.²¹

By 1930 the population of Burwood had risen to over 20,000 people namely because of access provided by the extensive electric tram network. However by 1948 the trams were decommissioned in favour of bus and car transportation services.²²

The development of Westfield Shopping Centre and Burwood Plaza led to a further population expansion, in 2011 it was cited at 12,466. More recently Burwood has become a popular residential area with particularly with the migrant Italian, Greek, Korean and Lebanese population.²³

¹⁰ (Burwood, 2014).

¹¹ (Pollon, 1996).

¹² (Burwood, 2014).

¹³ (Benson & Howell 1990, p. 52)

¹⁴ (SMH/Evening News, 1879).

¹⁵ (Dunlop, 1974).

¹⁶ (ibid).

¹⁷ (Guy Sturt & Associates, 2006)

¹⁸ (Dunlop, 1974).

¹⁹ (Freestone, 2010).

²⁰ (Burwood, 1983).

²¹ (Burke, 1983).

²² (Burwood, 2014).

²³ (Burwood, 2014).

3.2 History of Enfield

The largest share of contemporary Burwood was encompassed by a grant in Enfield to William Faithful who arrived in Australia in 1792. Faithful was a Private in the New South Wales Corps, his land was then bought by Simeon Lord, who became one of Sydney's wealthiest merchants, and in 1824 W.H. Moore bought and cleared the land for timber and farming. By 1889 as the population had expanded to over two thousand people the suburb was granted its own municipal council. Both the names of Rowley and Faithful remained on the municipal maps of Concord well into 1915 when the Greater Sydney area was regionally known as Cumberland.²⁴ In 1949 the NSW State Government consolidated smaller suburban local governments into larger municipal populations, Enfield was then absorbed into both Burwood and Strathfield Municipal Councils.²⁵

3.3 History of Croydon

Croydon's post-contact story began as a resting place for convict gangs on the journey between Sydney Cove and Parramatta. The first official citing of the area was a map drawn by William Dawes in 1791, describing the area as 'a tract of good land to appearance in many places hereabout'.²⁶ Soon after Governor Grose sent gangs of convicts to clear the land of around 60 acres of land becoming the Longbottom Government Farm which eventually covered an area 700 acres by 1821.²⁷

The first settler to the area was Sarah Nelson, a free woman who followed her husband had been convicted and sent for transportation for seven years to the colony. In 1794 she received a land grant of 15 acres. Further land grants were allocated to James Eades, James Brackenrig and Dennis Connor which all extend into current day Croydon.²⁸

By the 1830s after the railway line was connected to the Burwood area large scale subdivisions occurred making the area a popular place for business owners as the land size was large and commute to the city was short.²⁹ By 1875 the area was still known as either Burwood or Ashfield, when a station name 'Five Dock' opened subdividing the land and creating a new suburban area. The name was shortly renamed Croydon after the London suburb on suggestion from the Ashfield Council.³⁰ At the turn of the century a small neighbourhood on the edge of Croydon proper close to Dulwich Hill and Enfield established itself as a separate entity in protest of the poor postal service the area received. The divide occurred because the local public school Parents and Citizens Association petitioned for a post office in the area. By 1914 the petition had been successful and the Croydon Park Post Office opened and the neighbourhood assumed the name.³¹

3.4 History of Croydon Park

The establishment of Croydon Park as a suburb only occurred in 1914 after a citizen's protest regarding poor postal service in the municipality of Croydon. Before this establishment Croydon Park existed as a part in Croydon.³² Following the establishment of the railway line in present day Croydon the area was divided to form the two large areas. Within the area where Croydon Park now lies a large tract of flood prone land that was subsequently conserved and turned into a public park. The establishment of this park is how Croydon Park gained its name.³³ Today the population of Croydon Park exists well over ten thousand with the majority of the population originating from Australia, Italy and China.³⁴

²⁴ (Pollon 1996, PP 96-97)

²⁵ (Strathfield Heritage, 2014).

²⁶ (Bladen, 1981

²⁷ (Johnson, 2008).

²⁸ (Johnson, 2008)

²⁹ (Johnson 2008)

³⁰ (Pollon, 1996)

³¹ (Pollon, 1996)

³² (Pollon, 1996).

³³ (City of Canterbury, 2014).

³⁴ Dictionary of Sydney, 2014.

4. Listing recommendations

4.1 Listing rationale

This heritage assessment study surveyed the fifteen nominated properties in relation to NSW criteria for heritage significance, as set out in the NSW heritage guidelines "Assessing Heritage Significance" and "Local Government Heritage Guidelines". The criteria or rationale for listing included whether the building or structure was considered to demonstrate:

- Historic association with a person or group of historic significance
- Historic patterns of local development identified in the historic overview for the suburb or broader Burwood area
- A good example of its type for the locality, exhibiting typical characteristics of the building typology and period
- Fair integrity, in terms of intactness and condition of historic built form

Properties are recommended for listing where they satisfy these criteria. Where they do not satisfy these criteria, properties are not recommended for listing.

Individual properties which satisfy these criteria are recommended for heritage item listing. Where these properties are a part of a cohesive precinct, or where the group collectively rather than individually satisfy these criteria, incorporation to an existing conservation area is recommended. No items have been recommended for state or wider heritage listing.

4.2 Properties Recommended for Local Heritage Listing

The following 9 properties have been recommended for individual listing in Part 1 under Schedule 5 of the Burwood Local Environmental Plan (LEP) 2012.

Table 3: List of properties recommended for local heritage listing

Item #	Suburb	Address	Item name
4	Burwood	Burwood Park	Burwood Park
5	Burwood	Burwood Road, 122-126	"Ely House" (first floor only)
6	Burwood	Burwood Road, 97	Club Burwood (above awning facade only)
7	Burwood	Victoria Street, 29	"Marlborough"
9	Enfield	Liverpool Road, 306-308	Former Enfield Savoy Cinema
10	Croydon Park	Georges River Road, 167-171	Former Croydon Park Cinema
11	Croydon	Liverpool Road, 18	Helmsdale
12	Enfield	Burwood Road, 99	Palm Cottage
13	Enfield	Burwood Road, 109	Former John Hankinson's House

4.2.1 Item assessments

An individual assessment of each of these properties is provided in the State Heritage Inventory (SHI) forms contained in Appendix 2 of this report. These inventory forms outline the heritage significance, location, overall site components and a brief history for each of the above properties to support the above listing recommendations. It is noted that more

detailed assessment of these places will occur at the development stage when major changes are proposed, in accordance with the local planning controls.

4.3 Properties Recommended for Inclusion in Heritage Conservation Area

Some of the properties in this assessment meet the criteria for heritage listing individually, while others collectively satisfy the listing rationale for their historic period and distinct character as a group. The properties listed in Table 4 below were assessed in relation to their historical association and relative architectural values in comparison with the properties located within the "Appian Way Heritage Conservation Area". It was found that they do not hold a more distinct architectural or historical values than those properties within the conservation area, and as such they are recommended to be included in the heritage conservation area rather than be listed as individual items. The boundaries of the "Appian Way Heritage Conservation Area" listed as "C1" under Part 2 of Schedule 5 in the Burwood Local Environmental Plan 2012 are recommended to be extended as shown in Figure 3 overleaf to incorporate these properties only.

Table 4: List of properties recommended for inclusion within the "Appian Way Heritage Conservation Area"

Item #	Suburb	Address	Ranking
1	Burwood Heights	Liverpool Road, 55	Contributory item
2	Burwood Heights	Liverpool Road, 59	Contributory item
3	Burwood Heights	Liverpool Road, 67	Contributory item

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 Burwood.DOC
 Assessment by City Plan Services

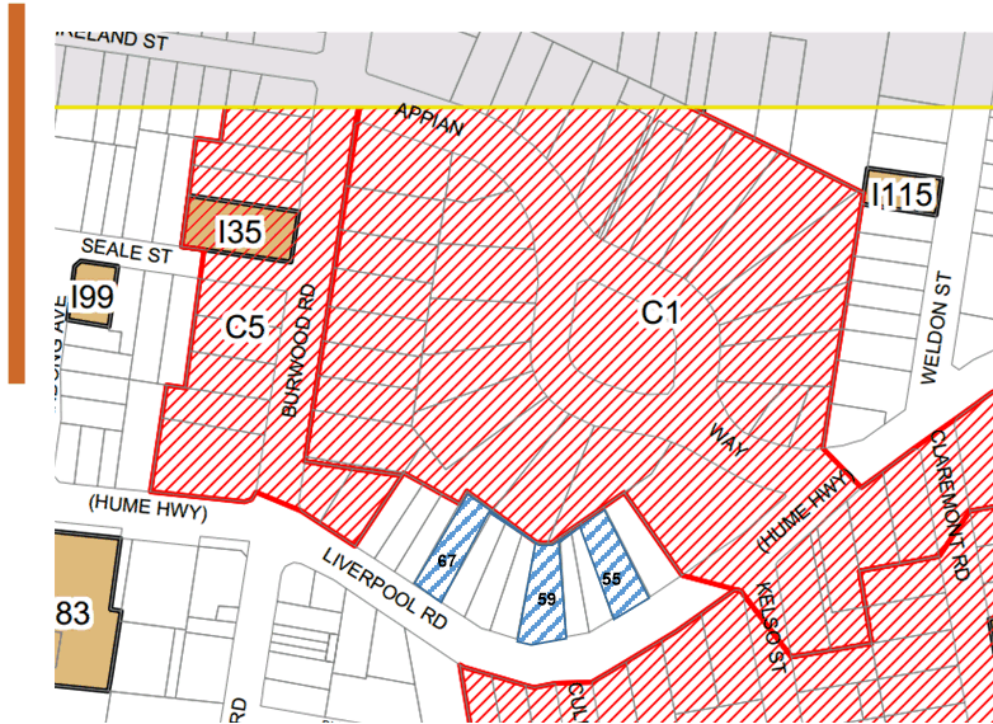


Figure 3: Recommended extension to the Appian Way Heritage Conservation Area marked in blue hatching.

4.4 Properties Not Recommended for Heritage Listing

As indicated previously, individual assessment of each of the nominated properties was undertaken. The properties noted in Table 5 below have failed to meet the criteria for listing due to their modest architectural value and the brief period of associational attributes with AC/DC to be relevant to the life and work of the band, or due to the significant modifications that diminished the ability of the building in demonstrating characteristics of a particular architectural style and historical use. Therefore they are not recommended for heritage listing rather alternative measure of acknowledging the associational value is recommended as noted in their respective inventory forms.

Table 5: List of items not recommended for heritage listing

Item #	Suburb	Address	Name
8	Burwood	Burleigh Street, 4	"Young House" (refer to the recommendations in the SHI form)
14	Burwood Heights	Liverpool Road, 94	"Uralla" (refer to the recommendations in the SHI form)
15	Burwood	Nicolson Street, 41	"Koorali"

5. Conclusions and recommendations summary

As a result of a comprehensive survey and assessment, this report recommends consideration of the following key actions for Burwood's heritage:

- **Additional listings:** Add 9 properties (noted in Table 3 above) to Part 1 of Schedule 5 of the Burwood Local Environmental Plan 2012;
- **Expansion of Conservation area:** Include an additional 3 properties in the "Appian Way Heritage Conservation Area" as shown in Figure 3.
- **Matters for further heritage study:** Further investigation, mapping or listing consideration is recommended for matters outside the scope of this study, including an updated Heritage Study of the Burwood LGA. For instance, a survey of Burwood Road to the south and north of the Railway station, which has strong evidence of early 20th century mixed-use commercial buildings that is significant in the development of Burwood, could help steer desirable development in a way that conserves important heritage, without the burden of individual listing on an owner. Some individual listings recommended in this report would then have been recommended for inclusion in hypothetical heritage conservation areas instead of individual listing.
- **Recommendations for properties that are not nominated for listing:** Council should consider the recommendations made in the inventory forms of the properties at 4 Burleigh Street, Burwood and 94 Liverpool Road, Burwood Heights in order to ensure the necessary mitigation measures are undertaken.

While these properties represent a small proportion of the built form of the Burwood LGA, these additional listings will capture the surviving buildings and structures of historical value from these important periods in Burwood's history. Combined with improved development guidelines and the existing heritage listings, the above actions recommended in this study will ensure that Burwood's heritage resource is appropriately recognised, managed and protected for current and future generations.

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Historic Photographs, Directories, and other primary sources

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<http://investigator.records.nsw.gov.au/asp/photossearch>

City of Sydney Archives, Archives Investigator; <http://tools.cityofsydney.nsw.gov.au/AI2/>

Municipality of Burwood Rate Books/Property Valuation Books

John Sands Ltd. Sands Directories. 1868-1930

Subdivision Plans, various dates.

Trove, Digitized Newspapers/Photographs. <http://trove.nla.gov.au/newspaper?q=>

Figure 1: A map of the Subdivision of Burwood Farm in 1833, Local History, Municipality of Burwood 2014, viewed 2 November 2014, http://www.burwood.nsw.gov.au/our_burwood/history/local_history.html, accessed online 2 December 2014.

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Books

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Apperly, R, Irving, R, Reynolds, P. 1989. A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the present. Harper Collins Publishers; Australia.

Attenbrow, A, 2010, Sydney's Aboriginal Past: Investigating the Archaeological and Historical Records. UNSW Press, NSW.

Burke, S, 1983 Haberfield Garden Suburb, Unpublished Dissertation, University of Sydney, Special Collections.

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ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road Burwood.DOC Assessment by City Plan Services

Fletcher, B. H, Rowley, Thomas (1748–1806), Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/rowley-thomas-2614/text3605>, published first in hardcopy 1967, accessed online 2 December 2014.

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Freestone, R, Urban Nation, CSIRO, Sydney, published 2010.

Healy, G, 1988 The Book of Sydney suburbs. Comp. F Pollon, Angus & Robertson North Ryde, N.S.W, published 1996.

History of Croydon Park 2014, City of Canterbury
<http://www.canterbury.nsw.gov.au/Council/About-Canterbury-City-Council/History-of-Canterbury-City-Council> online access 2 Dec. 14

Local History, Municipality of Burwood 2014, viewed 2 November 2014,
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http://www.burwood.nsw.gov.au/our_burwood/history/local_history.html, accessed online 2 December 2014.

Parsons, V, Faithful, William (1774–1847), Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/faithful-william-2035/text2513>, published first in hardcopy 1966, accessed online 2 December 2014.

Suburb of Croydon Park, Suburb Demographics, Dictionary of Sydney,
<http://info.id.com.au/dosydney/Default.aspx?pg=1&gid=1740> online accessed 2 Dec. 14

Theresa Willsteed (ed), Keith Vincent Smith and Anthony Bourke (curators), Eora: Mapping Aboriginal Sydney, 1770–1850, State Library of NSW, 'Aboriginal People of Coastal Sydney', Sydney, 2006, Australian Museum website, viewed 22 November, 2014,
<http://australianmuseum.net.au/Aboriginal-People-of-Coastal-Sydney>.

OTHER RESOURCES:

Guidelines, Charters and Heritage Registers

Australia ICOMOS 2013. Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

Australian Institute of Architects (NSW) Architects Bios and Heritage Register

NSW Heritage office, NSW Heritage Manual and other guidelines available at
<http://www.environment.nsw.gov.au/heritage/publications/index.htm>

The Dictionary of Sydney <http://home.dictionaryofsydney.org/>

Planning Controls

Burwood Local Environmental Plan 2012,

<http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+628+2012+cd+0+N>

Burwood Development Control Plan 2012

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Repositories Accessed

Burwood Library local history collections
State Library of NSW online resources
Australian Institute of Architects
National Trust of Australia
State Records, Kingswood Reading rooms, online resources
Trove online resources
Land Property Information online services
City Plan Heritage private archives in relation to previous studies within the study area

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**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
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Heritage Data Form

ITEM DETAILS					
Name of Item	Ely House (first floor only)				
Other Name/s Former Name/s					
Item type (if known)					
Item group (if known)					
Item category (if known)					
Area, Group, or Collection Name					
Street number	122-126				
Street name	Burwood Road				
Suburb/town	Burwood	Postcode	2134		
Local Government Area/s	Burwood				
Property description	Two-Story Shop-Top/Mixed Use Commercial & Residential Spanish Mission Style. Lot 5 DP 14009.				
Location - Lat/long	Latitude	-33.875	Longitude	151.104	
Location - AMG (if no street address)	Zone	B2	Easting		Northing
Owner	Euston Investment Pty Ltd				
Current use	Mixed use of business/residences				
Former Use	Mixed use of Business/residences				
Statement of significance	Ely House's first floor is a historically and aesthetically significant local example of the Inter-War Spanish Mission style. While the ground floor remains completely altered and thus insignificant, the access stairway and entry on Victoria Street asides, the first floor remains contributory to the wider streetscape's heritage character. The Inter-War Spanish Mission Style is uncommon in the Burwood Municipality lending it the significance of rarity.				
Level of Significance	State <input type="checkbox"/>		Local <input checked="" type="checkbox"/>		

ATTACHMENT 2

**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
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DESCRIPTION						
Designer	Unknown					
Builder/ maker	Unknown					
Physical Description	<p>Ely House is a two-storey Spanish Mission style corner lot with facades onto Burwood Road and Victoria Street West.</p> <p>It occupies the entire rectangular block and features a terracotta tile hipped roof. The projecting roofline is supported by decorative brackets and coffered soffit panels. Its splayed corner façade at Victoria Street West and Burwood Road is truncated with a short parapet wall bearing the name 'Ely House' above its arched sash window surmounted by a pronounced keystone. Wall finish is a fan patterned cream coloured stucco, and there is a generous metal awning overtop the street level patio. First floor windows have louvered timber shutters, and there are two enclosed balcony areas with profiled brackets.</p> <p>The ground floor has been the subject of many alterations, and it is doubtful if any original fabric exists, asides from the residence access on Victoria Street West, the north-western most corner of the building, where a tiled floor, metal rail, and terrazzo staircase provides access to the communal courtyard and residences above. The eastern elevation remains intact although a clutter of services has been attached to its side. There is a narrow staircase from this dead-end alleyway to the first floor courtyard. The generous courtyard is intact but for a few places where some services have been attached to the wall and there is a large commercial kitchen sized ventilation unit jutting through the roof on the north wing. Timber sash windows remain and some are newly fitted with steel bars for added security.</p>					
Physical condition and Archaeological potential	<p>First floor, Victoria Street West and Burwood Road facades are in good condition, but require some painting and minor maintenance.</p> <p>-Rear or sides of building cluttered with attached services.</p> <p>-Groundfloor, aside from residences entrance on Victoria Street West, thoroughly altered.</p>					
Construction years	Start year	1929	Finish year	1930	Circa	<input checked="" type="checkbox"/>
Modifications and dates	<p>Development Application History:</p> <p>1925 - Subdivision of land: DP14009 1934 - Lot subdivision 1969 - Renovations to property 1984 - Property used as chemist 1984 - Property used as cafe 1986 - Alterations to shops and above flats 1988 - Shop fit out for hair salon 1998 - Shop subdivision for Western Pacific Foods Pty Ltd 1999 - Restaurant extension and extension of trading hours 2001 - Shop fit out for Doctor's consulting rooms 2002 - Shop Fit out for 7/11 Store 2005 - Shop fit out for Mourched 2005 - Shop 5 leased to Red Rooster 2006 - Establishment of Wood Fire Pizza Restaurant 2007 - Shop Fit out for Bakery 2008 - Shop fit out for Trading Pty Ltd 2008 - Installation of new advertising signs 2008 - Installation of new awning 2009 - Shop fit out for Thania Box Pty Ltd. 2010 - Storm water and drainage works 2010 - Shop fit out for beverage purposes 2012 - Refurbishment and internal fit out of existing coffee shop</p>					

ATTACHMENT 2

Heritage Data Form

	2014 – Shop fit out
Further comments	

HISTORY

Historical notes	<p>Subject Site History:</p> <p>According to the Sands directory plumber John Hawksford moved from Cheltenham Road to Burwood Road east just south of Victoria in 1892, and was listed as the tenant of the subject site until 1899. The property was briefly assumed by butcher William Watford and followed with John Bryant the boot-maker in 1900 for a year until Mrs L. Ramsay, a dressmaker, took the location over. In 1905 a Bennet H. & Co. Produce merchants were listed for two years until Birke H.W. produce merchant in 1907. In 1910 Maurice Green was operated a pawn shop at this location. An Edward Wilcox was located at 122 Burwood Road from 1918-1925, and listed a fruiterer. Harné R&D was listed from 1925-1928, and L.V. Field, a tailor 1928-1930 (Sands Directories, 1858-1933).</p> <p>As the subject site commands the corner Victoria Street West and Burwood Road it is well suited for mixed use developments. It is unclear whether or not it was built around 1930-1931 or after, because an Ely Pharmacy was listed at 124 Burwood Road in 1931. However, because 122-124 is listed with subdivided numbers it suggests that a larger block was in place in 1931. Nevertheless, the present Ely House was built by 1943, when the SixMaps aerial photo confirms the existence of the same roof that exists today. This also correctly positions this Spanish Mission style building in its appropriate Inter-War time frame (Apperly, et. al., 1994). It currently operates as a mixed-use development.</p>
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THEMES

National historical theme	<p>3 Developing local, regional and national economies</p> <p>4 Building settlements, towns and cities</p>
State historical theme	<p>3 Commerce</p> <p>4 Accommodation</p>

APPLICATION OF CRITERIA

Historical significance SHR criteria (a)	Ely House has continually operated as its original intended design as a mixed used commercial and residential development since the early 1930s. As a mixed use development it accommodated both residential and commercial activities combining more life and business to the surrounding street, this important use is continuing today.
Historical association significance SHR criteria (b)	Ely House has no known associations with a historical person, place, or event of significance.
Aesthetic significance SHR criteria (c)	'Ely House' is a good example of the Inter-War Spanish Mission style architecture on the first floor and the access or entry stairwell on Victoria Street West. In addition, it contributes a sense of heritage character to the wider streetscape.

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Heritage Data Form

Social significance SHR criteria (d)	Ely house has no known associations with a specific historically significant community or culture.
Technical/Research significance SHR criteria (e)	Ely house has potential to add research and educational knowledge to the community in regards to the documentation of the Inter-War Spanish Mission style architecture.
Rarity SHR criteria (f)	Ely House is a rare example of the Inter-War Spanish Mission style locally within the Burwood Municipality.
Representativeness SHR criteria (g)	Ely House is a representative example of the Inter-War Spanish Mission style mixed residential and commercial buildings
Integrity	<p>The ground floor of Ely House has no traces of historically significant fabric, except for the narrow entranceway and staircase to the first floor on Victoria Street West.</p> <p>The first floor is in good condition, it retains its roof form, wall fabric, and most windows in original form. Original colour scheme cannot be confirmed, however, the existing colours are appropriate.</p>

HERITAGE LISTINGS

Heritage listing/s	No current heritage listings. Recommended for listing under this heritage assessment study.
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INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Book	Richard Apperly, Robert Irving, & Peter Reynolds	A Pictorial Guide to Identifying Australian Architecture	1994	
Book	Frances Pollon	The Book of Sydney Suburbs	1996	-
Online Directory	John Sands	Sands Directories	1858-1933	City of Sydney Online Archive

RECOMMENDATIONS

Recommendations	<ol style="list-style-type: none"> 1) Archival photographic recording, in accordance with "Photographic Recording of Heritage Items Using Film or Digital Capture" (NSW Heritage Guidelines Series, 2006), should be undertaken before any major changes. 2) The First Floor of "122-126 Burwood Road, Ely House", should be listed under Schedule 5 of the <i>Burwood Local Environmental Plan 2012</i>.
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SOURCE OF THIS INFORMATION

Name of study or report	Burwood Assessment of Potential Heritage Items	Year of study or report	2015
Item number in study or report	5		
Author of study or report	City Plan Heritage		

ATTACHMENT 2

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
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Inspected by	Flavia Scardamaglia and Evan Oxland		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
This form completed by	Evan Oxland & Kerime Danis	Date	05/12/2014 & 05/01/2015

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 Assessment by City Plan Services

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Parish of Concord Map, 1915 – Ely house marked with red star				
Image year	1915	Image by	HLRV-Pixel Viewer	Image copyright holder	NSW Land and Property Information



ATTACHMENT 2

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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	122-126 Burwood Road, 1943 Aerial photograph				
Image year	1943	Image by	SixMaps	Image copyright holder	NSW Land and Property Information



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Assessment by City Plan Services

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	122-126 Burwood Road, 2014 Aerial photograph				
Image year	2014	Image by	Six Maps	Image copyright holder	NSW Land and Property Information



ATTACHMENT 2

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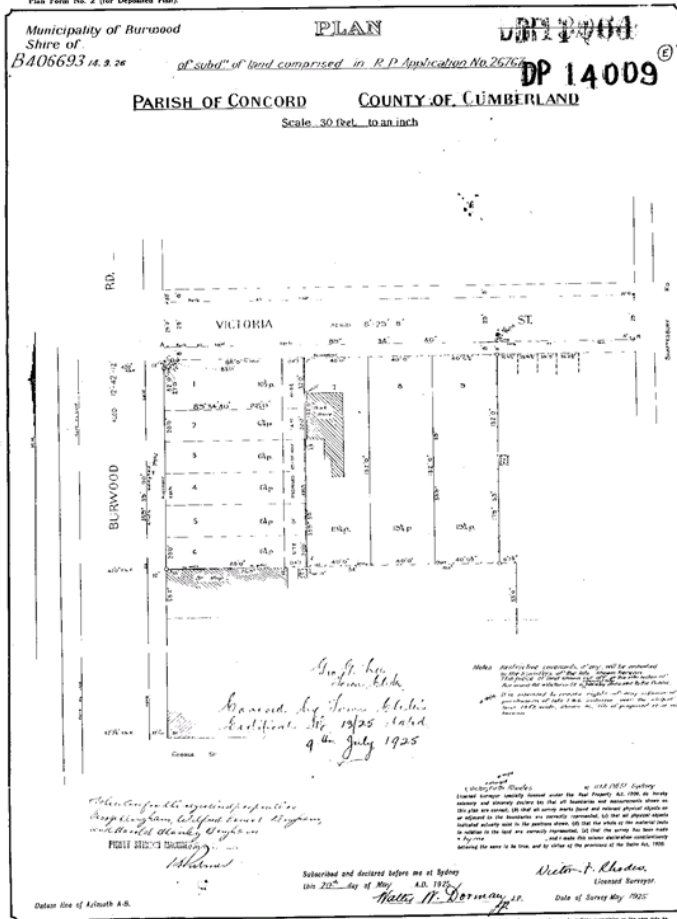
IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Deposited Plan, Parish of Concord, County of Cumberland, DP 140009				
Image year	1925	Image by	Burwood City Council	Image copyright holder	Burwood City Council

Box:38888 /Doc:DP 0014009 P /Rev:16-Apr-1999 /Sta:OK,OK /Prt:27-Aug-2004 20:41 /Pgs:All /Seq:1 of 2
 WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.

Plan Form No. 2 (for Deposited Plan)



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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Ely House, Corner and North/West façades				
Image year	2012	Image by	Google Street View	Image copyright holder	Google Maps



ATTACHMENT 2

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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Ely House, First floor internal courtyard				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



ATTACHMENT 2

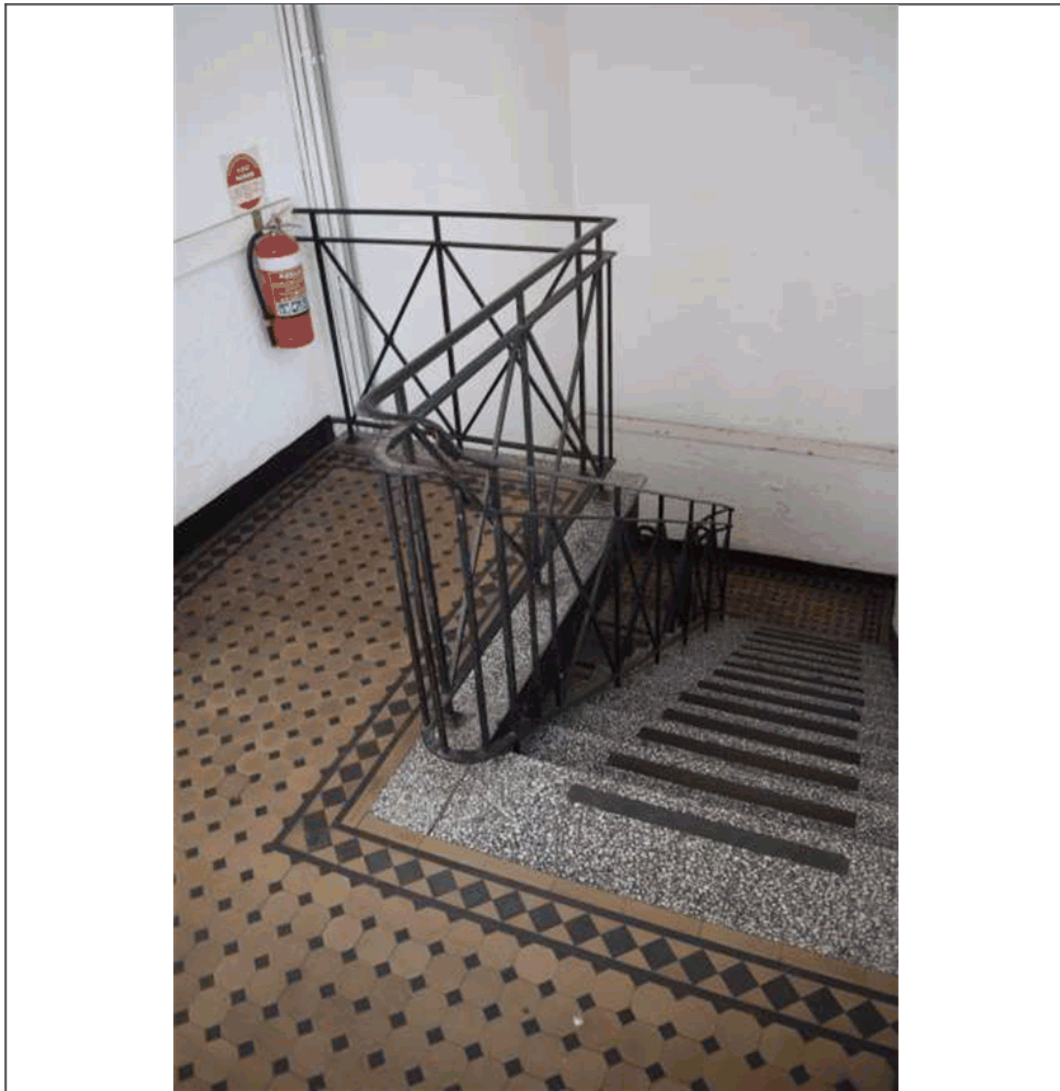
ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	First floor residents access terrazzo staircase, and original tile work.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



ATTACHMENT 2

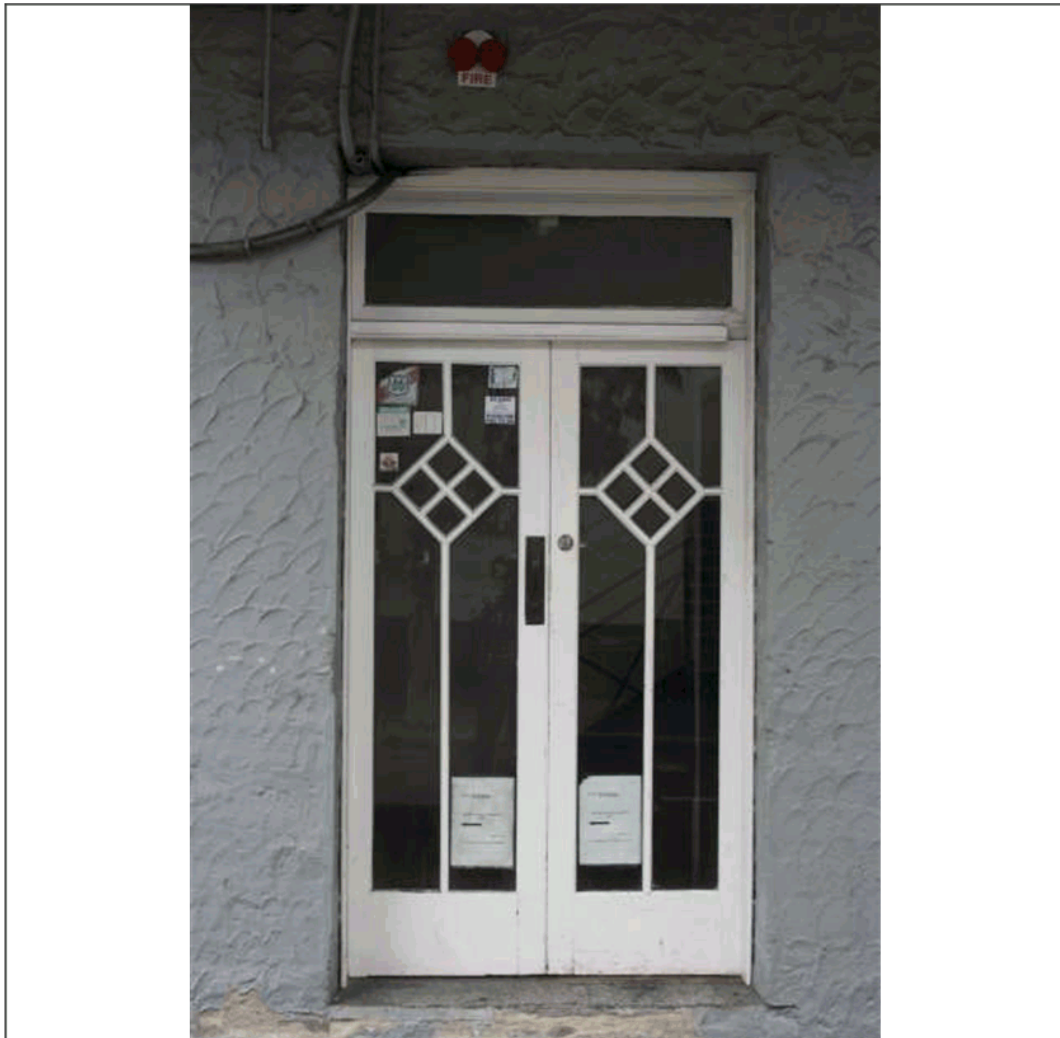
ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
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Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Extant door, original rendering texture, original render/paint colour unknown.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Rear, or eastern, elevation with a jungle of introduced services.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	183 Burwood Road – another example of the Spanish Mission Style commercial frontage				
Image year	2014	Image by	Google 2014	Image copyright holder	Google 2014



**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice**

COLIN ISRAEL
PRINCIPAL HERITAGE CONSULTANT TRADING AS
HERITAGE ADVICE

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NSW 1670
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M: 0408 462163
15 September 2016

RE: PEER REVIEW OF 4 POTENTIAL HERITAGE ITEMS – EXECUTIVE SUMMARY

A Peer Review has been prepared by Heritage Advice for Burwood Council of four of the properties recommended for heritage listing in the "Assessment of Potential Heritage Items for Burwood Council" prepared by City Plan Heritage P/L dated March 2015.

The properties reviewed are indicated in the excerpt from Table 3 of that report:

Item #	Suburb	Address	Item name
5	Burwood	Burwood Road, 122-126	"Ely House" (first floor only)
11	Croydon	Liverpool Road, 18	"Helmsdale"
12	Enfield	Burwood Road, 99	"Palm Cottage"
13	Enfield	Burwood Road, 109	Former John Hankinson's House

The Peer Review entailed examination of the Heritage Inventory Sheets drafted for each of the proposed Items. Our initial findings supported the listing of each of the properties with some corrections to the Inventory Sheets with respect to classification of styles for "Helmsdale" and John Hankinson's House.

Additional study of Land Titles was recommended with respect to "Ely House" & "Helmsdale" to more precisely fix the likely date of construction. These are now provided with the final mark-up of these inventory sheets. Additional material was also provided in respect of curtilage issues and additional management policies including Interpretation and an Inclusion/Exclusion analysis for "Ely House".

Subject to incorporation of these further particulars on the Inventory Sheets this Peer Review supports the recommendations of City Plan Heritage P/L for listing of each of these properties as assessed.

This Peer Review finds that the potential heritage items would meet criteria for listing for historical, historical associations, aesthetic and rarity values as detailed on the Inventory Sheets for each, subject to incorporation of the detailed comments provided.

Our recommendation would be for Council to include listing of these properties as individual heritage items in Part 1 under Schedule 5 of the Burwood Local Environmental Plan (LEP) 2012.

Yours truly,



Colin Israel

B.Sc(Arch), B.Arch, UNSW; M. Herit. Cons. USYD

Principal Heritage Consultant

HERITAGE ADVICE

Conservation Management Plans
Heritage Impact Statements
Heritage Item Assessment
Conservation Area Assessment
Heritage Listings
D.A. Design Advice
Pre-Auction Inspection

Heritage Advisor Service
LEP & DCP guidelines
Conditions of Consent
Council DA Assessment
Archival Drawings
Photo Recording
Heritage Interpretation
Maintenance Schedules

Advocacy & Mediation
Land & Environment Court
Expert Witness Reports

ATTACHMENT 3

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road Burwood.DOC Assessment by Colin Israel Heritage Advice

Response to request for information – BURWOOD ITEMS – PEER REVIEW

Ely House Inventory: You state on Page 15 that the item should be assessed against the inclusion/exclusion guidelines. Please undertake this assessment.

PLEASE SEE BELOW BRIEF ASSESSMENT AGAINST INCLUSION / EXCLUSION GUIDELINES - ELY HOUSE – BURWOOD ROAD

ASSESSMENT OF SIGNIFICANCE

Criterion (a) (local significance).

An item is important in the course, or pattern, of the local area's cultural or natural history

Inventory sheet statement:

Ely House has continually operated as its original intended design as a mixed used commercial and residential development since the early 1930s. As a mixed use development it accommodated both residential and commercial activities combining more life and business to the surrounding street, this important use is continuing today.

DISCUSSION:

Statement indicates origin and continuity of activity 1920's & 1930's – mixed use of substantial scale. While the activity is common the evidence of continuity in a particular historical phase is substantially intact.

ASSESSMENT:

Guidelines for INCLUSION		Guidelines for EXCLUSION	
• shows evidence of a significant human activity		• has incidental or unsubstantiated connections with	N/A
• is associated with a significant activity or historical phase	YES	historically important activities or processes	
• maintains or shows the continuity of a historical process or activity	YES	• provides evidence of activities or processes that are of dubious historical importance	
		• has been so altered that it can no longer provide evidence of a particular association	NO

7.2 Criterion (b) (local significance): NIL stated on inventory sheet

An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of the local area.

7.3 Criterion (c) (local significance):

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

Inventory sheet statement:

'Ely House' is a good example of the Inter-War Spanish Mission style architecture on the first floor and the access or entry stairwell on Victoria Street West. In addition, it contributes a sense of heritage character to the wider streetscape

DISCUSSION:

ATTACHMENT 3

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Spanish Mission style buildings from the Inter-War period are relatively rare in Burwood.

This example exemplifies characteristic features of the style and is prominently located within Burwood Road's streetscape. Apart from the alteration of the ground floor shops the form, materials and design retain original character and stylistic elements.

Its original landmark qualities (as street corner feature) are subsumed by the scale of later surrounding development.

ASSESSMENT:

Guidelines for INCLUSION		Guidelines for EXCLUSION	
• shows or is associated with, creative or technical innovation or achievement	YES	• is not a major work by an important designer or artist	Not Known
• is the inspiration for a creative or technical innovation or achievement	NO	• has lost its design or technical integrity	NO
• is aesthetically distinctive	YES	• its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded	NO
• has landmark qualities	NO	• has only a loose association with a creative or technical achievement	NO
• exemplifies a particular taste, style or technology	YES		

7.4 Criterion (d) (local significance):. NIL stated on inventory sheet

An item has strong or special association with a particular community or cultural group in the area for social, cultural or spiritual reasons.

7.5 Criterion (e) (local significance):

An item has potential to yield information that will contribute to an understanding of the area's cultural or natural history.

Inventory sheet statement:

Ely house has potential to add research and educational knowledge to the community in regards to the documentation of the Inter-War Spanish Mission style architecture.

DISCUSSION:

This assertion is largely conjectural.

ASSESSMENT:

Guidelines for INCLUSION		Guidelines for EXCLUSION	
• has the potential to yield new or further substantial scientific and/or archaeological information	NO	• the knowledge gained would be irrelevant to research on science, human history or culture	YES
• is an important benchmark or reference site or type	NO	• has little archaeological or research potential	YES

ATTACHMENT 3

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Burwood.DOC
Assessment by Colin Israel Heritage Advice**

• provides evidence of past human cultures that is unavailable elsewhere	NO	• only contains information that is readily available from other resources or archaeological sites	YES
--	----	--	-----

REFERENCE TO LISTING FOR THIS CRITERIA SHOULD BE REMOVED FROM THE INVENTORY SHEET.

7.6 Criterion (f) (local significance):

An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history.

Inventory sheet statement:

Ely House is a rare example of the Inter-War Spanish Mission style locally within the Burwood Municipality

DISCUSSION:

This style is rare within Burwood and is relatively rare in other Inter-War suburbs.

Examples are therefore valued as part of the diversity of Inter-War styles. Its use may also be indicative of more cosmopolitan tastes influenced by both immigration and Hollywood.

ASSESSMENT:

Guidelines for INCLUSION		Guidelines for EXCLUSION	
• provides evidence of a defunct custom, way of life or process	N/A	• is not rare	NO
• demonstrates a process, custom or other human activity that is in danger of being lost	YES	• is numerous but under threat	NO
• shows unusually accurate evidence of a significant human activity	N/A		
• is the only example of its type (within Burwood LGA)	YES		
• demonstrates designs or techniques of exceptional interest	YES		
• shows rare evidence of a significant human activity important to a community	NO		

7.7 Criterion (g) (local significance):: GENERALLY COVERED UNDER ITEM (f)

*An item is important in demonstrating the principal characteristics of a class of the area's
– cultural or natural places; or
– cultural or natural environments*

ATTACHMENT 3

**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice**

Heritage Data Form

ITEM DETAILS			
Name of Item	Ely House (first floor only)		
Other Name/s Former Name/s			
Item type (if known)			
Item group (if known)			
Item category (if known)			
Area, Group, or Collection Name			
Street number	122-126		
Street name	Burwood Road		
Suburb/town	Burwood	Postcode	2134
Local Government Area/s	Burwood Lots 1, 2, 3 & 4 in DP 14009		
Property description	Two-Story Shop-Top/Mixed Use Commercial & Residential Spanish Mission Style Lot 5 DP 14009 .		
Location - Lat/long	Latitude	-33.875	Longitude 151.104
Location - AMG (if no street address)	Zone	B2	Easting Northing
Owner	Euston Investment Pty Ltd		
Current use	Mixed use of business/residences		
Former Use	Mixed use of Business/residences		
Statement of significance	<p>Ely House's first floor is a historically and aesthetically significant local example of the Inter-War Spanish Mission style. While the ground floor remains completely altered and thus insignificant, the access stairway and entry on Victoria Street asides, the first floor remains contributory to the wider streetscape's heritage character. The Inter-War Spanish Mission Style is uncommon in the Burwood Municipality lending it the significance of rarity.</p> <div style="background-color: #ffff00; padding: 2px;">CI- Strathview and "Wentworth" = OTHER SPANISH MISSION ITEM IN BURWOOD</div>		
Level of Significance	State <input type="checkbox"/>		Local <input checked="" type="checkbox"/>

Strathview and "Wentworth" 50 and 50A Wentworth Road

ATTACHMENT 3

**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road Burwood.DOC
Assessment by Colin Israel Heritage Advice**

Heritage Data Form

DESCRIPTION					
Designer	Unknown				
Builder/ maker	Unknown				
Physical Description	<p>Ely House is a two-storey Spanish Mission style corner lot with facades onto Burwood Road and Victoria Street West.</p> <p>It occupies the entire rectangular block and features a terracotta tile hipped roof. The projecting roofline is supported by decorative brackets and coffered soffit panels. Its splayed corner façade at Victoria Street West and Burwood Road is truncated with a short parapet wall bearing the name 'Ely House' above its arched sash window surmounted by a pronounced keystone. Wall finish is a fan patterned cream coloured stucco, and there is a generous metal awning overtop the street level patio. First floor windows have louvered timber shutters, and there are two enclosed balcony areas with profiled brackets.</p> <p>The ground floor has been the subject of many alterations, and it is doubtful if any original fabric exists, asides from the residence access on Victoria Street West, the north-western most corner of the building, where a tiled floor, metal rail, and terrazzo staircase provides access to the communal courtyard and residences above. The eastern elevation remains intact although a clutter of services has been attached to its side. There is a narrow staircase from this dead-end alleyway to the first floor courtyard. The generous courtyard is intact but for a few places where some services have been attached to the wall and there is a large commercial kitchen sized ventilation unit jutting through the roof on the north wing. Timber sash windows remain and some are newly fitted with steel bars for added security.</p>				
Physical condition and Archaeological potential	<p>First floor, Victoria Street West and Burwood Road facades are in good condition, but require some painting and minor maintenance.</p> <p>-Rear or sides of building cluttered with attached services.</p> <p>-Groundfloor, aside from residences entrance on Victoria Street West, thoroughly altered.</p>				
Construction years	Start year	1929 Alter 1925	Finish year	1930 Prior to 1929	Circa <input checked="" type="checkbox"/>
Modifications and dates	<p>Development Application History:</p> <p>1925 - Subdivision of land: DP14009 1934 - Lot subdivision 1969 - Renovations to property 1984 - Property used as chemist 1984 - Property used as cafe 1986 - Alterations to shops and above flats 1988 - Shop fit out for hair salon 1998 - Shop subdivision for Western Pacific Foods Pty Ltd 1999 - Restaurant extension and extension of trading hours 2001 - Shop fit out for Doctor's consulting rooms 2002 - Shop Fit out for 7/11 Store 2005 - Shop fit out for Mourched 2005 - Shop 5 leased to Red Rooster 2006 - Establishment of Wood Fire Pizza Restaurant 2007 - Shop Fit out for Bakery 2008 - Shop fit out for Trading Pty Ltd 2008 - Installation of new advertising signs 2008 - Installation of new awning 2009 - Shop fit out for Thania Box Pty Ltd. 2010 - Storm water and drainage works 2010 - Shop fit out for beverage purposes 2012 - Refurbishment and internal fit out of existing coffee shop</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>CT Volume 3790 Folio 35 show the property was purchased by George, Wilfred & Harold Bignam as Tenants in Common in October of 1925 (ATTACHMENT 1)</p> <p>Subdivision into 9 Lots occurred subsequently in DP 14009. (Page 9) This shows a single residence located on Lot 7 and the land otherwise undeveloped.</p> <p>In February of 1929 Lots 1 2 3 & 4 were transferred to Maria and George Ely. A series of leases occurred shortly afterwards for various shops in Nos 124 - 126 Burwood Road. CT Volume 4249 Folio 95 (ATTACHMENT 2)</p> <p>Based on this sequence the construction date would be prior to February of 1929 and not before 1925.</p> </div>				

ATTACHMENT 3

**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road Burwood.DOC
Assessment by Colin Israel Heritage Advice**

Heritage Data Form

	2014 – Shop fit out
Further comments	

HISTORY	
Historical notes	<p>Subject Site History:</p> <p>According to the Sands directory plumber John Hawksford moved from Cheltenham Road to Burwood Road east just south of Victoria in 1892, and was listed as the tenant of the subject site until 1899. The property was briefly assumed by butcher William Watford and followed with John Bryant the boot-maker in 1900 for a year until Mrs L Ramsay, a dressmaker, took the location over. In 1905 a Bennet H. & Co. Produce merchants were listed for two years until Birke H.W. produce merchant in 1907. In 1910 Maurice Green was operated a pawn shop at this location. An Edward Wilcox was located at 122 Burwood Road from 1918-1925, and listed a fruiterer. Harne R&D was listed from 1925-1928, and L.V. Field, a tailor 1928-1930 (Sands Directories, 1858-1933).</p> <p>As the subject site commands the corner Victoria Street West and Burwood Road it is well suited for mixed use developments. It is unclear whether or not it was built around 1930-1931 or after, because an Ely Pharmacy was listed at 124 Burwood Road in 1931. However, because 122-124 is listed with subdivided numbers it suggests that a larger block was in place in 1931. Nevertheless, the present Ely House was built by 1943, when the SixMaps aerial photo confirms the existence of the same roof that exists today. This also correctly positions this Spanish Mission style building in its appropriate Inter-War time frame (Apperly, et. al., 1994). It currently operates as a mixed-use development.</p>

INSERT REVISED TEXT ON PAGE 5 BASED ON LAND TITLES SEARCHES BY COLIN ISRAEL -HERITAGE ADVICE

THEMES	
National historical theme	3 Developing local, regional and national economies 4 Building settlements, towns and cities
State historical theme	3 Commerce 4 Accommodation

APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	Ely House has continually operated as its original intended design as a mixed used commercial and residential development since the early 1930s. As a mixed use development it accommodated both residential and commercial activities combining more life and business to the surrounding street, this important use is continuing today.
Historical association significance SHR criteria (b)	Ely House has no known associations with a historical person, place, or event of significance.
Aesthetic significance SHR criteria (c)	'Ely House' is a good example of the Inter-War Spanish Mission style architecture on the first floor and the access or entry stairwell on Victoria Street West. In addition, it contributes a sense of heritage character to the wider streetscape.

ATTACHMENT 3

Heritage Data Form

Social significance SHR criteria (d)	Ely house has no known associations with a specific historically significant community or culture.
Technical/Research significance SHR criteria (e)	Ely house has potential to add research and educational knowledge to the community in regards to the documentation of the Inter-War Spanish Mission style architecture. CI - questionable whether this is technical significance under the criteria as it relates to style rather than technology.
Rarity SHR criteria (f)	Ely House is a rare example of the Inter-War Spanish Mission style locally within the Burwood Municipality. See only other Item defined as IW-SM Strathview and "Wentworth" 50 and 50A Wentworth Road
Representativeness SHR criteria (g)	Ely House is a representative example of the Inter-War Spanish Mission style mixed residential and commercial buildings SEE CI NOTES ON PAGE 15
Integrity	The ground floor of Ely House has no traces of historically significant fabric, except for the narrow entranceway and staircase to the first floor on Victoria Street West. The first floor is in good condition, it retains its roof form, wall fabric, and most windows in original form. Original colour scheme cannot be confirmed, however, the existing colours are appropriate.

HERITAGE LISTINGS

Heritage listing/s	No current heritage listings. Recommended for listing under this heritage assessment study.
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INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Book	Richard Apperly, Robert Irving, & Peter Reynolds	A Pictorial Guide to Identifying Australian Architecture	1994	
Book	Frances Pollon	The Book of Sydney Suburbs	1996	-
Online Directory	John Sands	Sands Directories	1858-1933	City of Sydney Online Archive

RECOMMENDATIONS

Recommendations	<ol style="list-style-type: none"> 1) Archival photographic recording, in accordance with "Photographic Recording of Heritage Items Using Film or Digital Capture" (NSW Heritage Guidelines Series, 2006), should be undertaken before any major changes. 2) The First Floor of "122-126 Burwood Road, Ely House", should be listed under Schedule 5 of the <i>Burwood Local Environmental Plan 2012</i>.
------------------------	---

SOURCE OF THIS INFORMATION

Name of study or report	Burwood Assessment of Potential Heritage Items	Year of study or report	2015
Item number in study or report	5		
Author of study or report	City Plan Heritage		

ATTACHMENT 3

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice

Heritage Data Form

Inspected by	Flavia Scardamaglia and Evan Oxland		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
This form completed by	Evan Oxland & Kerime Danis	Date	05/12/2014 & 05/01/2015

CI - ADDITIONAL MANAGEMENT RECOMMENDATIONS:

- 3) The entry to the first floor residential flats should be retained including the staircase, handrail, terrazzo treads and tiled landings. Elements should be repaired or replaced "like for like".
- 4) Important features of the street facade including tiled copings to parapets, recessed balconies and tanned stucco finishes should be retained and repaired or replaced "like for like"
- 5) Future major refurbishment should be subject to a detailed Heritage Impact Statement that more fully identifies original fabric and ensures its preservation. The impacts of accretions of services should be reduced or reversed in any future adaptation or change of use.

REVISED HISTORICAL NOTES - REPLACE ON PG 3 WHERE DELETED.

The property was subdivided into its present form in 1925 by then owners George, Wilfred & Harold Bigham who had purchased the property that year. The sequence of construction is not known but in 1929 the property was transferred to Maria and George Ely as Tenants in Common. Shortly afterwards leases were signed with various tenants for the shops at 124 Burwood Road including a Chemist, Motor Mechanic, Furniture Shop, Confectioners shop and Radio Shop.

The building also acquired its name from the new owners. This suggests that the Ely's purchased the building as an investment from the Bignams who were most likely to have been responsible for its construction. The Bignams also sold the remaining Lots from the 1925 subdivision. As the construction of the Ely Building may have been staged, the date of construction is clouded but the Ely Building was certainly complete and fully tenanted by 1929.

ATTACHMENT 3

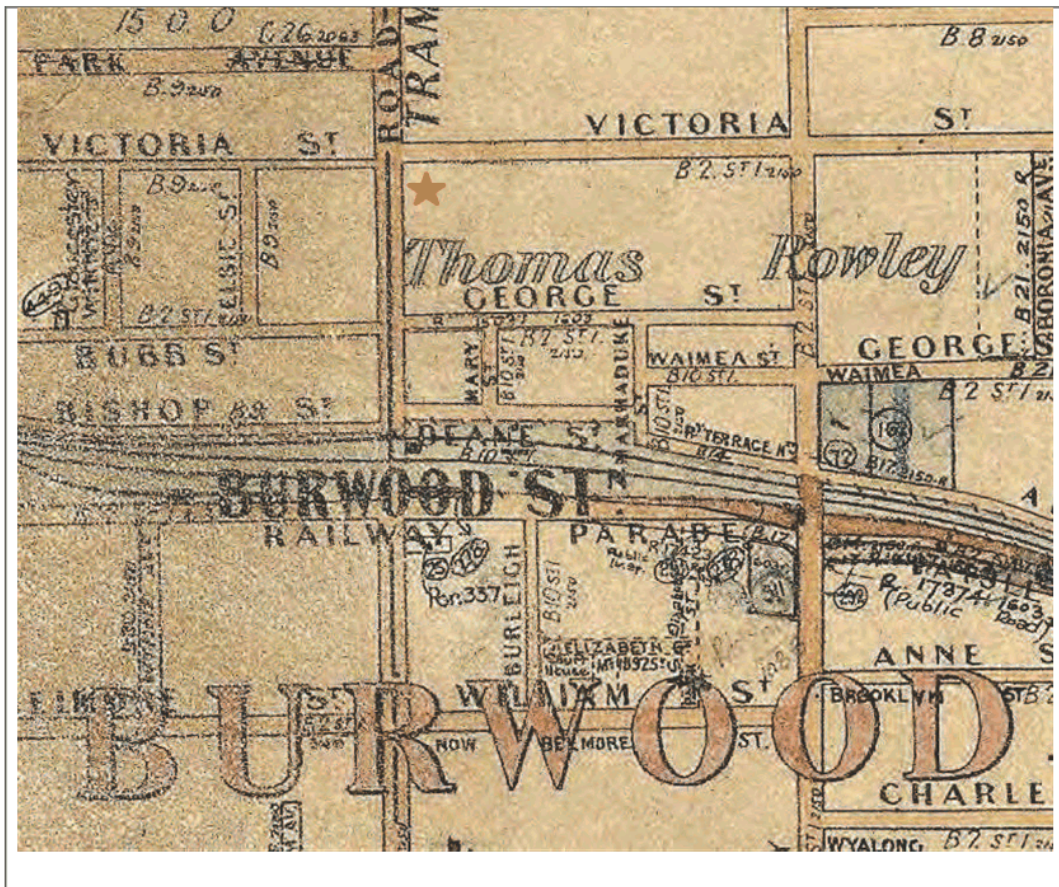
**ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice**

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Parish of Concord Map, 1915 – Ely house marked with red star				
Image year	1915	Image by	HLRV-Pixel Viewer	Image copyright holder	NSW Land and Property Information



PARISH MAP NOT PARTICULARLY INFORMATIVE IN THIS INSTANCE

Land Titles should be consulted to resolve unclear dating of the subdivision and allotments and possibly of the ownership at the time the building was constructed.

ATTACHMENT 3

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	122-126 Burwood Road, 1943 Aerial photograph				
Image year	1943	Image by	SixMaps	Image copyright holder	NSW Land and Property Information



ATTACHMENT 3

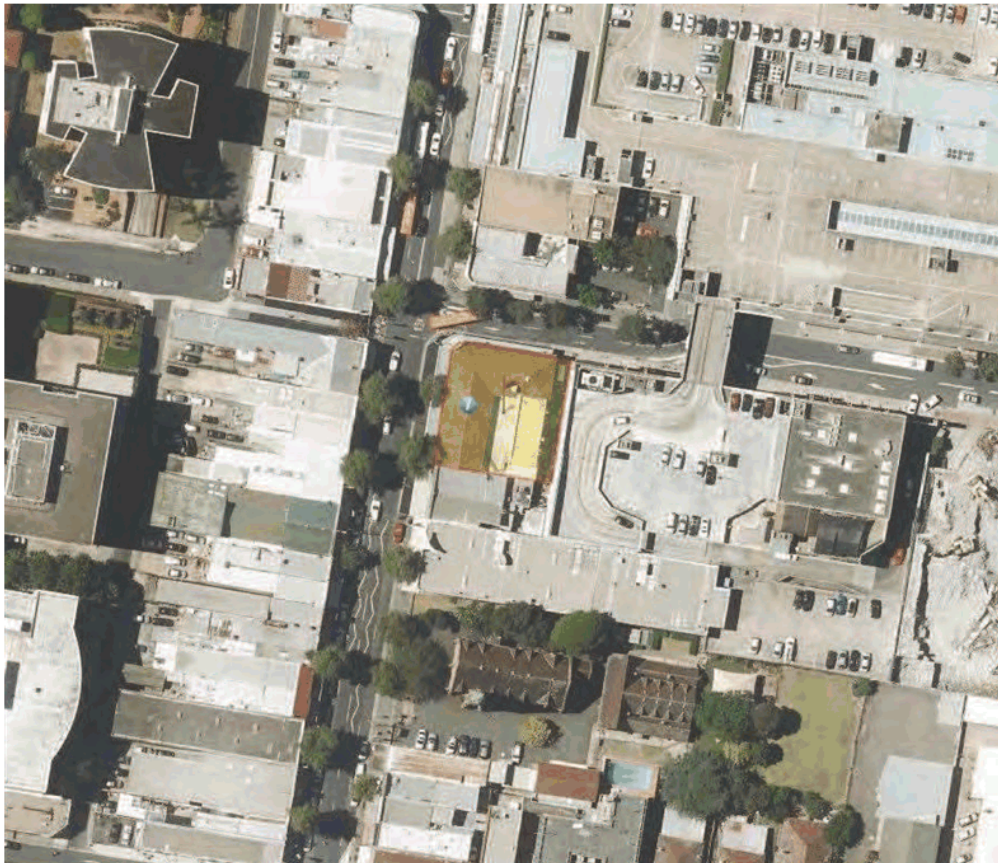
ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	122-126 Burwood Road, 2014 Aerial photograph				
Image year	2014	Image by	Six Maps	Image copyright holder	NSW Land and Property Information



ATTACHMENT 3

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
 Burwood.DOC
 Assessment by Colin Israel Heritage Advice

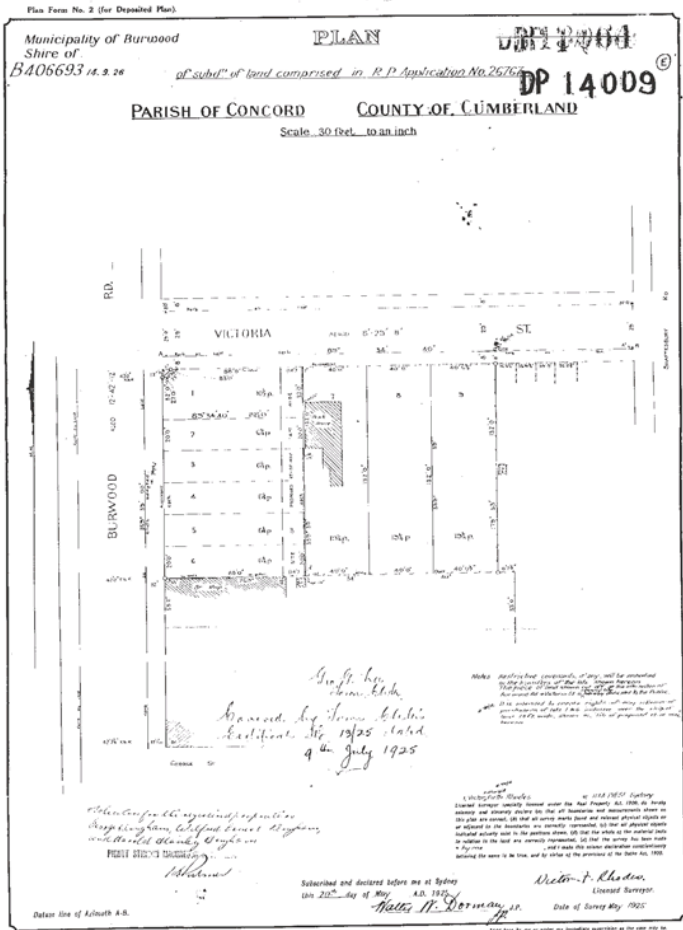
Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Deposited Plan, Parish of Concord, County of Cumberland, DP 140009				
Image year	1925	Image by	Burwood City Council	Image copyright holder	Burwood City Council

Doc:HW5M /Doc:EP 0014009 P /Rev:16-Apr-1999 /Sta:OK,OK /Prt:27-Aug-2004 20:41 /Pgs:ALL /Seq:1 of 2
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Burwood.DOC
Assessment by Colin Israel Heritage Advice

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Ely House, Corner and North/West façades				
Image year	2012	Image by	Google Street View	Image copyright holder	Google Maps



ATTACHMENT 3

ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Ely House, First floor internal courtyard				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	First floor residents access terrazzo staircase, and original tile work.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



ATTACHMENT 3

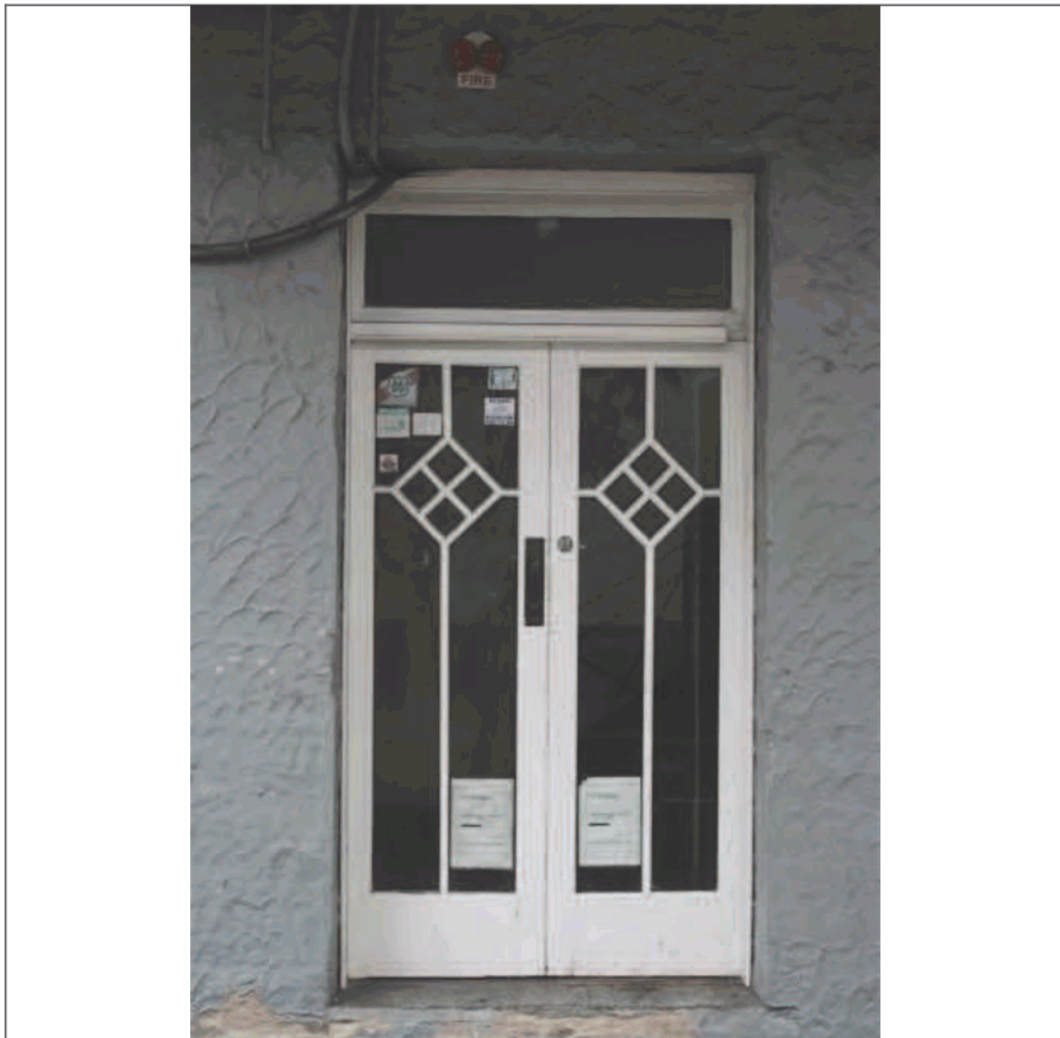
ITEM 40/17 Consideration of Potential Heritage Item - Ely House - 122-126 Burwood Road
Burwood.DOC
Assessment by Colin Israel Heritage Advice

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Extant door, original rendering texture, original render/paint colour unknown.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



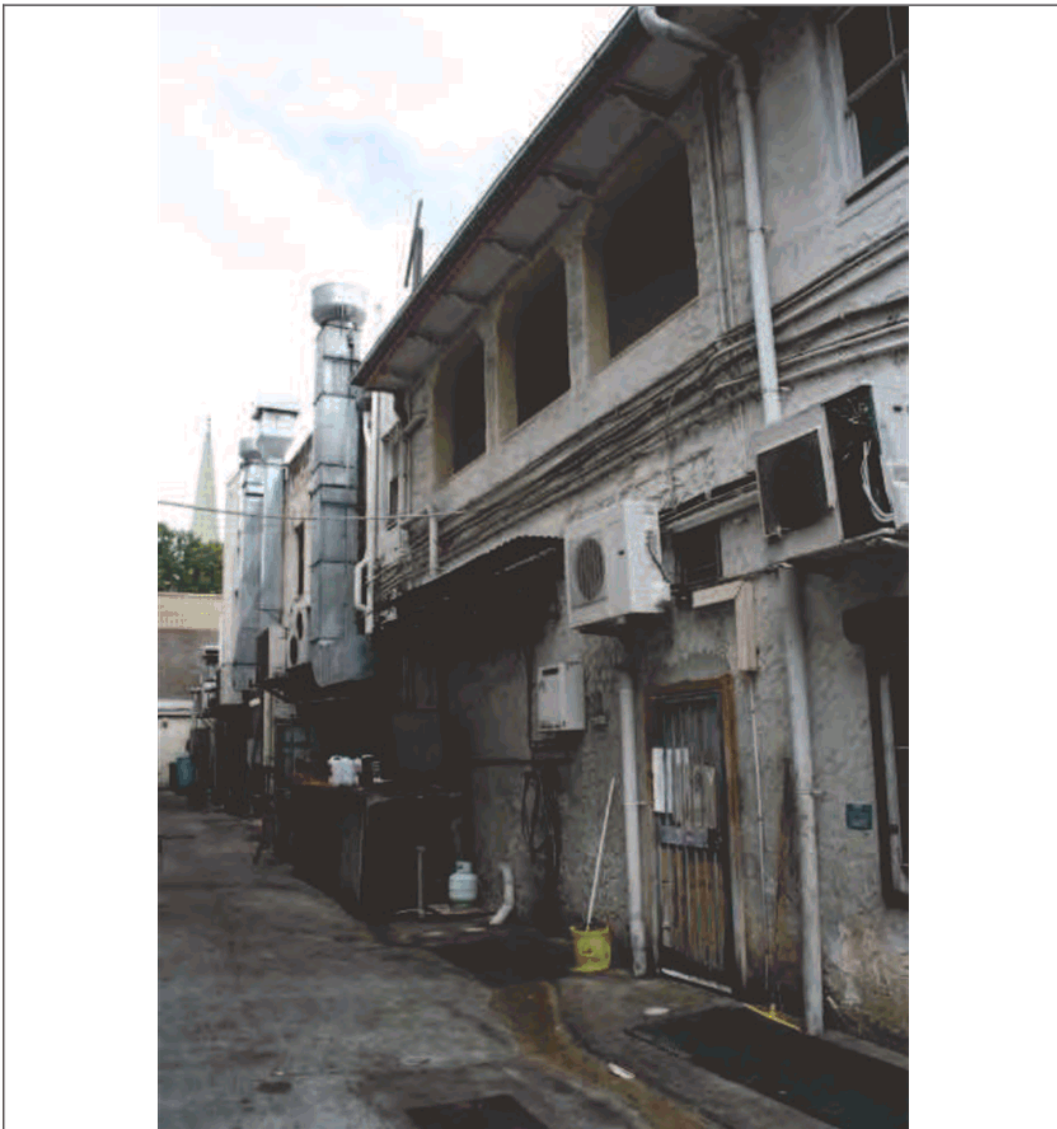
Heritage Data Form

CI - See additional policies re removal of accretions when approval of work is sought.

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Rear, or eastern, elevation with a jungle of introduced services.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	183 Burwood Road – another example of the Spanish Mission Style commercial frontage				
Image year	2014	Image by	Google 2014	Image copyright holder	Google 2014



INCLUSION & EXCLUSION checklist to be appended - see separate sheet.

Based on the Inventory Sheet the recommendation for listing as street facades (similar to other Burwood Road shops) would be supported, primarily on the basis of its rarity as an example of Inter-War Spanish Mission Style.

Rarity should be emphasized over representativeness in order not to cloud the assessment.
 (If the two are not necessarily mutually exclusive but it would be sound practice to determine one or other when proposing to list with rarity taking precedence. Representativeness in my opinion should be used for a fine or highly intact example. Loss of the ground floor and accretions suggest this is not the case).

The description of fabric is comprehensive and would demonstrate the categorization as IW-SM which is a rare style in Burwood. It is therefore important to preserve and record for this Local Government Area.

Colin Israel

Colin Israel,
 BSc; BArch UNSW & M Herit Cons USYD
Principal Heritage Consultant – Heritage Advice

(ITEM 41/17) CONSIDERATION OF INCLUSION IN A HERITAGE CONSERVATION AREA - 55 LIVERPOOL ROAD BURWOOD HEIGHTS

File No: 17/31837

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

Council, at its 22 March 2016 meeting, resolved to progress the inclusion of three Liverpool Road properties within the Appian Way Heritage Conservation Area. A submission was received in respect to 55 Liverpool Road Burwood Heights during the extended exhibition period of the Planning Proposal involving several heritage matters. This report discusses the submission and recommends that Council endorse the inclusion of the property in the Heritage Conservation Area.

Background

At its meeting on 24 August 2015, Council considered the findings of the *Assessment of Potential Heritage Items - Stage 1*. The study recommended that several properties be listed as heritage items of local significance, and that three properties be included in the Appian Way Heritage Conservation Area (being 55, 59 and 67 Liverpool Road Burwood Heights).

Council resolved to undertake preliminary consultation with property owners which was the subject of a subsequent report at the Council Meeting on 22 March 2016. Council resolved to progress the inclusion of the three Liverpool Road properties into the Heritage Conservation Area, as well as endorse the preparation of a Planning Proposal.

In accordance with Council's resolution, the Planning Proposal was publicly exhibited and consultation with public authorities undertaken. The public exhibition period was extended when it was identified that the owners of four properties were missed in the exhibition mail out.

Discussion

The owner's submission, prepared by CDR Design Pty Ltd, was received by Council on 1 June 2017. The submission objects to the inclusion of 55 Liverpool Road in the Heritage Conservation Area, and is summarised as follows:

- The building's architectural features are common.
- The building is visually and historically unconnected to the Appian Way. The building presents to Liverpool Road and cannot be seen from Appian Way.
- Although associated with the Hoskins Estate the building does not contribute to the Appian Way streetscape or character.
- The accuracy of the City Plan Services study is refuted in several aspects.
- Inclusion of this isolated site within the Appian Way Heritage Conservation Area is flawed.

The full submission is at **Attachment 1**.

Preceding this submission, a heritage assessment was commissioned by Council which supported the inclusion of the property in the Heritage Conservation Area. The assessment was carried out by independent heritage consultants, City Plan Services.

The following is an overview of matters considered in determining whether to progress inclusion of the property in the Heritage Conservation Area:

- The initial nomination for heritage designation came from the Burwood and District Historical Society, and this section of Liverpool Road is identified by the National Trust.
- The owner's submission does not refute the historical facts (i.e. connection with Hoskins Estate, ownership details, date of construction, architectural style) contained in the assessment commissioned by Council.
- The exclusion of 55 Liverpool Road would undermine the proposed inclusion of the other two Hoskins Estate properties (59 and 67 Liverpool Road) and Council's intent to identify all of the remaining Hoskins Estate houses.
- The assessment commissioned by Council found the property to satisfy the heritage criteria of:
 - a. historic significance
 - b. historical association significance
 - c. aesthetic significance and
 - d. technical/research significance
- While the property is not part of the Appian Way streetscape, it was constructed as part of the Hoskins Estate and can be "read" together with the other properties being included in the conservation area, 59 and 67 Liverpool Road.
- The City Plan Services assessment recognises the significance of the property '*as a part of a comprehensively designed model suburb*' and this being a basis for its inclusion in a conservation area, rather than the property being considered as a stand-alone item.

Relevant sections of the heritage assessment by City Plan Services are at **Attachment 2**.

Consultation

The property was the subject of a preliminary consultation in late 2015. No submissions were received from property owners at that time in respect to the three Liverpool Road properties.

The Planning Proposal was publicly exhibited from 21 February 2017 to 21 March 2017 and then extended further from 26 April 2017 until 24 May 2017. The extension was to ensure that the owners of four properties who had not received written notice were adequately notified and provided sufficient time to comment.

The extended public exhibition related to the following four properties:

- 55 Liverpool Road Burwood Heights
- 59 Liverpool Road Burwood Heights
- 67 Liverpool Road Burwood Heights
- 66 Lucas Road Burwood

Only one submission was received during the extended exhibition period. The submission received in respect to 55 Liverpool Road Burwood Heights is the subject of this report. All other submissions received during the first exhibition period were the subject of a report to Council on 18 April 2017.

Planning or Policy Implications

Should Council resolve to progress the inclusion of 55 Liverpool Road Burwood Heights in a conservation area, Council will progress the making of a Local Environmental Plan (LEP) in consultation with the Department of Planning and Environment.

Financial Implications

Progression of the Planning Proposal, which provides for the heritage listing of several other properties, is provided for under the existing budget.

Conclusion

It is recommended that 55 Liverpool Road Burwood Heights be included in the Appian Way Heritage Conservation Area and progressed through the LEP-making stage. This recommendation is based upon the heritage assessment commissioned by Council which supports a heritage designation of the property.

Recommendation(s)

1. That Council endorses 55 Liverpool Road Burwood Heights for inclusion in the Appian Way Heritage Conservation Area.
2. That Council use its authorisation to exercise delegation in the making of an LEP to give effect to the Planning Proposal and progress the LEP to notification.
3. That the affected property owner(s) be advised of Council's resolution.

Attachments

- 1 Submission on 55 Liverpool Road Burwood Heights
- 2 Assessment by City Plan Services

**ITEM 41/17 Consideration of Inclusion in a Heritage Conservation Area - 55 Liverpool Road
Burwood Heights.DOC
Submission on 55 Liverpool Road Burwood Heights**



CDR DESIGN
ARCHITECTS & TOWN PLANNERS

12 MOUNT STREET STRATHFIELD NSW 2135 | PH: 0404 015 150
EMAIL: charles.raneri@optusnet.com.au | REG'D ARCHITECT NO: 5682 | ABN: 70 003 329 584

30 May 2017

General Manager
BURWOOD COUNCIL
PO Box 230
BURWOOD NSW 201805

**RE: PUBLIC EXHIBITION – PLANNING PROPOSAL FOR HERITAGE CONSERVATION OF 55
LIVERPOOL ROAD BURWOOD NSW 2134**

Dear Sir,

I refer to your recent letter advising of the above dated 21 April 2017.

CDR Design Pty Ltd has been engaged by Ms Camilla Weyman and the late Mr Bernard McGuckin, the owners of 55 Liverpool Road Burwood, to write to Council on their behalf regarding the above planning proposal.

It is my opinion that the property does not reach the threshold for inclusion within the proposed heritage conservation area. In summary, it is my opinion that the consultant's report is inaccurate and incomplete and that the basis for listing the subject property as part of a heritage conservation area cannot be justified.

Objection is raised to the proposal on the following grounds:

1. The building located on 55 Liverpool Road Enfield is not considered to be a fine example of Federation design or an Arts & Crafts bungalow. Its architectural features are common place and found in countless examples across Sydney suburbs.
2. The building is completely visually and historically un-connected to the Appian Way. The building presents to Liverpool Road only and is surrounded by heritage insignificant properties and streetscape. It backs onto the back yard of other properties that front the Appian Way, but from a streetscape and street context point of view, it is completely disconnected from the Appian Way. The building cannot be seen from any view point or vantage point from within the Appian Way whatsoever.
3. While the building may technically have been associated with Hoskins Estate, it does not share nor contribute to the Appian Way streetscape or character in any way whatsoever. Council's consultant acknowledges this in their statement that the building "remains a fractured part of Hoskins Estate Appian Way, separated by later infill reducing its original tract of land".
4. Council's consultant claims the building is aesthetically significant because of various reasons. The basis for each of those reasons is factually incorrect. Details are as follows:
 - Allee plantings – There are no such landscape traits – The property contains a curved drive to the front with random landscaping to the street front.
 - Setbacks – The setbacks of the property accord with adjoining non-significant contemporary settings – there is no special heritage relevance to the character of the building's setback.

ITEM 41/17 Consideration of Inclusion in a Heritage Conservation Area - 55 Liverpool Road Burwood Heights.DOC
Submission on 55 Liverpool Road Burwood Heights

CDR Design Pty Ltd

- Sidewalks – There are no sidewalks provided on the subject site and Council’s nature strip lacks any such definition. The building shares its driveway with the neighbouring site to the east – this is certainly inconsistent and unsympathetic with any of the Appian Way house settings and pathways.
- Recreation space in common – There is no such common recreation space available for owners of 55 Liverpool Road to use neither legally or as a general common discretion. There may confusion with other properties sharing the common land use within the Appian Way.
- Undulating water swales instead of kerbs – there are no such swales in front of 55 Liverpool Road – there is traditional contemporary concrete kerb and guttering.

Clearly, these traits are only accurate and relevant for houses actually within the Appian Way, but, they are not accurate or present in any way whatsoever in relation to 55 Liverpool Rd or in any way whatsoever particularly regarding the context of its setting in and regarding Liverpool Road or the area in the vicinity of or around it.

5. Council’s consultant states that the building “*is not particularly rare*” and “*there are other fine examples of this style and period of architecture in the local and regional area*”. While the consultant is correct in this statement, they go on to claim the building is relevant purely because of its association with the suburb. This purpose of a conservation area is to address a desirable characteristic of an area, not individual properties because of a technical association. This may be an argument when considering an individual listing, but not for a conservation area. I note there is no proposal to make the suburb a conservation area. Why is it then, that a conservation area be applied to an isolated property? As mentioned above, there is no physical or visual connection or perception of the subject site and the Appian Way estate.
6. Model Heritage Provisions have been prepared by the NSW Heritage Office in 2000 as recommended by the NSW government for councils’ consideration when preparing an LEP for a conservation area. The objectives of the provisions clearly elucidate that a heritage conservation area, as distinct from a heritage item, is intended to:
 - *“To conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage conservation areas; &*
 - *To ensure that the heritage conservation areas throughout [name of local government area] retain their heritage significance.”*

These provisions and those contained in Local Government Heritage Guidelines also Published by the NSW Heritage Office in 2002, explain the exact nature of the concerns to be addressed in a heritage conservation area by identifying the specific matters to addressed and considered by Council regarding any development within a heritage conservation area including the following:

- “(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and*
- (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and*
- (iii) the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and*
- (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and*
- (v) whether any landscape or horticultural features would be affected by the proposed development, and*
- (vi) whether any archaeological site or potential archaeological site would be affected by the proposed development, and*
- (vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern.”*

ATTACHMENT 1

ITEM 41/17 Consideration of Inclusion in a Heritage Conservation Area - 55 Liverpool Road Burwood Heights.DOC Submission on 55 Liverpool Road Burwood Heights

CDR Design Pty Ltd

Clearly, each and every above matter to be considered, seeks to ensure that the purpose, essence and intention of the heritage conservation area relates of the to the context of the area rather than any individual property. In the current situation, the subject building and property if the subject of a development application, would have to be considered with regard to the above criterion in relation to the actual Appian Way streetscape. As mentioned above, this is impossible as the property is completely disconnected from the Apian Way and cannot be seen from any view point or vantage point within the Appian Way whatsoever. It is hard to conceive how the above heads of consideration could apply to any development of the property within its actual streetscape of the very busy Liverpool Road.

In my opinion the process of reviewing items and recommending them for inclusion with a remote heritage conservation area without a comprehensive visual and historical connection is flawed.

The shortcomings in the current heritage review raise doubts on the wider review process. Council should be concerned that these shortcomings will reflect poorly on the potential inclusion of other isolated sites that may also not meet the threshold for inclusion and raise doubt on the overall process. This would not be a desirable outcome for the heritage review process.

In my opinion, due to the low level of the buildings historical integrity and its complete physical and visual isolation from and disconnect with the Apian Way Conservation Area, the building should be removed from being included within the existing heritage conservation area.

Council is requested to review and consider the above submission and resolve to omit it from the Appian Way Heritage Conservation Area.

Thank you for reviewing and considering the matters raised above.

Yours faithfully,



CHARLES D RANERI
(Director)

ATTACHMENT 2

**ITEM 41/17 Consideration of Inclusion in a Heritage Conservation Area - 55 Liverpool Road
Burwood Heights.DOC
Assessment by City Plan Services**

Heritage Data Form

ITEM DETAILS					
Name of Item	55 Liverpool Road				
Other Name/s Former Name/s	Winton				
Item type (if known)	Residential				
Item group (if known)					
Item category (if known)					
Area, Group, or Collection Name	Hoskins Estate (Appian Way)				
Street number	55				
Street name	Liverpool Road				
Suburb/town	Burwood	Postcode	2134		
Local Government Area/s	Burwood				
Property description	One storied residence, in Federation period Queen Anne style. Lot 43 DP12249.				
Location - Lat/long	Latitude	-33.887	Longitude	151.103	
Location - AMG (if no street address)	Zone	R2	Easting		Northing
Owner	Mr Bernard McGuckin & Ms Camilla Weyman				
Current use	Residential				
Former Use	Residential				
Statement of significance	55 Liverpool road is of heritage significance because it is part of the George J. Hoskins Appian Way estate. As such it is notionally influenced by international ideas of urbanism stemming from the garden city, city beautiful movement, and various model suburbs. Its association with the historically important steel pioneer George J. Hoskins of G & C Hoskins Ltd, a wealthy industrialist, increases its significance in terms of international trends of industrialists building fine suburbs in the Edwardian period. In addition, the subject site is a constituent part of an exemplary Federation period model suburb designed to a high standard, and its architecture makes a fine individual example in a Queen Anne style.				
Level of Significance	State <input type="checkbox"/>		Local <input checked="" type="checkbox"/>		
DESCRIPTION					
Designer	William Richards				
Builder/ maker	William Richards for George J. Hoskins				
Physical Description	<p>The subject site is located near the busy intersection of Liverpool and Burwood Road. It is directly across the street from the <i>Badminton Road to Culdees Road Conservation Area</i> and around the corner from the <i>Appian Way Conservaion Area</i> from both the Appian Way and Burwood Road.</p> <p>The curtilage has been reduced because of later urban infill. Avenue lined trees remain, and on the house side of the street fronting low brick wall, in stretcher bond with row-lock coping, there is wall of</p>				

Heritage Data Form

	<p>dense scrubby vegetation. There is no lawn in front of the street fronting façade because it is used for parking.</p> <p>The house colour scheme is a rich cream and maroon red. The house walls are predominantly red brick with liver-coloured brick details, such as arches, quoins, and decorative courses for polychrome effect. The wooden veranda is supported by brick walls with a semi-circular coping profile, columns rest on concrete coping. There is a very good example of a circular stained glass window west of the protruding gable end. Façade windows are tripartite casement windows with stained glass panels overhead. The gable-end is sided in a cream painted shingling, and the barge board is painted maroon.</p> <p>Like most houses from the Hoskins estate, its roof form is a complex amalgamation of hipped/broken hip rooves and valleys punctuated by dormers that terminate in variously oriented gabled ends, wrap around verandas, or extruding porches. Its massive hipped roof has also been punctuated with skylights, its ridgeline is capped with terracotta tiles and have intermittent cresting. The slate-tiled roof form can be described as an asymmetric hipped dominant gable style, it lacks any eaves trough or guttering. Its chimneys are rendered where they meet the roof, painted cream, and surmounted by red brick culminating in projecting moulded brick courses.</p> <p>There are additions to the landscape in the rear including a pool, pool shed, and enclosing fence. There is a brown painted bricked in extension to the rear of the house, which is in need of repair due to differential settling.</p>					
Physical condition and Archaeological potential	- Good condition. Veranda concrete coping is cracking and could be repaired/replaced.					
Construction years	Start year	1906	Finish year	1907	Circa	<input checked="" type="checkbox"/>
Modifications and dates	<p>1980 - Rear extension 1996 - Pool and pool house in the rear, alterations and additions, and cabanna, on 22 October 2008 building applications were registered. -Low brick wall facing sidewalk, date unknown.</p>					
Further comments	In good general condition, although differential settlement is compromising the rear extension.					

HISTORY

Historical notes	<p>George Hoskins Development:</p> <p>An engineer and steel industrial pioneer, George John Hoskins (1847-1926), owned G & C Hoskins Ltd with his brother Cecil which was notably responsible for ironworks at Lithgow and Port Kembla (ADB, 1983). Like many Edwardian industrialists around the world, his suburb design was notionally inspired by international garden city/city beautiful ideas following international trends of model suburbs such as Leverhulme's Port Sunlight, Letchworth, or Rowntree's New Earswick (Fitzgerald, 1995, p. 227). A key tenant of these ideas includes the power of planning and architecture to normatively fashion good morals and citizenry through the creation of amenable environments of civic beauty, nature, and recreation (Freestone, 2010). For this reason, Hoskins chose not to immediately sell the properties, and instead leased them out, remaining active in their operation throughout his life (Burwood, 1983). His Bungalow, Arts and Crafts, and Queen Anne style homes were mainly built on a heroically named road, the Appian Way. The Appian way being named after a historically early and strategic road between Ancient Rome and Brindisi in Puglia. As a planned suburb it is contemporaneous with the development of Haberfield in nearby Ashfield Council (Burke, 1983), and is an early international example influenced by ideas stemming from, or popularised through, the sensational publication on Garden Suburbs by Ebenezer Howard (Howard, 1898).</p>
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Heritage Data Form

	<p>The Hoskins estate plans were announced to local council on 15 June 1903. It is commonly referenced that Hoskins built his estate with the council paying for the roads (SMH, 1903). However, Hoskins rebuked in the <i>Evening News</i> claiming that he paid for half the cost of the roads and lent his money at a rate of 4.4% so that the municipality could afford the remainder (Hoskins, 1905).</p> <p>This planned estate, with its large curtilage mixing formal and informal elements in its landscape and shared recreational spaces, is representative of the Edwardian unification of house and garden design. One of the unique aspects of this suburb is that each lot has a different shape, size, and building. Appian Way is planted with an <i>allee</i> of trees between road and sidewalk, and notably splits around an island that provided tennis courts (3 in 1909), lawn, and pavilion for the recreation and enjoyment of local residents (Burwood, 1983). The lots on Appian way are large and set backs are generous. Gardens plots are typically architecturally bordered by small shrubs, but according to old photos shaped flowerbeds predated these. Timber picket fences, of varying detail, fronted the curtilage of each property. The original 39 properties of Hoskins development were not sold but instead leased out, and some faced Liverpool and Burwood Road.(Burwood, 2001)</p> <p>National Trust of Australia listed the "Appian Way Precinct" in September, 1977. The Register of the National Estate listed the "The Appian Way Precinct" on 25/08/1981 as item 3367, but the Liverpool Road grouping was excluded from this.(RNE, 1981) Following NSW Interim Heritage Order (No. 182) in 1983 it was incorporated in the Burwood LEP.(Burwood, 2001)</p> <p>Subject Site:</p> <p>The subject site remains a fractured part of Hoskins Estate Appian Way, separated by later infill reducing its original tract of land. The property first appears in the Sands directory in 1907 with resident Frederick J. Saunders living at "Winton". until 1911. . No one is listed in 1912, but a Richard P. O'Sullivan is listed from 1913 until 1916 when a Mrs James Gibson is listed. George H. Abel in 1917-18 and Knox Arthur from 1919-1931. Arthur Knox was notably a dairy farming businessman from the southern highlands who known for his "witty tongue and the gift of leadership" who was president of the Country Milk Supplier Association for 15 years (The Southern Mail, Bowral, 1931). He died in 1931 and was survived by 2 sons and his wife. In 1933 Mrs A. Knox had a J.R Tatham as a sub-tenant in 55a.</p> <p>Subdivision of curtilage and infill development is documented by 1927 listings and by 1933 there are 7 additional properties on the north-side of Liverpool road between Burwood road and Appian Way.</p> <p>There has been relatively little interventions since, and these are detailed in the modification dates above.</p>
--	---

THEMES	
National historical theme	4 Building settlements, towns and cities
State historical theme	4 Accommodation

ATTACHMENT 2

ITEM 41/17 Consideration of Inclusion in a Heritage Conservation Area - 55 Liverpool Road Burwood Heights.DOC Assessment by City Plan Services

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APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	55 Liverpool Road is significant in the course of local Burwood suburb expansion and settlement of Sydney's inner-west, and as a component part of one of the first, and an idiomatic example, of federation period Queen Anne and Arts & Crafts model suburb. The Hoskins estate can be seen to be associated with a wider international trend of wealthy industrial patrons establishing model suburbs such as Leverhulme's Port Sunlight, motivated out of principles more akin to philanthropy than speculative profits.
Historical association significance SHR criteria (b)	55 Liverpool Road is significant for its special association with the pioneering industrialist George J. Hoskins who developed the idea of the estate and its builder William Richards. The developer George Hoskins' role is particularly important because it is contemporaneous on the early Edwardian global stage following a proliferation of industrialist inspired model suburbs built in the Queen Anne and Arts & Crafts style.
Aesthetic significance SHR criteria (c)	55 Liverpool Road is an idiomatic example of Federation/Edwardian period house design and exemplary of the complimentary nature of varying architectural styles such as Arts & Crafts, Bungalow, and Queen Anne. Also important in its use of homogenous planning tools such as set-backs, streetscape alley plantings, sidewalks, recreation space in common, and the use of undulating water swales on roadsides as opposed to kerbing.
Social significance SHR criteria (d)	55 Liverpool Road does not have a special association with a particular community or cultural group in NSW for social, cultural, or spiritual reasons.
Technical/Research significance SHR criteria (e)	55 Liverpool Road provides an understanding of Australian suburb making practices in the early twentieth century because of its association with the Hoskins estate. In particular it is important in the information it reveals about the history of suburbs, planning, and architecture in New South Wales.
Rarity SHR criteria (f)	As an individual item 55 Liverpool road is not particularly rare, there are many fine examples of this style and period of architecture in the local and regional area. However, as a part of a comprehensively designed model suburb, it is an excellent, and uncommon, example.
Representativeness SHR criteria (g)	55 Liverpool Road is representative as a fine example of Federation period domestic design, model suburbs, and town planning. It is representative of contemporaneous notions of international trends of normative urbanism from ideas such as the garden city and city beautiful movements.
Integrity	55 Liverpool Road is intact and maintains its architectural integrity.

HERITAGE LISTINGS	
Heritage listing/s	No current heritage listings. Recommended for listing within a Conservation Area under this heritage assessment study.

INFORMATION SOURCES				
Include conservation and/or management plans and other heritage studies.				
Type	Author/Client	Title	Year	Repository
Book	Frances Pollon	The Book of Sydney Suburbs	1996	-
DCP	Burwood Council	Burwood Consolidated DCP Pt 4 - Appian Way Conservation Area	2001	-
Advanced Study	P. Clements	The Development of the Hoskins Estate Burwood.	1978	

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Report.				
Book	Robert Freestone	Urban Nation	2010	
Online Directory	Sands	Sands Directories	1858-1933	City of Sydney Online Archive
Book	Eric Dunlop	Harvest of the Years	1974	Municipality of Burwood
Report	Burwood Council	Appian Way Conservation Area Environmental Study	1983	Municipality of Burwood
Newspaper – Letter to the Editor	Evening News George Hoskins	"Burwood North Ward Election, Hoskins Estate"	9 February 1905	Trove
Newspaper	The Sydney Morning Herald	"Burwood"	16 June 1903	Trove
Newspaper	Southern Mail	"The Late Arthur Knox"	Tuesday 7 April 1931	Trove
Masters Thesis	Sheridan Burke	Haberfield Garden Suburb	1983	Unpublished Dissertation University of Sydney, Special Collections
Online – Defunct Archived Register	Register of the National Estate	Appian Way Precinct	1981	
Online Document	Smith et. al.	EORA: Mapping Aboriginal Sydney 1770-1850	2006	NSW State Library Online
Online	Burwood Council	Municipal Website: "Local History"	2014	
Book	Robert Fitzgerald	Rowntree and the Marketing Revolution, 1862-1969	1995	Cambridge University Press
Book	Ebenezer Howard	Garden Cities of To-Morrow	1898	
Book	George Parsons	Australia Dictionary of Biography "Charles Henry Hoskins/Sir Cecil Harold Hoskins"	1985	Melbourne University Press

RECOMMENDATIONS

Recommendations	<ol style="list-style-type: none"> 1) The building and landscape should be retained and conserved, and is significant enough to be considered for inclusion with the Appian Way Conservation area. A Heritage Impact Statement should be prepared for the building prior to any major works being undertaken. 2) Archival photographic recording, in accordance with "Photographic Recording of Heritage Items Using Film or Digital Capture" (NSW Heritage Guidelines Series, 2006) should be undertaken before major changes. 3) Building owners should be advised about differential settlement of rear addition and advised on course of actions to remediate. 4) Boundary brick wall should be restored, trees are probably causing damage and this should be taken into account. 5) "55 Liverpool Road" should be included in heritage conservation area "Appian Way Heritage Conservation Area" listed as "C1" under Part 2 of Schedule 5 in the <i>Burwood Local Environmental Plan 2012</i>.
------------------------	--

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SOURCE OF THIS INFORMATION			
Name of study or report	Burwood Assessment of Potential Heritage Items	Year of study or report	2015
Item number in study or report	1.		
Author of study or report	City Plan Heritage		
Inspected by	Evan Oxland and Flavia Scardamaglia		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
This form completed by	Evan Oxland & Kerime Danis	Date	05/12/2014 & 12/01/2015

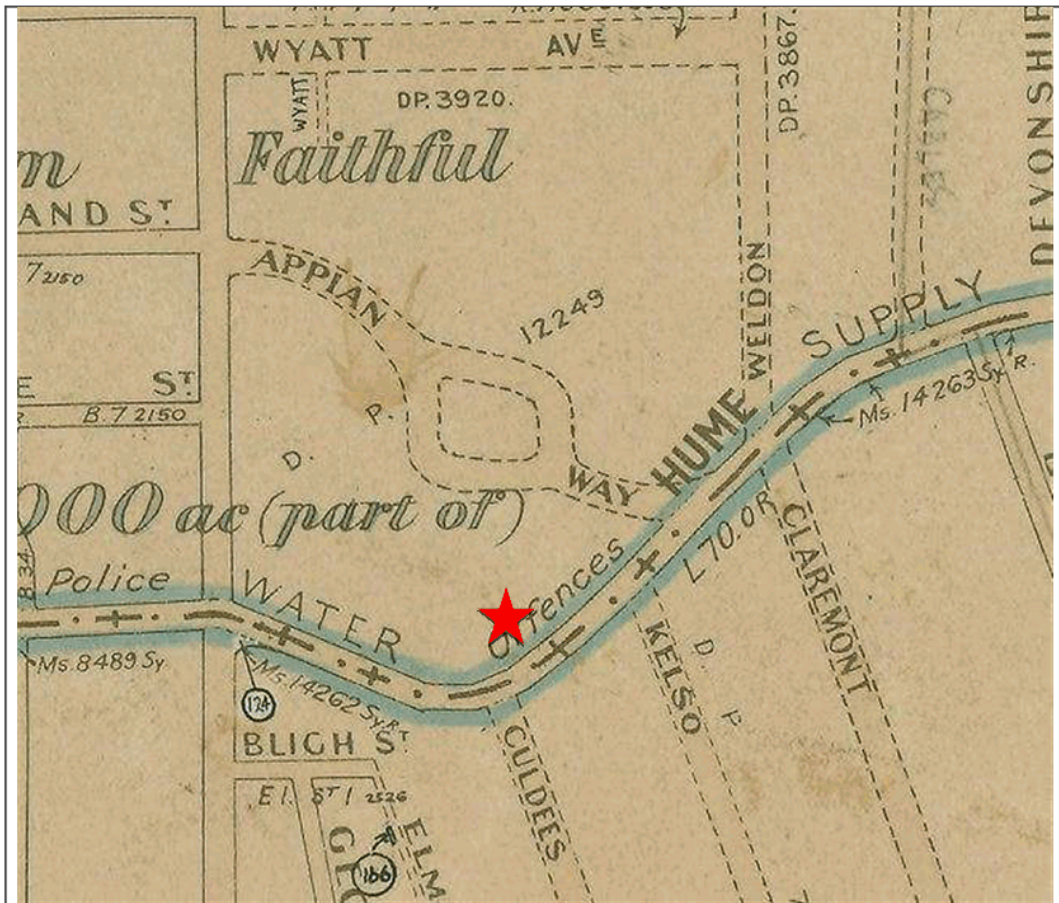
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Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Parish of Concord Map, 1915				
Image year	1915	Image by	HLRV-Pixel Viewer	Image copyright holder	NSW Land and Property Information



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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	55 Liverpool Road, 1943 Aerial photograph.				
Image year	1943	Image by	SixMaps	Image copyright holder	NSW Land and Property Information



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Image caption	55 Liverpool Road, Contemporary Aerial Photograph				
Image year	2014	Image by	SixMaps	Image copyright holder	NSW Land and Property Information



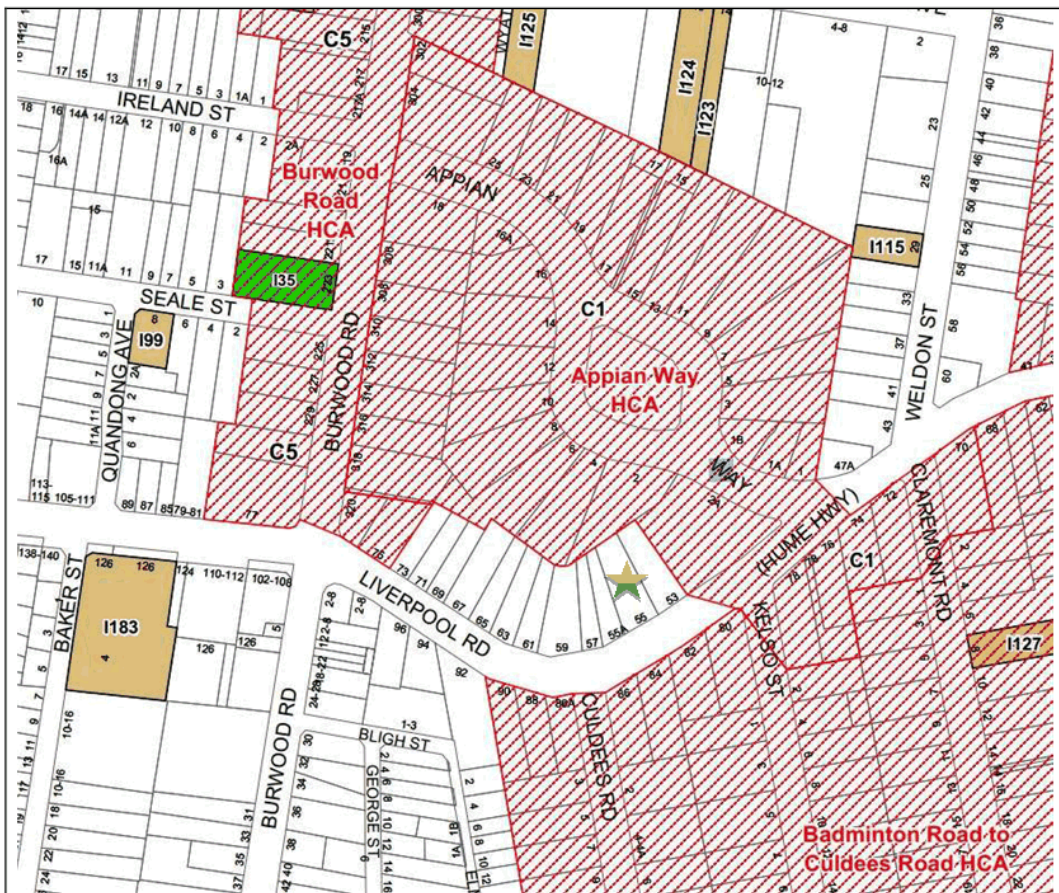
Heritage Data Form

Image caption	George J. Hoskins, ironmaster, founder of the firm of G. & C. Hoskins, 1876, 1922 / G.F. Harris				
Image year	1922	Image by	G.F. Harris	Image copyright holder	NSW State Library



Heritage Data Form

image caption	Burwood LEP 2012 Heritage Map				
Image year	2012	Image by	Burwood Council	Image copyright holder	Burwood Council



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Heritage Data Form

Image caption	South façade facing Liverpool road from sidewalk. Building in very good condition.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



Heritage Data Form

Image caption	Remnant red stopper on red bricks and grey stopper on livercoloured bricks evident, faint tuck visible if carefully looked for. Stained glass an example of high quality and good integrity of details.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



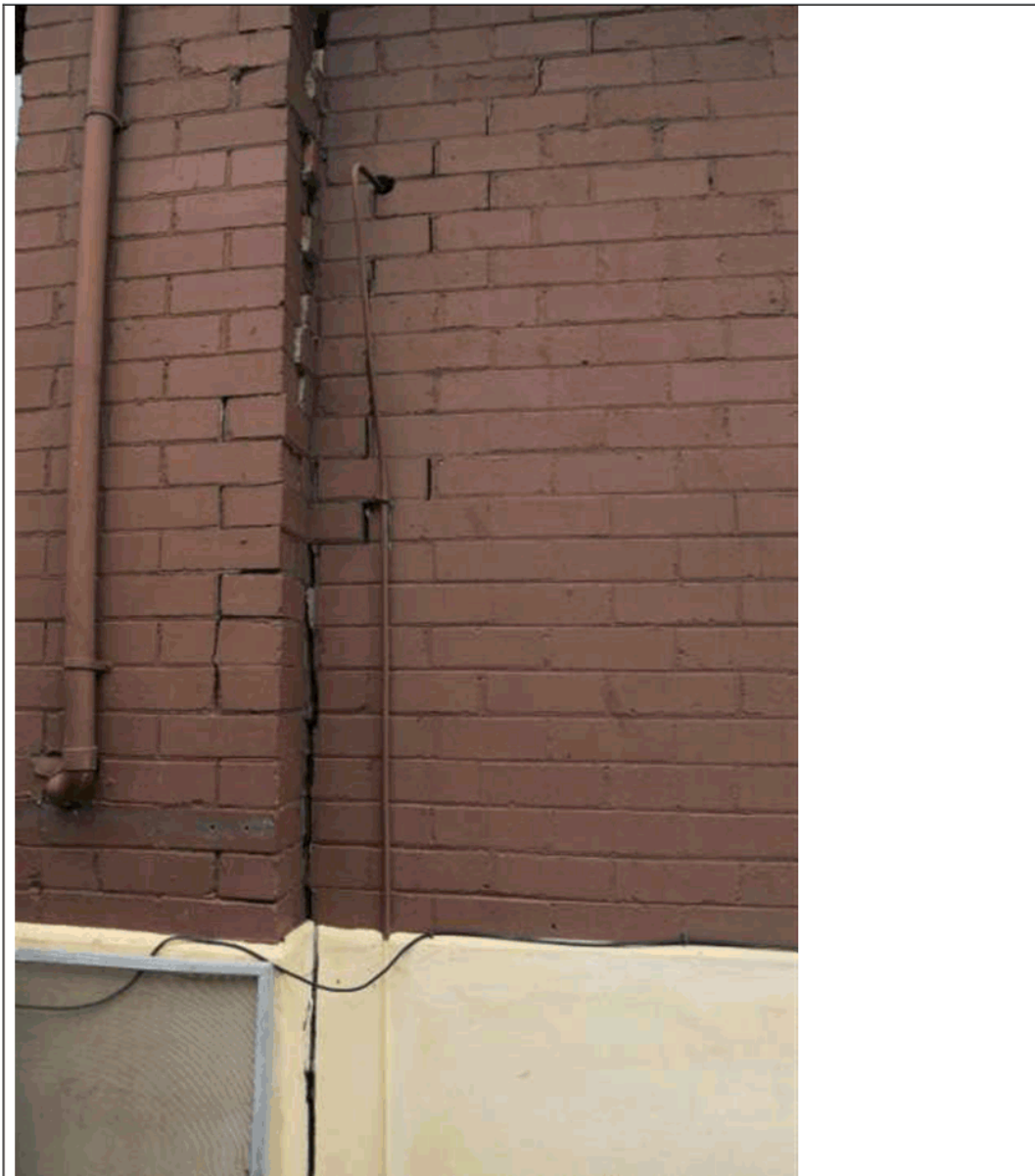
Image caption	Boundary wall containing façade curtilage and unkempt vegetation. Brick wall in poor condition, probably because of the tree directly behind it.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council

Heritage Data Form



Heritage Data Form

Image caption	Addition to right of photo, differential settling is causing serious structural damage.				
Image year	2014	Image by	City Plan Heritage	Image copyright holder	Burwood Council



(ITEM 42/17) PLANNING PROPOSAL - 68-72 RAILWAY PARADE AND 2-10 OXFORD STREET BURWOOD

File No: 17/32065

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

The Planning Proposal (PP) for 68-72 Railway Parade and 2-10 Oxford Street Burwood seeks to increase the maximum building height and Floor Space Ratio (FSR) for the subject land up to 58m and 5.45:1 respectively. An external assessment of the PP found insufficient justification for the scale of the development proposed (18 storeys) and found that the proposal would be more appropriate if limited to a maximum of 12 storeys. It is recommended that Council forward the PP to the NSW Department of Planning & Environment (DPE) for a Gateway Determination, only after the PP is revised in accordance with the consultant's recommendations.

Background

Pacific Planning Pty Ltd lodged a PP to Council on 14 February 2017 relating to eight parcels of land, being 68, 68A, 70 and 72 Railway Parade Burwood, and 2, 4-6, 8 and 10 Oxford Street Burwood. The PP proposes substantial increases in the density and height provisions in the Burwood Local Environmental Plan 2012 (BLEP) and suggests the negotiation of a Voluntary Planning Agreement (VPA) to deliver public benefits.

Cardno Pty Ltd has been appointed by Council to undertake an independent assessment of the PP. Cardno have been involved in a preliminary review of the submitted documentation, as well as requesting further information from the proponent, and has prepared a detailed assessment report with recommendations on the PP.

Proposal

Subject Site and Existing Development Standards

The subject land is shown on the map below. The subject land is 3,413m² and adjoining the land to the south and east is Burwood Public School and its grounds.



The subject land is zoned R1 General Residential under the BLEP, with a maximum building height of 26m and a maximum FSR of 3:1.

Proposed Development Standards

The PP before Council seeks an amendment to the BLEP 2012 to:

- Increase the maximum building height for the subject land from 26m to 58m
- Increase the maximum FSR for the subject land from 3:1 to 5.45:1

No change to the zoning of land is proposed. The PP anticipates the construction of an 18 storey residential flat building, with a 14 storey component to each side, which would be subject to the approval of a future Development Application (DA). An indicative development concept is shown below.



The development yield is approximately 219 apartments, being an additional 132 apartments to that which is currently approved.

The PP's urban design analysis also considered another two options, which include:

- A 14 storey corner element and a 10 storey street edge building form (being 163 apartments)
- A 16 storey corner element and 12 storey street edge building form (being 191 apartments)

Assessment of the Planning Proposal

Cardno's Urban Design Assessment is at **Attachment 1**. The key findings are summarised below:

- The PP pre-empts the results of further strategic planning anticipated for the Strathfield and Burwood Town Centres, namely the recent announcement of a Priority Precinct. The PP also largely bases its proposed increase in height and density on the nearby Burwood Place PP, which is considered by Cardno to be premature, as that proposal has not as yet been approved.

- Based on Cardno's assessment, the proposed 14 to 18 storey height limits are considered excessive. The proposed heights on the site are found to be inconsistent with the overall planning for the two town centres, as the 58m height is greater than the perimeter areas of both of those centres.
- The placement of a taller residential building outside both the Strathfield and Burwood Town Centres could set an undesirable precedent for other sites and undermine the principles of town centre planning which call for lower density areas outside town centres.
- The proposed taller buildings pose significant overshadowing impacts on the adjacent school play areas and proposed communal open space.
- The increase in traffic generation associated with the additional 129 units is at most 25 trips in the morning, and unlikely to have a detrimental impact.
- A reduction in height and massing would benefit the setting of nearby heritage items and limit shadowing on the school grounds.
- The proposal is wholly residential, failing to provide non-residential uses that would activate the street and engender a sense of place.
- A moderate increase in development potential may be reasonable on the basis of having amalgamated several parcels, and its separation from other residential uses.

Cardno also assessed the applicant's Traffic Report and supporting SIDRA files and has not raised any critical issues.

Cardno recommends that the PP be revised as follows:



Building heights and break-ups and open space recommended by Cardno

- A 12 storey (or 39m) tower element on the corner of Railway Parade and Oxford Street, a 10 storey (32m) tower element away from the corner along Railway Parade and a nine storey (29m) tower element along Oxford Street.
- The proposed building forms be more broken up into separate tower forms, particularly down the Oxford Street frontage which is currently proposed with a continuous wall of approximately 87m, which is considered excessive.
- Non-residential uses be provided to activate the ground floor street edge of Railway Parade. These could take the form of a convenience retail or café, community facility or childcare which would work well with the adjacent school precinct.

- A public open space area be provided off the Oxford Street frontage, rather than in the setback area on Railway Parade. This would create a more useable public space and to break up the building form in Oxford Street, which is a local street and more residential in character.
- A Heritage Impact Assessment be submitted as part of a revised PP, as the site sits amongst a number of heritage items.

Consultation

The applicant approached Council in late 2016 with its PP concept. A meeting was held where the applicant presented an initial proposal and indicated its intention to prepare a PP. Pre-PP advice was provided by Council Officers.

A PP was submitted in February 2017, which proposed a maximum building height of 58m and a FSR of 5.45:1. Cardno was engaged in March 2017 to undertake an assessment of the PP on Council's behalf. The applicant's team met with Cardno on 3 April 2017 to present the PP and respond to questions.

A preliminary assessment was undertaken by Cardno and a letter dated 11 April 2017 was sent to the applicant. The letter sought additional documentation and raised a series of concerns to be addressed before further assessment would be undertaken.

The applicant submitted additional information throughout May 2017 and June 2017. Cardno's assessment of the latest PP documents is the subject of this report. Community and State agency consultation would follow a Gateway Determination, should the PP proceed.

Planning or Policy Implications

The assessment of the PP finds that the proposed building height and FSR increases would have potential impacts on the school grounds to the southeast, as well as being inconsistent with the transitions in height envisioned for both the Burwood and Strathfield Town Centres. The proposed building bulk requires improved modulation, and the value of community benefits being offered is yet to be determined.

It is considered inappropriate to submit the PP to the State Government for a Gateway Determination at this stage. Instead, it is considered reasonable that the PP be further revised before proceeding to the Gateway Determination and community consultation.

Financial Implications

The PP includes an offer to enter into a VPA which would provide public benefits or a direct monetary contribution to Council. The value of any such VPA has yet to be negotiated by the parties.

The cost of engaging Cardno to undertake an independent assessment of the PP has been covered by the PP fees paid to Council.

Conclusion

The PP seeks a substantial increase to the current maximum building height and FSR permitted upon the subject land. The external assessment of the PP found insufficient justification for the scale of development proposed. The potential impacts of the proposed development include overshadowing, a scale inconsistent with its context, and the setting of an undesirable precedent for development outside the Town Centres. It is recommended that Council forward the PP to the DPE seeking a Gateway Determination, only after the PP has been amended in accordance with Cardno's recommendations.

Recommendation(s)

1. The proponent be requested to revise the scale and parameters of development proposed in line with the recommendations of the independent assessment of the Planning Proposal.
2. The Planning Proposal be submitted to the Department of Planning & Environment for a Gateway Determination only after it has been amended to the satisfaction of the independent consultant and the General Manager.
3. The General Manager be authorised to negotiate a VPA which will be exhibited concurrently with the Planning Proposal after any positive Gateway Determination being issued by the Department of Planning & Environment.
4. The applicant be advised of Council's resolution and be provided with a copy of the independent assessment report.

Attachments

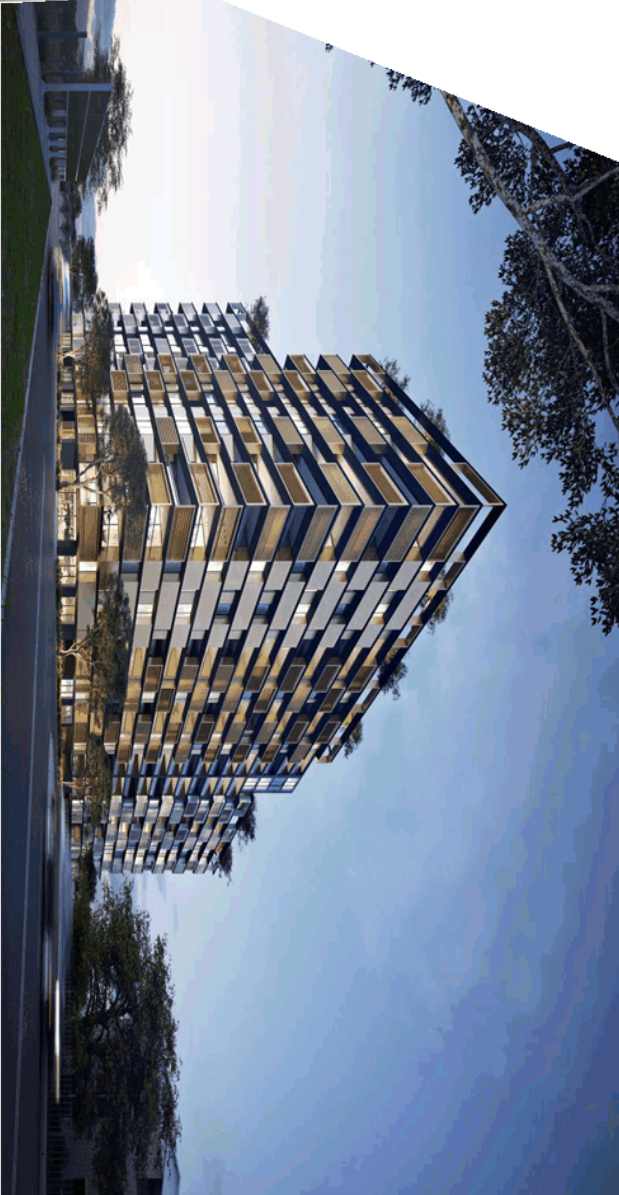
- 1 Cardo Urban Design Assessment
- 2 Planning Proposal
- 3 Proponent's Urban Design Report

68-70 Railway Parade
Burwood Planning
Proposal
Independent Urban
Design Assessment

Prepared for Burwood Council

f

Independent Urban Design Assessment



July 2017

Document Information

Prepared for	Burwood Council
Project Name	Independent Urban Design Assessment
File Reference	Independent Urban Design Report
Job Reference	80217066
Date	July 2017

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ATTACHMENT 1

**ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC
Cardo Urban Design Assessment**

Independent Urban Design Assessment

Document Control

Version	Date	Description of Revision	Prepared By	Prepared (Signature)	Reviewed By	Reviewed (Signature)
1	20/03/2017	Working Draft	Deborah Sutherland		JOG	
	05/07/2017	Final	Deborah Sutherland		JOG	

Prepared for Burwood Council

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1 Purpose of this report

This report has been prepared by Cardo in response to Burwood Council's request for an independent urban design assessment of a Planning Proposal, submitted by X-Sealant Pty Ltd to increase the maximum permissible FSR and building height for development on the site known as 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood.

We have reviewed the originally submitted and amended Urban Design Reports prepared by Aleksandar Design Group and other relevant Planning Proposal documents.

We note that the amended urban Design Report provides additional assessment of the impacts of the proposed additional height on the visual environment of the surrounding area and compares these to a development that would comply with the current controls.

Our assessment is structured in line with the relevant sections of the Department of Planning & Environment's *Guide to Preparing Planning Proposals*.

It provides an assessment of the proposal's performance against key urban design principles including those set out in Council's LEP and DCP.

The report initially focuses on the context of the proposal that has informed the design response. The body of the report reviews the project against best practice urban design parameters and against Council's vision and controls for the precinct in which the site is located.

Projects based on good urban design result in developments that integrate appropriately with the existing and planned surrounding urban areas and offer positive urban and community outcomes.

2 The Site

2.1 Introduction

Effective site analysis is a critical first stage in achieving development that fits its context and contributes positively to the quality of a place.

2.2 Site details

The site of this proposal is located on the Railway Parade & Oxford Street in Burwood and includes the following properties:

- > 68 Railway Parade – Lot 1 DP 794978
- > 68A Railway Parade – Lot 4 DP 1105410
- > 70 Railway Parade – Lot 2 DP 591171
- > 72 Railway Parade – Lot 1 DP 80269
- > 2-2A Oxford Street – SP 39363
- > 4-6 Oxford Street – SP83675
- > 8-10 Oxford Street – Lot 1 and 2 DP 226905

The site has a combined area of approximately 3,413sqm, and is zoned R1 General Residential with a maximum FSR of 3:1 and a maximum building height of 26m under the Burwood LEP 2012.

68, 68A, 70 – 72 Railway Parade and 2-2A Oxford Street are currently vacant and are the subject of a DA consent for the construction of an 8 storey building (DA 74/2015) issued on 4 December 2015. The footprint of this approved development is indicated on maps in the submitted urban design report.

The PP report notes that 4-10 Oxford Street contains a two storey dwelling house and dual occupancy and 8 Oxford Street is also subject to a current Development Application for a boarding house that is yet to be determined by Council (DA 177/2015).

2.3 Site Context

Context is the fundamental consideration that urban design principles respond to. These include the physical social, environmental, economic and cultural aspects of settlement and development.

2.3.1 Regional context

In a regional planning context, Burwood Town Centre is identified as a Strategic Centre within an urban renewal corridor close to the *Greater Parramatta to Olympic Peninsula Urban Renewal area* in the Plan for Growing Sydney. Along with Sydney Olympic Park and Rhodes, Burwood is earmarked to continue to be a centre for employment with the state committing to:

“Work with council to provide capacity for additional mixed-use development in Burwood including offices, retail, services and housing.”

The Draft District Plan commits to supporting the growth of employment & mixed use development in the Burwood town centre.

The Draft Plan sets a housing target of 2,600 by 2021 for the whole of the Burwood LGA. This target is likely to be achieved well before then based on current approvals, and applications already in the system, without considering the approximately 6,000 dwellings planned within the Burwood section of the Parramatta Road Renewal Corridor.

Since the submission of the Planning Proposal the Department of Planning & Environment announced fifteen new Priority Precincts, including the *Burwood / Strathfield / Homebush Priority Precinct*. The objective of this is to comprehensively plan for more homes and jobs close to public transport, shops and services.

Although in its early stages, the Department website advises that the area was chosen for the following reasons:

"The three station centres of Homebush, Strathfield and Burwood have strong public transport links, including the Western and Inner West train lines and frequent and efficient bus services to Parramatta and to the Sydney CBD. Both Sydney CBD and Parramatta CBD are a short train journey making them suitable for the location of more homes"

Government's investment in light rail and the renewal of Parramatta Road made possible by WestConnex are opportunities to grow these vibrant centres."

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2.3.2 Local Context

As stated in the Planning Proposal report by Pacific Planning, the site fronts Railway Parade to the north which adjoins the western railway line and Oxford Street to the west, which is characterised by low, medium and high density residential development. The site directly adjoins the Burwood public school to the east and south. The site is in close proximity to a number of locally listed heritage items under Council's LEP.

The site is located midway between the town centres of Strathfield and Burwood and approximately 500m from their respective railway stations.

2.4 2015 Development consent for 8 storey residential development

The PP report details the latest development consent (DA 74/2015) on part of the subject site which include:

- > Applicant was Portleigh Pty Ltd
- > DA related to No s 68 – 72 Railway Parade and 2-2A Oxford Street.
- > Approved by JPPP in late 2015
- > Approval for 8 storey residential flat building containing 87 residential apartments and basement car parking for a total of 116 vehicles
- > The consent included a condition that required the dedication to Council of a 1 metre wide strip of land across the Railway Parade frontage for the purpose of footpath widening.

Initial excavation works for this DA have already commenced on the site with much of the basement already excavated.

Since this approval, the two allotments to the south, being 4-10 Oxford Street, have also been acquired and are included in the PP site.

The additional two allotments at 4-10 Oxford Street contain a two storey dwelling house and dual occupancy. 8 Oxford Street is also subject to a current Development Application for a boarding house that is yet to be determined by Council (DA 177/2015).

4 The Proposal

It is proposed to amend the Burwood LEP to increase the maximum building height control from 26 metres to 58 metres (18 storeys), and to increase the maximum floor space ratio control from 3:1 to 5:45:1, facilitating a total of 18,199sqm of residential floor space and approximately 132 additional apartments than the current DA Consent. The planning proposal will facilitate the lodgement of a future Development Application (DA) for a residential flat building on the subject land.



Figure 1 Oxford St elevation
 Source: Aleksandar design group Urban Design Report

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Figure 2 Railway Pde elevation
 Source: Aleksandar design group Urban Design Report

As the PP Reports:

The PP

*“The preferred concept includes an 18 storey signature corner building with two lower 14 storey building elements to the street edges, separated by a recessed building edge. The preferred option includes approximately **219 units** – approximately 132 additional apartments to that currently approved.*

This represents a maximum of 10 additional storeys above the current DA approval or 125% increase.

The urban design analysis has also considered another two options, which includes:

- > A 14 storey corner element and 10 storey street edge building form (total of 163 apartments); and
- > A 16 storey corner element and 12 storey street edge building form (total of 191 apartments).

The building is to be set back by at least 6 metres which will be well landscaped to create a green corridor along Railway Parade and Oxford Street connecting to the green edges along the frontages of the Burwood Public School.

Communal open space is provided to the rear of the site behind the main building elevations. The open space, in conjunction with the landscaped setbacks provide a buffer to the school grounds and ensure adequate separation.”

5 The need & justification for the planning proposal

The Dept of Planning Guide seeks answers to a range of questions designed to require the Proponent to demonstrate that the PP is justifiable. These are discussed below.

Q1. Is the planning proposal a result of any strategic study or report?

The PP admits that the planning proposal is not specifically a result of any strategic study or report.

Comment: Recent approved and submitted development applications in the pipeline for sites in the Burwood town centre will add another approximately 2,000 dwellings. In addition, the Burwood section of the Parramatta Road Corridor redevelopment area is planned to accommodate a further approx. 6,000 alone dwellings.

Therefore the 7,200 dwelling target for 2036 for the LGA will easily be met within the town centre itself and Parramatta Road Corridor alone.

It is therefore incumbent on the Proponent to demonstrate that this spot rezoning will not compromise the strategic planning for either Burwood or Strathfield town centres.

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or

district plan or strategy (including any exhibited draft plans or strategies)?

Comment: The PP site is not identified for uplift in any exhibited strategic plan.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Comment: The PP site is not identified for uplift in any exhibited Council plan or strategy. The site is located outside the identified Burwood and Strathfield town centres. It is however consistent with the objectives of the R1 zone which are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Comment:

While the PP relies on indicative development plans it is considered the final DA plans should be designed to be consistent with SEPP 65 and the *Apartment Design Guide*. We assume that the VPA will include commitment to provision of additional Affordable Housing to support the objectives of SEPP 70.

68 Railway Parade previously contained a registered boarding house and the 9 x 1 bedroom units have since been demolished and are proposed under the existing development consent for the 8 storey residential flat building. Therefore, the PP proposed to include the 9 x 1 bedroom units as affordable housing as part of the planning proposal. Therefore, the planning proposal is consistent with subclause 2 of Clause 50 of the SEPP as there is no reduction in affordable housing on the land to which the SEPP *Affordable Housing* applies.

As the site fronts Railway Parade which in this location is part of a Regional Road classified by the RMS, SEPP Infrastructure (ISEPP) applies. In this regard, an original and amended traffic impact assessment accompanied the PP. Cardo traffic engineers have reviewed the findings of that report and their assessment is discussed later in this report.

Clause 86 of the ISEPP applies as the site is within 25 m (measured horizontally) of the main western rail corridor and excavation of more than 2 m depth is involved. Any application for development cannot be granted unless the concurrence of the rail authority is obtained. The subject Planning Proposal will likely result in amendments to the approved excavation to accommodate the additional parking generated by a future development application. We assume the concurrence of Sydney Trains will be sought as part of the Gateway process.

With regard to SEPP (*Urban Renewal*) 2010, the site has just recently been included for consideration by the state government in a Priority Precinct.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s 117 directions)?

The PP generally supports Ministerial Direction 3.1 Residential Zones. However, is not in our view consistent with subclause (6) (c) "in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning."

The PP supports the objectives of Direction 3.4 Integrating Land Use and Transport. Presumably the Council in preparing the current LEP development standards recognised the site's location within walking distance of Burwood and Strathfield by applying a reasonably generous 26m maximum building height.

The PP proposes apartment numbers that would result in more dwellings in the Burwood LGA than targets in the Plan for Growing Sydney and Draft District Plan and is therefore currently inconsistent with Direction 7.1 Implementation of A Plan for Growing Sydney.

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Comment: No predicted impacts

Q9. Has the planning proposal adequately addressed any social and economic effects?

Comment: In our view the PP has potential to significantly impact the amenity of surrounding residents, school

students and teachers in the immediate area of the site and also compromise the value of nearby heritage items.

We agree that the PP would facilitate the provision of additional housing supply in the area. However, this would be over and above the targets currently set for the area. We accept that this may be reviewed as part of the Priority Precinct process.

Q10. Is there adequate public infrastructure for the planning proposal?

Comment: The PP advises that the full range of utility services including electricity, telecommunications, water, sewer and stormwater are all currently available on the site.

6 Urban Design Development Standards, Controls & Policies

6.1 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65)

SEPP65 was introduced in 2002 to improve the design quality of residential flat buildings in NSW. It contains principles for good design and provides guidance for evaluating the merit of design solutions. It requires that residential flat buildings be designed by registered architects. It is supported by the Residential Flat Design Code. The SEPP and Design Code have been reviewed and a new SEPP *Design Quality of Residential Apartment Development* has been gazetted and supporting *Apartment Design Guide* has been released by the Minister of Planning & Environment.

The new SEPP Design Principles are as follows:

- > *Context and Neighbourhood Character* - Good design responds and contributes to its context.
- > *Built Form and Scale* - Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.
- > *Density* - Good design has a density appropriate for a site and its context, in terms of the number of units or residents.

- > *Sustainability* - Good design involves design features that provide positive environmental and social outcomes.
- > *Landscape* - Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity.
- > *Amenity* - Good design positively influences internal amenity for residents and external amenity for neighbours.
- > *Safety* - Good design optimises safety and security, within the development and the public domain.
- > *Housing Diversity and Social Interaction* - Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.
- > *Architectural Expression* - Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure.
- General assessment of the proposed building form and function against the relevant principles is included in Section 7 of this report.
- 6.2 Burwood Local Environmental Plan 2012
- We note the site is zoned R1 General Residential with a maximum FSR of 3:1 and a maximum building height of 26m under the Burwood LEP 2012. The objectives of this zone are:
- To provide for the housing needs of the community.
 - To provide for a variety of housing types and densities.
 - To enable other land uses that provide facilities or services to meet the day to day needs of residents
- The PP is consistent with the first two objectives.
- 6.3 Burwood DCP
- The DCP does not contemplate the site being within the town centre with the Perimeter Area ending at the eastern side of Conder Street.
- In our view, the PP is not fully consistent with the first two site planning objectives for development in the R1 zone in the DCP:
- “4.1.2.1 Site Planning Objectives*
- O1 To ensure new development responds to its context (e.g. streetscape and adjoining properties) and site elements (e.g. landscaping and services).*
- O2 To ensure new development provides appropriate levels of amenity for the private and public domain.”*
- The indicative development plans do incorporate a 6m front setback which is proposed to be dedicated to Council, although this setback is a normal requirement for all Residential flat buildings in the zone under the DCP.
- Section 4.1.2.2 Building Design of the DCP requires that developments support the following objective:
- “O1 To ensure the appearance of new development defines and enhances the public domain through modulation, articulation, materials, active ground floor uses and sensitivity to heritage items and conservation areas.”*
- Building modulation:
- In this regard, we do not believe the indicative development plans include sufficient modulation in the siting and bulk of the buildings. Although setbacks are provided between building elements the development would present as a solid wall of 14 to 18 storeys to both street frontages. We would recommend the physical breaking up of the buildings, at least above the 8 storey permissible height that currently applies.
- Active ground floor:
- No non-residential uses have been proposed to activate the ground floor street edges. We recommend that this be addressed in the final PP. This could take the form of either convenience retail/café, community or childcare which would work well with the adjacent school precinct.

Sensitivity to heritage items and conservation areas:

The site sits amongst a number of listed heritage items and conservation areas. We note that no Heritage Impact Assessment has been provided to us for review at this stage. From the photomontages provided with the visual impact assessment it would appear that the context of some heritage items will be significantly altered should the PP development proceed. This will be discussed later in this report.

7 Proposal Response to urban design principles

This chapter of the report includes a review of the performance of the proposal against industry best practice principles.

7.1 Urban context, landuse & place making

Based on our assessment of the PP documents, the site context, potential impacts and the current planning statutory plans, and local and state strategies and policies we do not believe the Proponent has adequately justified the need for the proposed uplift in height and density on the subject site.

The placement of this taller residential building outside both the Strathfield and Burwood town centres could set a precedent for the undermining of the principles of town

centre planning which call for lower density areas between town centres. The cumulative impact of all the sites in the R1 Zone seeking the same uplift could also lead to unmanageable traffic issues.

In addition we note that the PP does not commit to any non-residential uses which could serve to activate the street frontages of the future development and engender a sense of place.

With respect to interventions in the built environment, essentially placemaking should involve initiatives to facilitate activity and vitality at the street level along with establishment of an urban character that acknowledges and builds upon the positive attributes of a place.

7.2 Urban form

PP Report states:

“The design incorporates recessed elements to create the appearance of a cluster of buildings to break up the building bulk to minimise the appearance and impact of a dominant building address to the street frontages.”

We do not support this statement, particularly as viewed from Railway Parade where buildings form an almost solid wall with very narrow setback of building elements to the streetscape. This is particularly illustrated on the submitted ‘Public Domain Plan’ reproduced below.

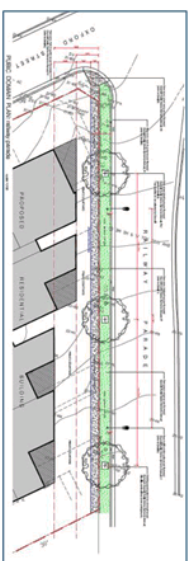


Figure 3 PP Public Domain Plan

Reference to materials to improve the visual quality of the built forms cannot be guaranteed as is a PP not DA.

The PP and supporting Urban Design Assessment clearly show that the proposed heights on the site are not consistent with the overall planning for both centres. The site is midway between the two centres, outside the centre boundaries and within a medium to high density residential precinct.

The Proponent also argues the contextual fit of the proposed building forms in their relationship with the Burwood and Strathfield town centres and provides diagrams to illustrate their position.

Burwood town centre built form relationship:

The PP and Urban Design Assessment reference the Burwood Place PP as establishing the maximum height in the Burwood town centre although it has not as yet gone on public exhibition for comment and is some way from being approved by the Minister.

The site sits well outside the edge of both town centres. However the current Burwood LEP does already recognise its good accessibility to the train station & buses by

permitting a maximum height of 26 metres. Refer diagram at Figure 5.

Strathfield town centre built form relationship:

As illustrated on the diagram below at Figure 5, the proposed 58m height limit in the PP is higher than the maximum height permitted in the Strathfield town centre core.

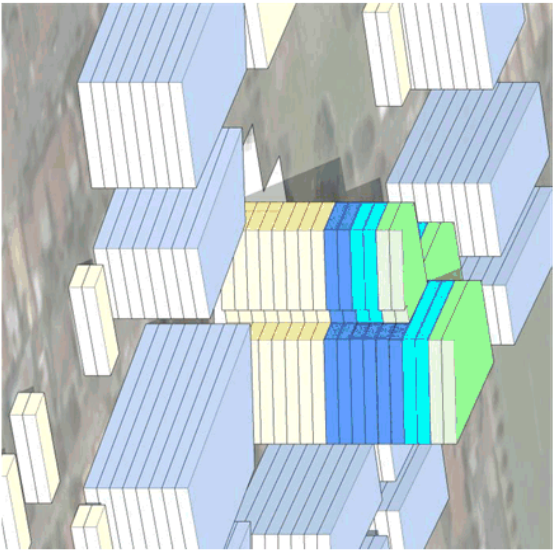


Figure 4 3D model of proposed building form options from PP Urban Design Report illustrating Source: PP Urban Design Report

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7.3 Impact on Heritage Items

While we have not received a Heritage Impact Assessment to review as part of our urban design assessment of the PP, we are aware that the sites sits amongst a number of listed heritage items. We have however reviewed the photomontages submitted that reference heritage items in section 7.6 below.

7.4 Comparison with Approved DA

As illustrated in the perspectives at Figures 5 and 6 below, the additional height and building length of the PP building forms do appear as significantly more dominant in the streetscape.



Figure 5 Approved DA perspective

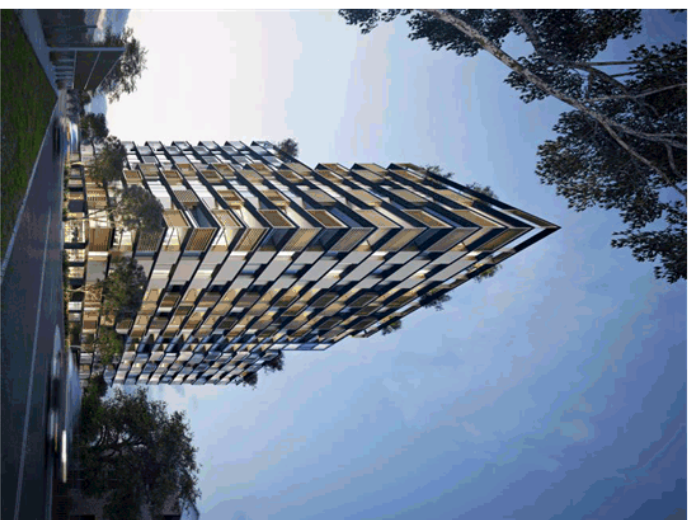
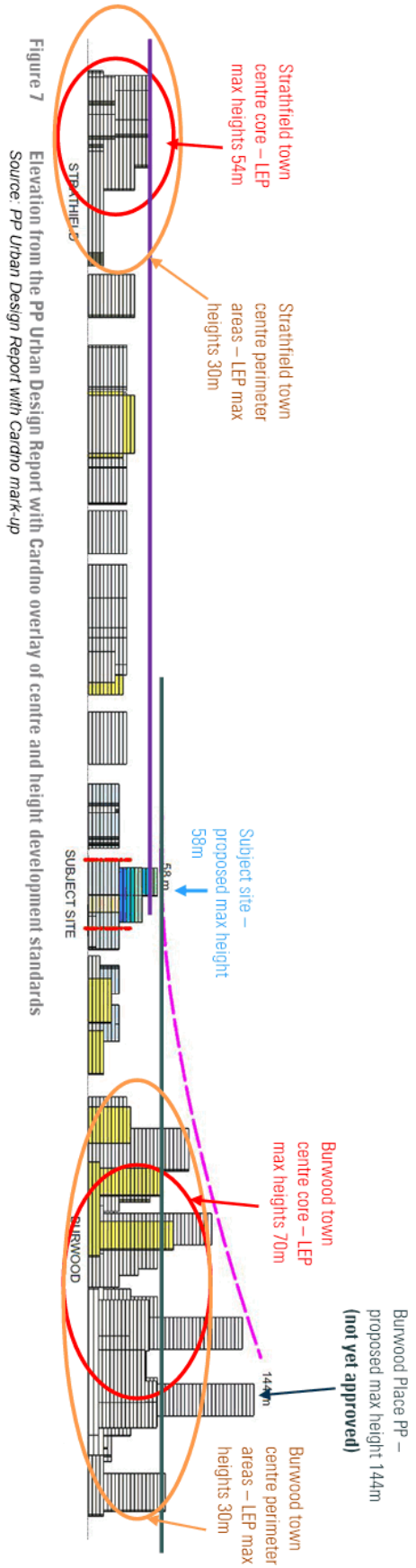


Figure 6 PP proposed building form perspective

68-72 Railway Pde & 2-10 Oxford St Burwood PP Independent Urban Design Assessment



7.5 Public domain / streetscape/ landscape

A strip of open space is proposed to be dedicated to Council along the Railway Pde frontage for public open space. While we agree this will positively benefit pedestrians, this is the normal front setback required for Residential Apartments in the R1 zone under the Council's DCP and is therefore not remarkable or of great use to the community. We also understand that the adjacent school has no plans to widen the footpath along their section of Railway Pde so it will at this time be unable to be continued on to the town centre. A preferable option for public open space would be to separate the building along the Oxford St frontage and provide a pocket park or plaza between the buildings. This would have the dual effect of breaking up the building forms and providing a potentially more useable community space.

7.6 Landmarks and views

We have reviewed the photomontages provided by the Proponent and other details and make the following observations:

Visual Impact on Railway Pde:

The Development presents as a significantly bulky building on its own when viewed from Railway Pde with the 14 storey option, due to the topography, being close to the visual impact of the approved development. This view does reference the school heritage item



Figure 8 View of approved and proposed building envelopes from Car Railway Parade and Conder St
 Source: PP Visual Impact Assessment



Figure 9 View down Oxford St
 Source: PP Visual Impact Assessment

Once again both the permissible and proposed building envelopes will dominate the streetscape, but the 18 storey option will, of course, have a more significant impact.

particularly since does not step back from the street through its height making it fully visible at street level. .
 Visual Impact on broader visual catchment:

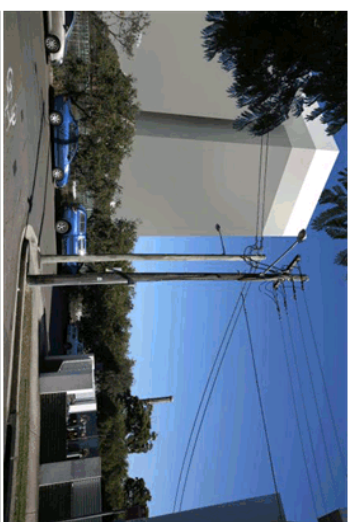


Figure 10 View of approved and proposed building envelopes from Gordon St near Railway Crescent
 Source: PP Visual Impact Assessment

This view demonstrates the significant bulk and scale of both the permissible and proposed building envelopes in the streetscape across the railway line from the site. While we understand that the sites in this area can also be redeveloped at some time in the future to a height of 26m, both the 14 and 18 storey options read as visually excessively bulky in this context.

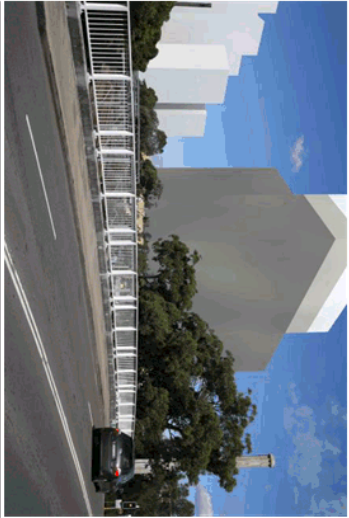


Figure 11 View from Railway Bridge
 Source: PP Visual Impact Assessment

This view illustrates the isolated location of the proposed towers, separate from the town centre building forms. It is telling that the architects have chosen to cut off the top section of the building envelopes as they appear from this location as taller than the Burwood town centre periphery buildings. Once again, the 18 storey elements are considered to be out of context and character with its immediate precinct between the town centres.

Visual Impact on heritage items:

The submitted perspectives illustrate that the proposed building envelopes although very dominant against the heritage dwellings in Oxford St, as the higher tower elements are setback from the edge of the development the visual impact is little more than a permissible development. If the buildings were kept to a maximum of 14 storeys the difference in visual impact compared to the approved development would be minimal and therefore more acceptable.

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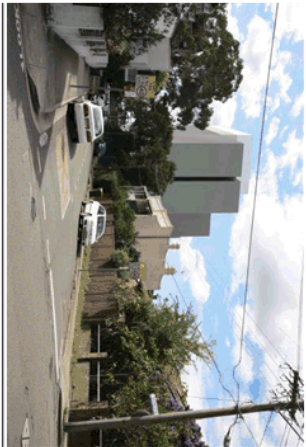


Figure 12 Heritage item in Oxford St
 Source: PP Visual Impact Assessment

No perspectives are provided for us to assess impact on the adjacent heritage listed school building.

7.7 Solar access, light, shade and weather protection

SEPP 65 includes guidelines for provision of natural light to residential units and protection of solar access to adjacent properties.

We have reviewed the shadow diagrams requested from the Proponent which compare the shadow impacts of the approved eight storey development with the proposed 14-18 storey development. Submitted diagrams reproduced below illustrate that the additional storeys proposed would significantly increase the overshadowing of the adjacent school playground areas. In fact the proposed 14-18 storey development would render the school playground in shade all afternoon from 12noon in midwinter. This is of concern as this is the main time of the day that this area of the school is likely to be in use.

Similarly, the proposed development's communal space is in shadow most of the day.

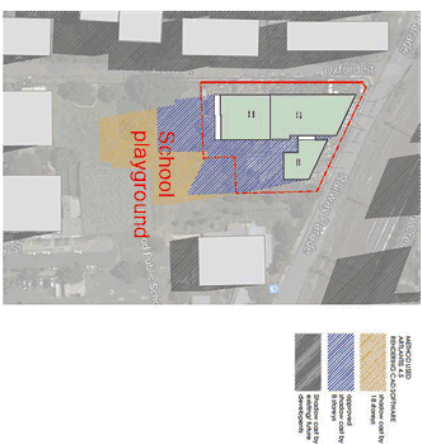


Figure 13 12 noon shadows midwinter cast by approved and proposed building forms
 Source: Proponent

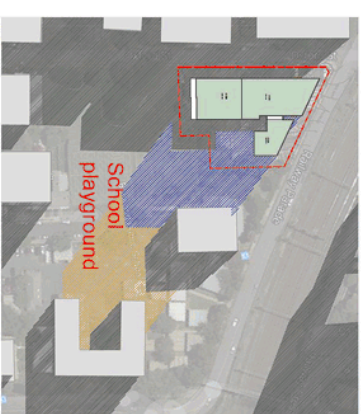


Figure 14 3pm shadows midwinter cast by approved and proposed building forms
 Source: Proponent

7.8 Improved safety and security

Crime Prevention Through Environmental Design (CPTED) considers how the design of urban environments affects the opportunity for crime and the level of fear of crime. In its current form as an excavated site it does present a security risk and disconnect in the streetscape and redevelopment will improve the safety and security of the area. The proposal to again have apartments with balconies overlooking the street will serve to increase opportunities for passive surveillance.

7.9 Transport and traffic

Cardo traffic engineers have reviewed additional details and traffic modelling from the Proponent on traffic impacts which was provided by the Ason Group. Their comments are provided below:

- > *The site has approval for 90 units. The increase in traffic generation associated with the additional 129 units is at most 25 trips in the AM.*
- > *The future upgrades at Wentworth Road and Conder Street provide additional capacity to support the Burwood Plaza network. The increase of 25 trips as a result of the Planning Proposal is unlikely to have any detrimental impact.*

8 Conclusions and recommendations

Whilst we acknowledge that the site is within the newly declared Priority Precinct, that process has just begun and no planning strategy has been prepared. Based on other areas so declared, the review process for Priority Precincts to eventual gazettal of LEP amendments takes at least two years. If that process results in recommendations for the town centres of Strathfield and Burwood to undergo significant uplift in building heights and densities then the precinct in which the subject site sits may also be considered for additional height. To assume the outcome of this planning exercise is in our view premature. In addition, the Proponent basing the urban design argument for the proposed height and FSR uplift on the proposed Burwood Place PP heights is premature as that Proposal has not as yet been approved.

Based on our assessment of the PP documents, the site context, potential impacts and the current statutory plans, and local and state strategies and policies the proposed 14 to 18 storey height limits are considered excessive. The placement of this taller residential building outside both the Strathfield and Burwood town centres could set a precedent for the undermining of the principles of town centre planning which call for lower density areas between town centres. The cumulative impact of all the sites in the R1 Zone seeking the same uplift could also lead to unmanageable traffic issues.

The PP Urban Design Report clearly demonstrates the significant overshadowing impacts of the taller building forms on the adjacent school play areas and proposed communal open space.

In recognition of the benefits of the Proponent amassing a consolidated site we would recommend that Council support:

- > A maximum of 12 storeys (or 39 metres) on the site on the basis that the proposed 14 to 18 storey towers are out of character with the context, more appropriate to a town centre location and cause unacceptable overshadowing of the adjacent school playgrounds and proposed communal open space within the development site. In this regard a twelve storey tower element on the corner of Railway Pde and Oxford St is supported. Similar to the design rationale of the submitted PP, lower building forms are recommended away from the corner with a ten storey (32m) tower along the Railway Pde adjacent to the school lands and a nine storey (29m) tower along the Oxford St frontage. This building configuration should minimise potential overshadowing of the school lands and visual impact on the nearby heritage properties and be more in keeping with the adjacent residential area in Oxford St (Refer Figure 15 below):

- > indicative building forms being more broken up into separate tower forms, particularly down the Oxford Street frontage which is currently proposed in the indicative design to contain a continuous wall of development approximately 87m in length. This is considered excessive and out of character with the surrounding residential developments;
- > non-residential being uses provided to 'activate' the ground floor street edge of the Railway Pde frontage. We recommend that this be addressed in the final PP. These could take the form of either convenience retail/café, community or childcare which would work well with the adjacent school precinct;
- > a public open space area being provided on the site off the Oxford St frontage rather than in the required setback area on Railway Pde is recommended. The reasons for this are to create a more useable public space and to break up the building form in Oxford Street which is a local street and more residential in character (Refer Figure 15); and
- > a Heritage Impact Assessment be submitted as part of a revised Planning Proposal.

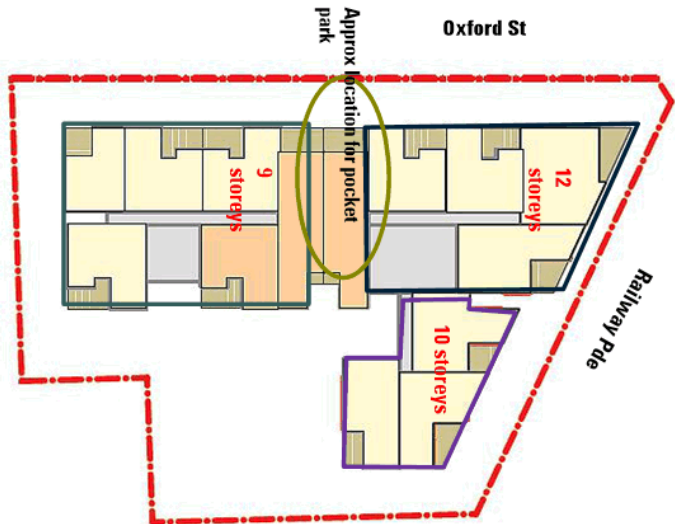


Figure 15 Recommended maximum building heights



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PLANNING PROPOSAL
68-72 Railway Parade and 2-2A, 4-10
Oxford Street, Burwood



Prepared for X-Sealant Pty Ltd
Submitted to Burwood Council

February 2017

ATTACHMENT 2

ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC Planning Proposal

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

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ATTACHMENT 2

ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC Planning Proposal

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

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APPENDICES

APPENDICES	TITLE
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Appendix B	Urban Design Report and Concept Design (December 2016) prepared by Aleksandar Design Group
Appendix C	Traffic and Parking Impact Report (February 2017) prepared by Motion Traffic Engineers
Appendix D	Landscape and Public Domain Improvement Plan (February 2017) prepared by Canvas Landscape Architects

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Introduction

This planning proposal is submitted in accordance with Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 and provides an outline and justification for the proposed amendments to the development controls of residential land at 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood (“the subject site”).

The subject site is known legally as follows:

- 68 Railway Parade – Lot 1 DP 794978
- 68A Railway Parade – Lot 4 DP 1105410
- 70 Railway Parade – Lot 2 DP 591171
- 72 Railway Parade – Lot 1 DP 80269
- 2-2A Oxford Street – SP 39363
- 4-6 Oxford Street – SP83675
- 8-10 Oxford Street – Lot 1 and 2 DP 226905

The proposal will amend the Burwood Local Environmental Plan (LEP) 2012.



Figure 1: Aerial view of the subject site

The planning proposal has been prepared in support of an application to amend the development controls that apply to the subject site. The site, being 3,413 m² has recently been amalgamated facilitating a review of the controls given the relatively isolated nature of the site in the context of nearby residential land and adjoining land uses.

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

The attached Urban Design Report has considered a number of development options including the best future design and built form and the impact of any future redevelopment on neighbouring land. It is therefore proposed to increase the maximum building height control from 26 metres to 58 metres (18 storeys), and to increase the maximum floor space ratio control from 3:1 to 5.45:1. The planning proposal will facilitate the lodgement of a future Development Application (DA) for a residential flat building on the subject land.

In accordance with relevant NSW Department of Planning and Environment guidelines, including 'A Guide to Preparing Local Environmental Plans' (2016) and 'A Guide to Preparing Planning Proposals' (2016), this planning proposal comprises the following parts:

Part 1	A statement of the objectives or intended outcomes of the proposed instrument
Part 2	An explanation of the provisions that are to be included in the proposed instrument
Part 3	The justification for those objectives, outcomes and the process for their implementation based on technical studies
Part 4	The existing controls that apply to the site based on the Councils LEP Maps
Part 5	Details of the community consultation to be undertaken on the planning proposal
Part 6	The timeframe to complete the amendment

This planning proposal forms part of a package of supporting documents for consideration by the Gateway under Section 56 of the EP&A Act 1979. The Planning Proposal application is therefore supported by the following studies:

- Urban Design Report and Concept Design (December 2016) prepared by Aleksandar Design Group
- Traffic and Parking Impact Report (February 2017) prepared by Motion Traffic Engineers
- Landscape and Public Domain Improvement Plan (February 2017) prepared by Canvas Landscape Architects

This Planning Proposal has been prepared by Pacific Planning on behalf of X-Sealant Pty Ltd in support of the amendment to the applicable development controls under the Burwood LEP 2012.

Site Identification

The land to which this Planning Proposal applies is situated on the corner of Railway Parade and Oxford Street, to the west of the Burwood town centre between the Strathfield and Burwood train stations. The land the subject of this planning proposal is identified in **Figures 1 and 2**.

The site fronts Railway Parade to the north which adjoins the western railway line and Oxford Street to the west, which is characterised by medium to high density residential development. The site directly adjoins the Burwood public school to the east and south; these boundaries being directly on to the schools open playground space.

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The site is approximately 500 metres from the entrance to the Burwood railway station and approximately 510 metres from the Strathfield railway station and the surrounding Strathfield town centre. Further, the site also adjoins a bus corridor with the nearest bus stop approximately 50 metres away. In terms of location therefore, the site is very well connected to public transport; jobs; and community services and facilities.

The site has an approximate area of 3,400m² and comprises eight allotments. The northern boundary to Railway Parade measures approximately 60 metres, and the eastern boundary to Oxford Street measures approximately 80 metres. The remaining boundary of the subject site borders the Burwood Public School and measures approximately 110 metres.



Figure 2: Site context

The northern six allotments being 68, 68A, 70 – 72 Railway Parade and 2-2A Oxford Street, previously contained a number of landuses including a two storey boarding house; an auto electrical premises; an auto services premises with adjoining yard; and two storey brick building. These buildings have since ceased and the buildings demolished in accordance with the recent development approval for an 8 storey building (DA 74/2015) issued on 4 December 2015.

Since this approval the two allotments to the south have been acquired, providing an opportunity to undertake further analysis of the ability of the site to deliver additional housing having regard to the impact on adjoining land and the site’s strategic location. The additional two allotments at 4-10 Oxford Street contain a two storey dwelling house and dual occupancy. 8 Oxford Street is also subject to a current Development Application for a boarding house that is yet to be determined by Council (DA 177/2015).

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Principle Development Standards

Table 1 below summarises the Burwood LEP 2012 principle standards that currently apply to the subject site:

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Minimum Lot Size
R1 General Residential	26 metres	3:1	400m ²

Table 1: Site Development Standards

The site is currently zoned R1 General Residential under the Burwood Local Environmental Plan 2012. It is surrounded by land of the same zoning; however it is located approximately 130 metres from the B4 Mixed Use zone that defines the Burwood town centre to the east and 80 metres from the B4 Mixed Use zone that defines the outer region of the Strathfield town centre to the west. The western railway line to the north is zoned SP2 Infrastructure (Railway). Figure 3 illustrates the broader zoning context.



Figure 3: Burwood LEP 2012 Zoning Map

Figures 4 and 5 below, identify the relevant development controls that apply to the site under the Burwood LEP 2012.

The site is located within an area that has a maximum building height of 26 metres applying. This area is outside of the Burwood Town Centre as defined by the blue line below and also the Height Plane Controls that generally follow the edge of the town centre boundary.

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To the east heights extend from 30 metres to 60 metres to 70 metres; towards the Burwood train station. To the west, heights extend from 11 metres to 30 metres and then to 42 metres and 54 metres in the Strathfield LGA.

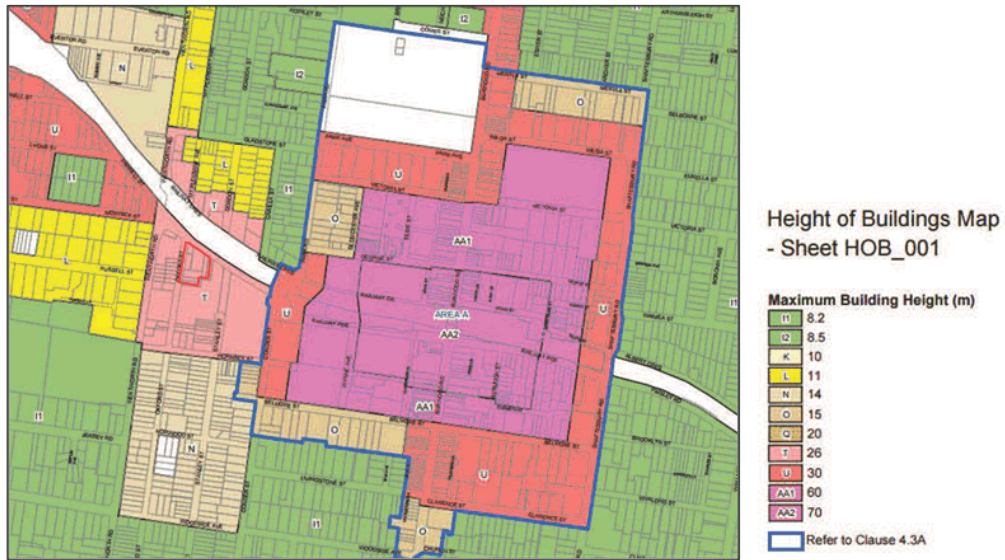


Figure 4: Maximum Building Height Map

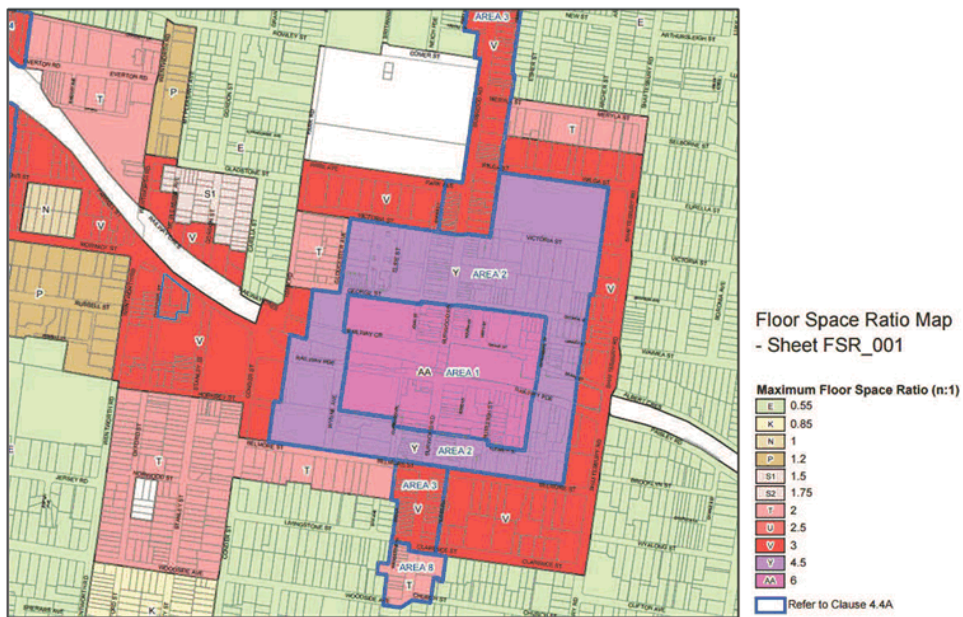


Figure 5: Floor Space Ratio Map

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Heritage

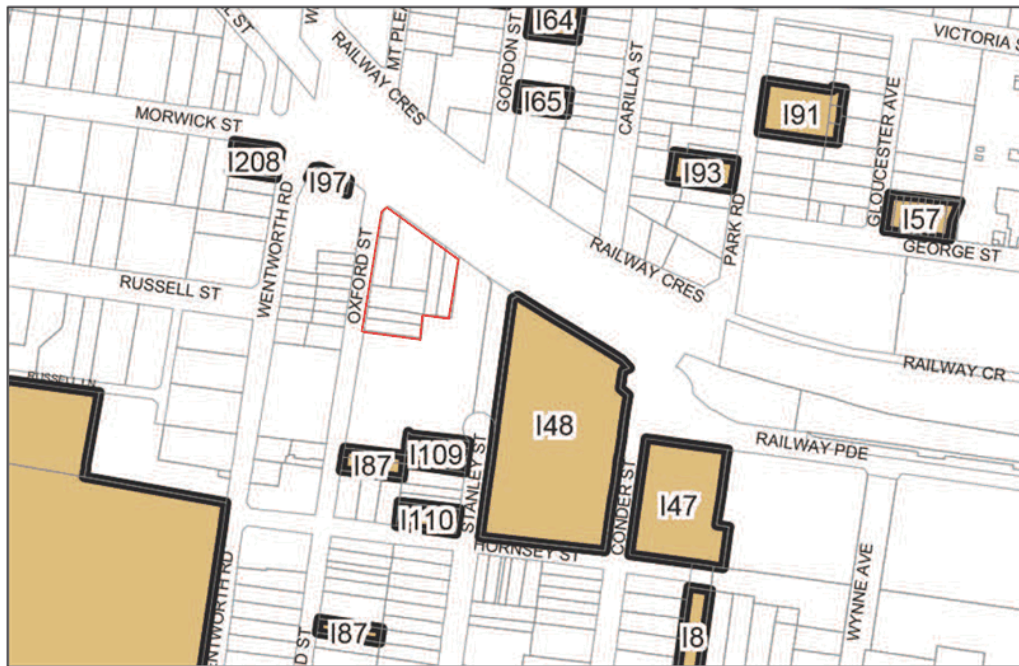


Figure 6: Heritage Map

The closest Heritage Item (I97) is located at 74A Railway Parade, being a sewer vent at the corner of Railway Parade and Wentworth Road. Other Items (I48 – former School of Arts, I87 – Victorian houses and I89 – Methodist Ladies’ College) are located to the south and east of the site, on the other side of the Burwood Public School’s open playground area.

Council’s assessment of the previous Development Application (DA 74/2015) noted that direct impacts on these items would be unlikely and any visual impacts could be mitigated by ensuring the retention of trees on the school grounds. On that basis the proposal was considered acceptable. While there will be an increase in height as a result of the planning proposal, the increase in height will have no additional impacts to that under the approved 8 storey building height, and the retention of trees on the school grounds and landscaped buffer to the indicative east elevation will ensure appropriate mitigation measures are retained and enhanced.

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Background

The subject site has a redevelopment proposals and development applications which has been the subject of numerous applications and meetings with Council staff. While a consent was granted for an 8 storey residential flat building in 2015, the approval process goes further back as follows:



DA 1/2011

In November 2011, consent was granted for the demolition of the existing buildings and construction of a 7 storey residential flat building at 68A-70 Railway Parade and 2-2A Oxford Street under DA 1/2011.

Attempts were made to include 72 Railway Parade as part of this application, however, the applicant was unsuccessful with their negotiations. As a result, Council considered that their attempts were satisfactory in terms of the relevant Planning Principles for site isolation, and subsequently approved the DA.



DA 139/2014

In September 2014 a DA was lodged with Council for the demolition of the existing buildings, and construction of an 8 storey residential flat building on the site, being, 68, 68A -70 Railway Parade and 2-2A Oxford Street.

Throughout the assessment of the application, the owner of the site acquired the land at 72 Railway Parade in early 2015. This facilitated a better planning outcome that would not isolate 72 Railway Parade and provide an improved building footprint that would address the street corner. A new DA was subsequently prepared and lodged.

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DA 74/2015

DA 74/2015 was lodged on 25 May 2015 and included 68 – 72 Railway Parade and 2-2A Oxford Street. By including 72 Railway Parade, concerns over the isolated nature of the corner site and the capacity for future development was resolved.

The DA sought the demolition of the existing buildings on the land and the construction of an 8 storey residential flat building that included a total of 87 residential apartments and basement car parking for a total of 116 vehicles and 24 bicycle spaces.

The DA was approved on 4 December 2015 following consideration by the Sydney East Joint Regional Planning Panel on 26 November 2015. The consent included a condition that required the dedication to Council of a 1 metre wide strip of land across the Railway Parade frontage for the purpose of footpath widening.

Existing buildings have been demolished and the land cleared as of February 2017.

Since this approval of DA 74/2015, the two allotments to the south being 4-10 Oxford Street have also been acquired. This provides an opportunity to undertake further analysis of the ability of the site to deliver additional housing having regard to the impact on adjoining land and the site's strategic location. The acquisition also rounds off the residential site with no other adjoining residential land uses or isolated allotments.

The additional two allotments at 4-10 Oxford Street contain a two storey dwelling house and dual occupancy. 8 Oxford Street is also subject to a current Development Application for a boarding house that is yet to be determined by Council (DA 177/2015).

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Proposed Development Scenario

While this planning proposal seeks to amend the Burwood LEP 2012 by way of an amendment to the principle development controls through an increase in the maximum floor space ratio and building height controls, an Urban Design Report that includes massing and building forms has been prepared Aleksander Design Group to inform the desired height and floor space controls. A copy of the Report is included at Appendix B and the indicative development concept is provided in figures 7, 8 and 9 below



Figure 7: Indicative development elevation

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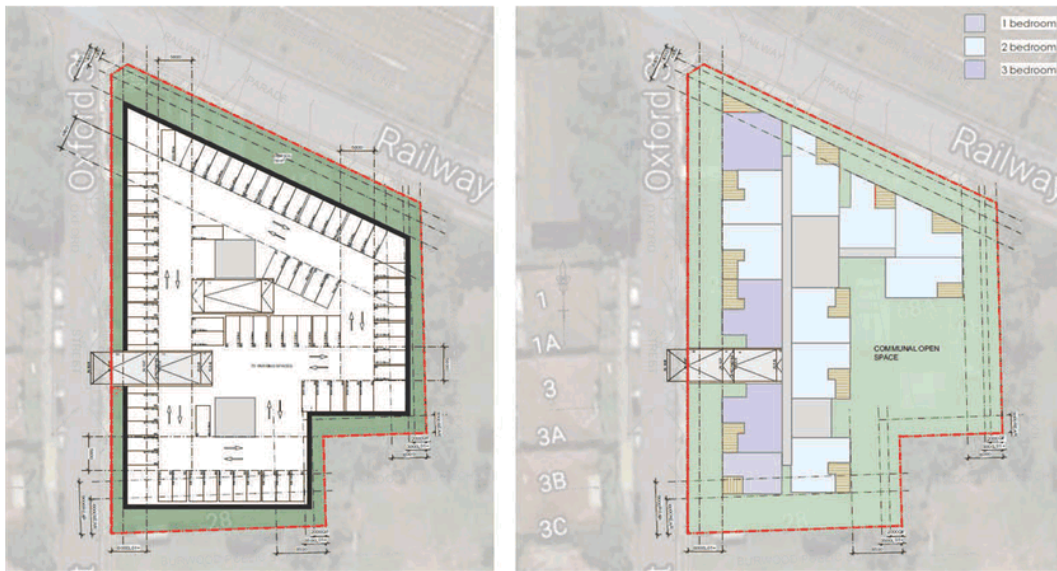


Figure 8: Indicative development concept - floorplan



Figure 9: Indicative development concept - elevations

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Having regard to the adjoining school to the south and east, surrounding residential development to the west, the railway line to the north and the character of Railway Parade, the proposed indicative future development concept seeks to achieve the following outcomes:

- The preferred concept includes an 18 storey signature corner building with two lower 14 storey building elements to the street edges, separated by a recessed building edge. The preferred option includes approximately 219 units – approximately 132 additional apartments to that currently approved.
- The urban design analysis has also considered another two options, which includes:
 - A 14 storey corner element and 10 storey street edge building form (total of 163 apartments); and
 - A 16 storey corner element and 12 storey street edge building form (total of 191 apartments).
- The concept includes a taller corner element to define the Oxford Street and Railway Parade corner, and provides for lower elements along the street to provide a transition in scale of building form, height and density.
- The design incorporates recessed elements to create the appearance of a cluster of buildings to break up the building bulk to minimise the appearance and impact of a dominant building address to the street frontages.
- The different parts of the building comprise several different materials and colours, to differentiate between the parts.
- The building is to be set back by at least 6 metres which will be well landscaped to create a green corridor along Railway Parade and Oxford Street connecting to the green edges along the frontages of the Burwood Public School. While this setback is currently greater than the setback to the school it will align with the nature of the green edge providing a more attractive pedestrian environment and streetscape at pedestrian level. A Landscape and Public Domain Improvement Plan is included at Appendix D to illustrate the intent of the landscape interface between the building and Railway Parade.
- Communal open space is provided to the rear of the site behind the main building elevations. The open space, in conjunction with the landscaped setbacks provide a buffer to the school grounds and ensure adequate separation.

This Planning Proposal is not seeking consent for the development, but has outlined the development outcome required when the proposed development controls and zoning are applied.

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PLANNING PROPOSAL

Part 1 – Statement of Objectives

The main objectives of the Planning Proposal are to:

- To support urban growth and the provision of housing in the Burwood LGA;
- To provide appropriate development controls for the subject site to facilitate a high density residential development on a site within in walking distance to two major train stations;
- To support the Burwood town centre’s role as a District Centre under the draft South District Plan;
- To provide for a residential development that is compatible with the surrounding character and development on adjoining land;
- To facilitate the provision of additional housing close to public transport, the Sydney road network, jobs and employment opportunities and the Burwood and Strathfield town centres.

The proposed amendment will facilitate an application for a residential flat building of up to 18 storeys in height comprising 18,199 m² of residential floorspace.

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Part 2 – Explanation of Provisions

This Planning Proposal seeks to amend the Burwood LEP 2012, to achieve the objectives outlined in Part 1, as follows:

- Amend the Height of Buildings Map (Sheet HOB_001) to amend the maximum Building Height control from 26 metres to 58; and
- Amend the Floor Space Ratio Map (Sheet FSR_001) to amend the maximum Floor Space Ratio control from 1:1 to 5.45:1.

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Minimum Lot Size
R1 General Residential	58 metres	5.45:1	400m ²

Table 2: Proposed development controls

The above amendments will facilitate the future redevelopment of the site in accordance with the objectives of the zone and the permissible land uses, with the consent of Burwood Council.

R1 General Residential

1. Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. Permitted without consent

Home occupations; Roads

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Any other development not specified in item 2 or 4

4. Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry;

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Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water storage facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

The R1 General Residential Zone under the Burwood LEP 2012 is an 'open zone' which allows for greater flexibility than the more restrictive 'closed zone' approach, and provides for a mix of retail, residential, community and recreational activities to assist development achieve the objectives of the zone.

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Part 3 – Justification

Section A - Need for the Planning Proposal

1. *Is the planning proposal a result of any strategic study or report?*

The recent acquisition of 4-10 Oxford Street and its amalgamation with the remainder of the block (i.e. 68-72 Railway Parade and 2-2A Oxford Street) has facilitated a review of the controls given the relatively isolated nature of the site in the context of nearby residential land and adjoining land uses. The site at 3,413 m², being a corner block with two street frontages, and no adjoining residential neighbours has created an opportunity to provide an appropriate urban design response.

Further, given the location of the site in such close proximity to public transport; Strathfield and Burwood town centres; and community facilities and social services, the site presented a good opportunity to review its ability to provide additional housing.

Therefore, while the planning proposal is not specifically a result of any strategic study or report, it is a response to an opportunity following a land consolidation and the strategic planning framework provided for by A Plan for Growing Sydney, the draft Central District Plan and the Burwood 2030 Community Strategic Plan.

While the planning proposal does not rely on housing and dwelling targets it is important to consider the context within which the proposal is to be considered. The NSW Government's dwelling targets, informed by the future household projections provides for an additional 7,200 dwellings in the Burwood local government area between 2016 and 2036, growing from 14,750 in 2016 to 21,950 in 2036. This equates to the construction of approximately 360 dwellings per year over the target period.

While dwelling approvals in the Burwood local government area are considered healthy, they remain below the average required to accommodate the projected population growth and subsequent dwelling targets. While the Burwood Place planning proposal could provide for significant supply over the next few years other opportunities will still be required as growth associated with the State strategic planning framework is realised.

In this context, the subject planning proposal applies to a site that has an existing approval for 87 residential apartments. The planning proposal under the 18 storey option would deliver an additional 132 apartments to a total of 219. Page 32 of the Urban Design Report included at Appendix B details the dwelling yield associated with the built form outcome proposed. Demolition and early works have commenced in accordance with the existing approval. Therefore, this is a project that can be delivered and housing supply realised in the short term.

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While the proposal aligns with the strategic planning framework, in that it creates additional housing it also has site specific merit. The proposed development controls are informed by an urban design and architectural response to the sites size, orientation and surrounding land uses. The future building has been designed to respond to the corner of Railway Parade and Oxford Street, to provide an appropriate streetscape address away from the corner, and be sufficiently setback to provide a green setback and edge to the pedestrian realm.

The design also seeks to reduce bulk and mass through recessed sections and variations to the building height. This will reduce the impact of dominance on the public domain and create architectural variety. This will be subject to further design process throughout the development application stage.

Further, with maximum exposure and no land use conflict associated with the railway corridor to the north, the development can receive generous sun access and causes minimal overshadowing impacts due to the nature of the land uses to the south, being school grounds immediately adjoining the site.

Pre-lodgement meeting with Burwood Council

A pre-lodgement meeting was held with Council staff on 24 November 2016. Council provided comments on the proposal on 23 December 2016. These are considered below:

Council comment	Response
<p><u>Dedication of Land to Widen Footpath and Green Corridor</u></p> <p>Council acknowledges your offer to dedicate land along Railway Parade frontage. The footpath at that location is indeed narrow, and a slightly wider path may be useful. However, the adjoining properties fronting Railway Parade are owned by the Department of Education (ie, the school land to the east), NSW Land & Housing Corporation (west of Oxford Street), and Sydney Water (eastern corner of Wentworth Road). It would be difficult to convince these authorities to also dedicate land for a continuously widened footpath and/or green corridor. Council believes that your offer would generate only limited benefits for the location.</p>	<p>Council’s comments are noted, and there is clearly a need to provide a wider footpath in this location strengthening the connection from the site to Burwood town centre. Therefore, noted there will be some benefit, even if it is currently considered limited.</p> <p>The landowners of adjoining land are noted and the difficulties of acquiring and widening the entire strip may be challenging but may set a precedent for the future desired direction for the street, including the safe movement of children to and from the school along Railway Parade. This would be considered to have benefit, even if just a long term desirable. It is important that the proposal provides for this possibility now, even if minor at this point in time, as when development has occurred it will be too late to provide any widening or acquisition.</p>

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<p><u>Urban Design Advice</u></p> <p>I have been advised that Council’s urban design consultants provided advice on the pre-DA for 68-72 Railway Parade and 2-2A Oxford Street Burwood, which your client should have a copy of. It was commented in that advice that the building could be raised a little at the corner of Railway Parade and Oxford Street, but certainly not for the entire building frontages, nor to the extent as shown in your urban design report.</p> <p>Council would be seeking further urban design advice upon receiving a full planning proposal (PP) from you.</p>	<p>Council’s comments are noted and the urban design analysis that has been undertaken considered an appropriate extent of height increases and the appropriate amount. A strong corner address was considered important and a difference of 4 storeys was also considered appropriate to provide a strong transition. This was initially considered at 14 and 10 storeys. However, greater height was subsequently tested having regard to adjoining existing development and open space and the broader height plane between Strathfield and Burwood centres. As noted in the elevation diagrams in the urban design report have noted the ability across the suburban context to transition to existing and proposed buildings having regard to planning proposals currently being considered, and existing controls to which development could potentially be built.</p>
<p><u>Surrounding Buildings</u></p> <p>The 3D contextual analysis in your urban design report shows buildings which are subject to the height limits of 26m (and 30m). The 3D building envelopes shown do not reflect the actual existing buildings or buildings proposed. For example, a DA is under assessment for a 2 to 3 storey development at 5 Hornsey Street, a 4 and 8 storey development at 98 Wentworth Road and 9-11 Oxford Street; there are heritage items at 34-36 Oxford Street (two storey terraces), 11-17 Stanley Street (single storey terraces), and 25 Stanley Street (2 storey building). Most of these buildings are way below the height limit. The 3D analysis and height comparison plans have given the impression that the proposed buildings, the subject of the Pre-PP, would be higher than the adjoining buildings by about 6 storeys, while they would actually be more than doubling the height of those buildings.</p> <p>The proposed buildings at Burwood Place, the subject of a PP, have reduced the height, following the Council resolution in May this year. Please confirm whether the plans show the original heights or the reduced heights.</p>	<p>It is noted that there are a number of applications and constraints to developing to the maximum building height. However, the 3D contextual analysis was only an indicative comparison against the permissible height limits. In practice, many sites can develop to the maximum permissible height limit otherwise that height would not have been applied as being desirable in this location.</p> <p>Notwithstanding, the heights proposed by the 3 options are all greater than the existing and permissible heights. The proposal has therefore sought to achieve a balance between the sites location, with northern exposure to the main road and train line and a well designed building that exhibits architectural excellence.</p> <p>It is noted that the heights sought by the planning proposal are now to a maximum of 144 metres and 107 metres. This has been amended within the Urban Design Report.</p>

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<p><u>Shadow Diagrams</u></p> <p>The shadow diagrams show the shadow cast by 14 storeys, while 3 options are provided in the urban design report, being 12, 14 and 18 storeys. It would be necessary to show the shadow impact of 18 storeys, which would have the greatest impact to the area.</p>	<p>The shadow diagrams on pages 35 and 36 have been amended to reflect the 18 storey and preferred option on 21 June. It is noted that throughout the day the school grounds are not significantly impacted until late in the day when school hours have concluded and the space is not being utilised. Further, the impact during the morning through to early afternoon is not considered significantly greater than the approved 8 storey option.</p>
<p><u>Three Options</u></p> <p>The PP presents 3 options, being 12, 14 and 18 storeys. While it is not the intent of this email to provide detailed design advice, the general feeling amongst all staff consulted was that the 18 storey option would be excessive and wholly inappropriate for the site, and its context.</p>	<p>The three options have been refined as follows: Option 1 14 storey corner element; 10 storey remainder 16 storey corner element; 12 storey remainder 18 storey corner element; 14 storey remainder</p>
<p><u>Building Envelopes and Bulk</u></p> <p>Concern is raised in respect to the bulk of the proposed building envelopes. Large building expanses across both street frontages would not be supported, and the break-up of building bulk would be required. It is recommended that building height and FSR calculations be based on much more refined building envelopes. In particular, adequate solar access must be provided to the common open space areas of the development, as well the school's grounds.</p>	<p>It is agreed that large building expanses would not provide a architecturally desirable outcome and may dominate the streetscape. Therefore, it is proposed to recess part of the frontage to differentiate between the two building forms. This will also be reinforced by the difference in height between the corner element and the lower building elements that front the street. This has been illustrated on page 31 of the attached Urban Design Report.</p> <p>The buildings will also have generous and well landscaped setbacks to ensure that development does not dominate the street.</p> <p>Approximately 2000m² of communal open space is proposed, which equates to approximately 59% of the site area. Approximately 1420m² of this will be located on the roof of the buildings, which also means that more than 50% of the communal open space will receive greater than 2 hours of sunlight.</p> <p>The FSR calculation is therefore a product of the building design, including the generous setbacks and recessed elements.</p>
<p><u>Street Names</u></p> <p>The captions for site photos on Page 16 of the urban design report have mentioned a few streets which do not exist in Burwood.</p>	<p>Noted. These have been amended accordingly.</p>

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<p><u>Voluntary Planning Agreement (VPA)</u> Council in 2014 adopted the recommendations of a consultancy study of Open Space and Community Facilities for Burwood that:</p> <ul style="list-style-type: none"> • Both the developer and Council share equally the financial benefit from any density increase. • A monetary contribution rate be set at \$800/m2 additional GFA for the Burwood Town Centre. • The rate be subject to periodic reviews. <p>Following a review of the monetary contribution rate, Council resolved in October 2015 to increase the rate to \$1,100/m2 additional GFA. This rate is currently under review again. I note the subject site is outside the Burwood Town Centre. This rate is provided to you for reference purposes. I am unable to advise what rate Council would be looking to accept, but I know that Council expects a VPA be negotiated prior to the submission of a PP for Gateway, and that if the Gateway Determination is positive, the VPA to be exhibited concurrently with the PP.</p>	<p>Noted. We look forward to working collaboratively with Council and negotiating any planning agreement in accordance with the Department of Planning and Environment’s draft Practice Note (November 2016).</p>
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Table 3: Consideration of Council comments

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. Amending the Burwood LEP 2012 is the best means of achieving the key objectives of the planning proposal and facilitating a high density residential development on the subject site.

The planning proposal seeks to amend the height and floor space ratio development controls to facilitate the submission of a Development Application for an 18 and 14 storey residential building.

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Section B – Relationship to the strategic planning framework

3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?*

A Plan for Growing Sydney

In December 2014, the NSW Government published *A Plan for Growing Sydney*, the new strategic document to manage the growth of Sydney over the next 20 years. It is intended to guide land use planning decisions and presents a strategy for accommodating Sydney's projected population growth. It envisages a globally competitive Sydney with a population increase of 1.6 million people, including 689,000 new jobs and 664,000 new homes by the year 2031.

The plan sets out four goals:

1. A competitive economy with world class services and transport;
2. A city of housing choice and homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The site is located in the Central subregion, and while the focus for growth is to continue to provide an agglomeration of high-value industries and employment, and strengthen Sydney's global influence, the subregion does seek to support a variety and density of activities in centres within liveable communities to make the subregion a desirable place to live, work and visit.

To achieve the objectives for the Central subregion, the plan includes 22 directions, supporting actions and priorities for each subregion. Relevant directions with which this Planning Proposal is consistent include:

1. Direction 1.7 – Grow strategic centres – providing more jobs closer to home. Burwood is identified as a strategic centre under the Plan, which supports the growth of jobs and housing and create hubs of activity.
2. Direction 2.1 - Accelerate housing supply and local housing choices. Increasing housing affordability and choice is identified as a high priority for meeting Sydney's future housing need.
3. Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs. Well-planned and well-designed infill development can improve the feel of a place, its vitality and sense of community. It can make the local environment more attractive and improve services.

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4. Direction 2.3 – Improve housing choice to suit different needs and lifestyles. A Plan for Growing Sydney encourages the introduction of planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services. It will also encourage further innovative, well-designed, smaller homes to suit lifestyles and budgets.
5. Direction 3.1: Revitalise existing suburbs. The Government will prioritise the delivery of housing in or near centres in the established urban areas to help more people to live where they want – close to jobs, services and transport.

A higher density residential development on the subject site will provide additional housing supply close to jobs and existing employment opportunities. The site is close to the Burwood and Strathfield centres and public transport nodes supporting transit orientated development and access to broader metropolitan Sydney.

Further, the acquisition of the remaining isolated lots will also support the strategic Plan by *“unlocking developable land by consolidating fragmented sites for redevelopment and improving planning policies and regulations will encourage flexibility, higher density and a more diverse range of activities”*.

Draft Central District Plan

The Greater Sydney Commission released the draft District Plans for public comment on 21 November 2016 to manage Sydney’s growth over the next 20 years. The goal of the Plans is to “have well-coordinated, integrated and effective planning for land use, transport and infrastructure”. The District Plans provide the means by which the Greater Sydney Region Plan, A Plan for Growing Sydney can be put into action at the local level.

While the strategy is in draft format, it does seek to unlock the potential for employment growth and urban renewal along the corridor, including planning for greater housing supply in appropriate locations. While the planning proposal doesn’t rely on housing targets given the established strategic merit within this submission, the housing targets and projections are relevant in support of the increase in density on the consolidated site and the broader objectives for the Burwood District Centre.

The Central subregion is projected to grow by more than 325,000 people over the next 20 years. The Greater Sydney Commission proposes a number of approaches to assist Council’s with the delivery and supply of housing in well-planned locations served by sufficient local and regional infrastructure. The minimum 20-year housing target for the Central District is 157,500 and the five-year supply target for the Burwood local government area is 2,600. While Council has indicated that it is currently meeting it’s housing targets, the proposal will facilitate additional housing and take advantage of the opportunities presented by the site’s strategic location.

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Actions and Priorities

The draft District Plan interweaves the goals of A Plan for Growing Sydney by identifying actions and priorities for the District in terms of a productive city, a liveable city and a sustainable city. Burwood is identified as a District Centre with relatively high levels of economic activity, providing a range of retail and commercial activities, health care and community services as well as night life activities.

In creating a liveable city the draft Plan aims to “develop a city of housing choice, with homes that meet our needs and lifestyles in a great place to live” and “maintain and improve residents’ quality of life by providing more housing and employment opportunities and the infrastructure that makes these opportunities accessible”. The draft District Plan addresses the need for good access to education, health, community and emergency services people require through every stage of their life; and the subject site is well located in close proximity to social services and community facilities to support a growing and sustainable community.

Further, a key action of the Plan seeks to ‘increase housing capacity across the District’. In increasing housing supply across the Burwood local government area, the Plan identifies a number of actions including to “investigate local opportunities to address diversity and demand in the short to medium term at local centres and close to transport”. The planning proposal is therefore considered to be an opportunity to support additional housing supply above that currently approved, given the amalgamation of a larger residential site. The planning proposal is consistent with the goals and priorities for the Central subregion, including to accelerate housing supply, revitalise suburbs, and identify suitable locations for new homes and jobs close to transport.

4. *Is the planning proposal consistent with a council’s local strategy or other local strategic plan?*

The Burwood 2030 Community Strategic Plan sets the communities vision for the future of Burwood to create a “well connected, sustainable and safe community that embraces and celebrates its culture and diversity”. It is the 20 year Community Strategic Plan, which is set to become the blueprint for any Council activity in the future.

The Strategic Plan is based around five key themes which are supported by strategic actions and goals. The key themes include:

1. A Sense of Community
2. Leadership Through Innovation
3. A Sustainable Natural Environment
4. Accessible Services and Facilities
5. A Vibrant Economic Community

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The planning proposal has been considered against relevant actions and goals of the Plan as follows:

A Sense of Community	
<p>1.1 Strategic Goal A safe community for residents, workers and visitors</p>	<p>The proposal will facilitate a development with a strong street address that encourages passive surveillance and a strong street edge. This presentation improves the image of the street and creates a safer environment that encourages pedestrian movement.</p>
<p>Strategic Goal 1.5 – A sense of community pride</p>	<p>As Burwood grows, the community will inevitably grow with it. Fostering a sense of community pride can be assisted by the built fabric that define the place. The planning proposal facilitates an improved building footprint, a larger pedestrian footpath, landscaped setbacks, and a stronger corner feature defining the entry to central Burwood. The planning proposal seeks to deliver a building that the community can be proud of; both new and existing residents.</p>
A sustainable natural environment	
<p>3.1 Strategic Goal Maintain and enhance open green spaces and streetscapes</p>	<p>The proposal will facilitate a stronger streetscape. The generous setbacks provide an attractive green edge and the proposed dedication of additional floorspace for the purposes of footpath will strengthen movement along Railway Parade, particularly improving connections to the Burwood centre.</p>
Accessible services and Facilities	
<p>4.1 Strategic Goal Effective traffic management and adequate parking provision</p>	<p>While the vehicular and bicycle parking will be provided in accordance with the relevant requirements, the site is located within 500 metres of the Burwood train station and 510 metres of the Strathfield train station. This provides excellent access to the other centres along the western railway line such as Sydney and Parramatta and further afield to metropolitan Sydney. This supports the principles of transit orientated development and reduced car dependency.</p>
<p>4.4 Strategic Goal: Encourage active and healthy lives</p>	<p>The location of the site being approximately 500 metres from two major train stations and town centres supports the movement of</p>

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	<p>people between their home and a centre with community services and facilities and public transport. Burwood Park and the MLC Aquatic centre are also to the north of the railway line and offer open space and access to leisure within walking distance of the site. Burwood generally is well connected to broader open space networks across Sydney which also encourage active and healthy lifestyles.</p>
<p>4.5 Strategic Goal: Vibrant and clean streetscape</p>	<p>The proposal seeks to facilitate a well-designed and attractive building. The indicative building concept is intended to meet the objectives of this strategic goal by delivering well designed and aesthetically appealing building. Further, the proposal seeks to deliver an attractive, clean and active street frontage, whether through activities or design. It is intended to be a landmark building on a key corner, that complements the town centre, defines the approach and supports growth within Burwood.</p>
<p>A Vibrant Economic Community</p>	
<p>5.1 Strategic Goal: Support and manage Burwood’s major centre status</p>	<p>Burwood is identified as a District Centre under the draft Central District Plan. While the site is technically just outside the town centre, it is still within 500 metres of the train station and 150 metres from the edge of the town centre. While the proposed maximum height of 58 metres is greater than some buildings within the centre, it is still considerably shorter than the 144 metres proposed on the Burwood Place site. While this is in the centre of Burwood and will significantly contribute to defining Burwood’s character and standing as a major centre, the subject proposal reflects the growing nature of Burwood and facilitates the delivery of contributory buildings both within the centre and on the edge.</p>
<p>5.4 Strategic Goal Economic centre growth and preserved residential areas</p>	<p>While the centre of Burwood will continue to grow as a District centre supporting economic growth, commercial enterprise, jobs and homes, the site is located within a</p>

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	residential area on a road that connects Burwood to Strathfield. The planning proposal therefore seeks to protect the residential character ensuring that economic growth is focussed within the centre of Burwood. While shop top housing is permissible in the zone, some ground floor commercial may assist with encouraging an interactive ground floor with the street and Railway Parade/Oxford Street edge.
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Table 4: Burwood 2030 Community Strategic Plan

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The consistency of this Planning Proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in Table 4 below.

State Environmental Planning Policy	Comment
SEPP No 1—Development Standards	Not applicable. SEPP repealed by Clause 1.9 of Burwood LEP 2012.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 19—Bushland in Urban Areas	Consistent. The subject site to be rezoned is not affected by bush land. However, vegetation exists on the adjoining school grounds. The proposal does not seek to disturb this land and meets the objectives of the SEPP to protect and preserve any bushland in urban areas.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 33—Hazardous and Offensive Development	Consistent. The Planning Proposal does not include any development for the purposes of a potentially hazardous or offensive industry and does not hinder the application of the SEPP.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable
SEPP No 47—Moore Park Showground	Not applicable
SEPP No 50—Canal Estate Development	Not applicable
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable

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SEPP No 55—Remediation of Land	<p>Consistent.</p> <p>A detailed Site Investigation report prepared by SMEC Testing Services accompanied the previous development application.</p> <p>The report identified soils within the site as containing elevated levels of chemical contaminants (including heavy metals) which are above the criteria that are protective of human health and the environment for residential use. Therefore, remediation of the site would be necessary. The report concluded that <i>"remediation of the site can easily be achieved and would most effectively be undertaken in conjunction with the proposed redevelopment when the existing buildings, sealed surfaces and installations (including the AGST and separator/wastewater pit) are the removed and the site is bulk excavated for the proposed basement car parking area. However, prior to redevelopment the chemically impacted soil which is present on the site should be appropriately managed."</i></p> <p>A Remedial Action Plan was also included, which outlined the measures required to ensure the site could be made suitable for development. The report concluded that <i>"following completion of the remediation and validation program in accordance with this RAP the site will be made suitable for a high-density residential land use without restrictions"</i>.</p> <p>The previous development consent DA 74/2015 considered the matter of contamination in accordance with Clause 7 of SEPP 55. In approving the development Council confirmed that the land was suitable for residential development in accordance with the necessary remediation and any conditions of consent. Subsequently, the site has been cleared and excavation commenced in accordance with the consent.</p> <p>In regards to the additional land included as part of this application being 4-10 Oxford Street. These lots are currently being occupied by residential land uses and therefore no contamination is considered to be present. Notwithstanding, further analysis of this part of the site can be carried out during the plan making process if considered necessary.</p>
SEPP No 62—Sustainable Aquaculture	Not applicable.
SEPP No 64—Advertising and Signage	<p>Not applicable.</p> <p>The Planning Proposal does not include signage, however the current R1 zone does permit 'building identification signs' and 'business identification signs'.</p>

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	Should any signage be proposed under the final development concept, it would be subject to the normal assessment processes as part of the development application process. Therefore, the Planning Proposal does not contain any provisions to hinder the application of the SEPP.
SEPP No 65— Design Quality of Residential Flat Development	Consistent The attached Urban Design Guide at Appendix B has considered the potential development concept facilitated by this Planning Proposal against the objectives of SEPP 65 and the Apartment Design Guide. Further detailed analysis and compliance against the detailed requirements will be undertaken as part of the DA process. Notwithstanding, the proposal was designed to ensure that solar access, cross ventilation, open space and access to communal open space would all comply. This has been detailed in the Urban Design Report.
SEPP No 70— Affordable Housing (Revised Schemes)	Consistent. Applies to land within the Greater Metropolitan region and specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square. Notwithstanding, the Planning Proposal does not contain any provisions that would hinder the application of this SEPP.
SEPP No 71— Coastal Protection	Not applicable.
SEPP (Affordable Rental Housing) 2009	Consistent Part 3 Retention of existing affordable housing is applicable as 68 Railway Parade previously contained a registered boarding house and the 9 x 1 bedroom units have since been demolished and are proposed under the existing development consent for the 8 storey residential flat building. Therefore, it is proposed to include the 9 x 1 bedroom units as affordable housing as part of the planning proposal. Therefore, the planning proposal is consistent with subclause 2 of Clause 50 of the SEPP as there is no reduction in affordable housing on the land to which the SEPP applies.
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable. SEPP BASIX requires the submission of a BASIX certificate to accompany an application for development consent for any “BASIX affected building”. A BASIX certificate was included with the current approved development application that applies to the subject land. The application of the SEPP will be further addressed at the development application stage.

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SEPP (Exempt and Complying Development Codes) 2008	Not applicable. To be considered at DA stage.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable. If a DA for this type of housing is lodged under this SEPP it would be considered at the relevant stage.
SEPP (Infrastructure) 2007	<p>Consistent <u>Road consideration</u> The site fronts Railway Parade which in this location is part of a Regional Road classified by the RMS. Under Clause 101 of the Infrastructure SEPP (ISEPP) Council must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the development addresses a number of vehicular access and operational matters. The existing approval for the 8 storey residential building satisfied the criteria in that access to the development was provided from an adjoining road and not the classified road itself and this did not impact the ongoing operation of the Classified Road. While the proposed development that will be facilitated by this Planning Proposal does not rely on this previous concurrence it is proposed to retain the existing access arrangements from the adjoining road. Further, a Traffic and Parking Impact Report has been prepared by Motion Traffic Engineers, which concluded that the proposed development was considered a moderate trip generator during peak hours and would not significantly impact nearby intersection performance. Further assessment against the requirements of Clause 101 of the ISEPP will be addressed at the development application stage.</p> <p>Clause 104 of the ISEPP requires Council to refer development proposals to the RMS for <i>sites that have direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access is within 90 metres of the connection, and the development is of a certain size</i>. The proposal seeks to facilitate an apartment or residential flat building of 75 dwellings or more. While the Planning Proposal is not for development, rather it facilitates a subsequent development application, RMS may be consulted as part of the Gateway process. RMS will also be consulted as per the requirements of the ISEPP at the subsequent development application stage. However, consultation during the Gateway process may also assist with preliminary consideration of matters related to accessibility and</p>

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	<p>efficiency of movement given the additional traffic that would be generated by a future development application.</p> <p><u>Rail corridor considerations</u> Division 15 Subdivision 2 of the ISEPP concerns development in or adjacent to rail corridors. Clause 85 does not apply as the development site is not contiguous with the rail corridor. The proposal is not immediately adjacent to the rail corridor to the north as it is separated by Railway Parade, as such it is considered that the provisions of clause 85 <i>Development immediately adjacent to rail corridors</i> does not apply.</p> <p>Clause 86 applies as the site is within 25 m (measured horizontally) of the main western rail corridor and excavation of more than 2 m depth is involved. Any application for development cannot be granted unless the concurrence of the rail authority is obtained. Sydney Trains was consulted on the existing development approval and concurrence was issued by letter on 17 September 2015. The subject Planning Proposal will likely result in amendments to the approved excavation to accommodate the additional parking generated by a future development application. While Sydney Trains will likely be consulted as part of the Gateway process, formal concurrence will be sought at the relevant development application stage.</p> <p>Clause 87 applies to development for certain non-rail related land uses <i>that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration</i>. An Acoustic Noise and Vibration Report supported the approved development application over the subject site and concluded that the proposed development "will meet the required noise reduction levels as required by Clause 87(3) and 102 of the State Environmental Planning Policy – (Infrastructure)". This incorporates the NSW Department of Planning publication "Development Near Rail Corridors and Busy Roads - Interim Guidelines". Therefore, for the purposes of the planning proposal, it is considered that the proposed controls will meet the requirements of the ISEPP and the Interim Guidelines and further rail noise impact assessment will be undertaken at the development application stage to ensure that relevant acoustic criteria meets the building standards under the BCA and Australian Standard.</p>
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SEPP (Integration and Reveals) 2011	Not applicable
SEPP (Kosciuszko National Park— Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Development) 2005	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable The application does not propose any mining, extractive or agricultural activities.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (State and Regional Development) 2011	Consistent This Planning Proposal does not contain any provisions that will hinder the application of this SEPP.
SEPP (State Significant Precincts) 2005	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable Applies to land in the Sydney water drinking catchment.
SEPP (Sydney Region Growth Centres) 2006	Not applicable Applies to land in the 'North West' and 'South West' Growth Centres.
SEPP (Three ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Consistent. Applies to land within or around existing or potential urban renewal precincts. While the subject site is not within or around an urban renewal precinct it does seek the orderly and economic redevelopment of the subject land for residential purposes, which is well located in proximity to public transport meeting the objectives of the Governments strategic publication <i>A Plan for Growing Sydney</i> , and therefore meets the objective of this SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable Applies to land within Penrith, Blacktown, Holroyd and Fairfield LGAs. Refer to State Environmental Planning Policy (Western Sydney Employment Area) 2009 Land Application Map.
SEPP (Western Sydney Parklands) 2009	Not applicable. Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton).

Table 5: SEPPs

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6. *Is the planning proposal consistent with applicable Ministerial Directions (i.e. s.117 directions)?*

This Planning Proposal has been assessed against each relevant Section 117 Direction. Consistency or otherwise is addressed in Table 2 below.

No.	Title	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	<p>Not applicable</p> <p>This direction applies to planning proposals that will affect land within an existing or proposed business or industrial zone. Therefore the direction does not apply to the subject site which is zoned R1 General Residential.</p> <p>Notwithstanding, the zone does permit some business uses through the land use table including ‘neighbourhood shops’ and ‘shop top housing’.</p> <p>The objective of these uses is to provide facilities or services to meet the day to day needs of residents. Therefore, the size and scale of any business uses on the subject site would meet the objectives of the direction to ‘protect employment land in business and industrial zones. Further, the development concept to increase the development potential and capacity of the site to accommodate additional population would support the viability of an identified strategic centre i.e. Burwood, further boosting the local economy and increasing spending.</p> <p>In this regard, while the direction is not applicable it could be considered relevant.</p>
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2. Environment and Heritage		
2.1	Environment Protection Zones	<p>Not applicable</p> <p>No lands of environmental sensitivity are affected.</p>
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	<p>Consistent</p> <p>The proposal does not seek to change any heritage provisions under the LEP and no sites or areas of heritage or archaeological significance are affected or proposed to be disturbed as a result of this Planning</p>

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		Proposal. Further, vegetation on adjoining land will not be disturbed and additional planting provided on the subject site to ensure adequate screening of view corridors.
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	<p>Consistent</p> <p>This direction applies as it affects land that is zoned for residential purposes. The objectives of the direction are:</p> <ul style="list-style-type: none"> • to encourage a variety and choice of housing types to provide for existing and future housing needs, • to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and • to minimise the impact of residential development on the environment and resource lands. <p>Having regard to the above objectives, the planning proposal is consistent with this 117 Direction as follows:</p> <ul style="list-style-type: none"> • The proposal will broaden the choice and building types available in the housing market; • The proposal will make more efficient use of existing infrastructure and services – the site is within 50 metres of a bus stop and approximately 500metres of two major railway stations and is already serviced by a full range of utility services including electricity, telecommunications, water, sewer and stormwater; • The proposal will reduce the consumption of land for housing on the urban fringe by developing a site to a greater density than that currently approved; • The proposal will be of good design as demonstrated in the attached Urban Design Report.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable

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3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	<p>Consistent</p> <p>The objective of this Direction is to support the efficient and viable operation of public transport services through improving access, increasing choice and reducing car trips.</p> <p>The Planning Proposal is consistent with this 117 Direction as it provides an opportunity to integrate land use and transport through its location in proximity to two train stations and a comprehensive bus network.</p> <p>The suggested walkable catchment for a railway station under the Government’s publication Improving Transport Choice – Guidelines for Planning and Development (DUAP 2001) is 800-1000 metres. The closest existing railway station is Burwood train station which is 500 metres away; and supported by Strathfield train station which is 510 metres away.</p> <p>Further, a Traffic and Parking Impact Report has been prepared in support of the application. The Report found that the development at the density achievable by the Planning Proposal would be a moderate trip generator, and that the additional trips could be accommodated at the nearby intersection without noticeably affecting intersection performance, delays or queues.</p>
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4. Hazard and Risk		
4.1	Acid Sulfate Soils	<p>Consistent</p> <p>The site is mapped as being on Class 5 acid sulfate soils which is the least affected category. This means that the water table is likely to be 1 metre lower than the AHD of natural ground level.</p> <p>Further, the site is not within 500 metres of any Class 1, 2, 3 or 4 land and the site is not located in an area with a probability of acid sulphate soil occurrence. Accordingly, the proposal is consistent with this Direction.</p>
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	<p>Not applicable.</p> <p>The site is not identified as being flood prone.</p>

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4.4	Planning for Bushfire Protection	Not applicable
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport: Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Not applicable
6. Local Plan Making		
6.1	Approval and Referral Requirements	This Planning Proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	<p>This Planning Proposal will not affect and does not include any land reserved or identified for public purposes.</p> <p>Notwithstanding, the existing consent for the 8 storey residential building on the site required the dedication of a 1 metres wide strip of land across the Railway Parade frontage for the purpose of footpath widening. The Planning Proposal does not affect the existing condition or its intent. In fact, on further analysis the Planning Proposal considers that the 1 metre dedication may be insufficient to create a strong street edge when considered against a greater building. Therefore, it is intended to dedicate further land to Council to strengthen the public domain in this location, regardless of the ability to acquire land all the way along Railway Parade. Establishing the intent now is important to the future of this section of Railway Parade as when the development is completed any further widening would not be possible.</p> <p>This does not affect the application of this Direction, which is not applicable to the Planning Proposal.</p>
6.3	Site Specific Provisions	<p>Not applicable</p> <p>There are no site specific provisions relevant to this site. The desired future land uses are permissible under the existing R1 General Residential zone.</p>

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7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	<p>Consistent</p> <p>This Direction applies to the Burwood local government area. The Planning Proposal is considered to be consistent with the NSW Government’s A Plan for Growing Sydney, and therefore this 117 Direction, as follows:</p> <ul style="list-style-type: none"> • Burwood is identified as a strategic centre under the Plan, which supports the growth of jobs and housing and create hubs of activity; • The proposal will provide more homes closer to jobs; • The proposal will improve housing choice to suit different needs and lifestyles through the introduction of planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services; • The proposal will accelerate housing supply and local housing choices assisting Burwood to meet Sydney’s future housing need; • The proposal seeks to provide a variety of housing types in a well serviced location; • Supports the Government’s priority to deliver housing in or near centres in the established urban areas to help more people to live where they want – close to jobs, services and transport. <p>Assessment against A Plan for Growing Sydney was considered in detail under Section 3 of this planning proposal.</p>
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable

Table 6: S117 Directions

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Section C – Environmental, social and economic impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The site is located in an urban environment. The site is subject to an existing consent for an 8 storey building and demolition has already occurred in accordance with the consent. The planning proposal includes 4-10 Oxford Street which contains residential development.

The site is therefore not known to contain any critical habitat or threatened species, populations or ecological communities or habitats.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Given the current land uses on the site and the proposed future development facilitated by this Planning Proposal, it is considered that no environmental effects are likely to arise from the Planning Proposal. Further, the site does not contain any environmental significance, however, any matters related to contamination and acid sulphate soils will be investigated further following determination by Gateway that the proposal has sufficient strategic merit to proceed.

9. *Has the planning proposal adequately addressed any social and economic effects?*

Social

The Planning Proposal will facilitate a development that will provide approximately 219 additional apartments which will contribute to housing supply in the area, and include a variety of dwelling types and sizes. This will respond to the needs of the local community through housing choice for a variety of age groups, demographics and families. In doing so, it also provides access for workers to the Burwood town centre supporting growth, vibrancy and vitality of Burwood as a destination.

In terms of the site itself, the Planning Proposal seeks to facilitate a stronger street edge improving the aesthetics of the street scape and making it a more enjoyable place to walk and move and strengthening the connection of the site to the Burwood town centre and the adjoining school. At this stage, in conjunction with the dedication of a 1 metre strip for pavement widening along Railway Parade, required by the existing consent, it is proposed to include additional land to dedicate to Council and strengthen this street presence. This, with the architectural design and setback of the proposed building is intended to provide a strong perception of safety allowing access to the site and along Railway Parade as part of a broader green street edge system.

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It is anticipated that this will also foster an element of community pride and the creation of a community and a landmark for the broader of neighbourhood to be proud of the place they live.

The Planning Proposal will also facilitate positive social benefits for future and existing residents and workers who will profit from jobs, goods and services closer to homes and work.

Economic and Employment

While no Economic Impact Assessment has been prepared at this stage, the existing approval briefly considered the economic and employment impacts of the development. While the removal of the old unsightly land uses is no longer relevant, the Planning Proposal does facilitate a further improved building that no longer isolates adjoining land and its ability to redevelop.

In doing so, the Planning Proposal facilitates additional housing supply and therefore employment supply within walking distance of a District Centre where job opportunities and subject to grow with the status of the Burwood centre. Further, given the access to transport networks the additional housing supply in this location provides access to a much larger network of jobs and employment opportunities. The Burwood centre and public transport can therefore only benefit from increased workforce and patronage.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the proposal?

The site is well serviced by public transport being within 500 metres walking distance from Burwood train station and 510 metres walking distance from Strathfield train station. Railway Parade is also on a bus corridor with the nearest bus station approximately 50 meters to the east. Railway Parade connects the site to a number of bus networks including the M90 (Burwood to Liverpool), the 415 Chiswick to Campsie, the 450 (Hurstville), the 458 (Macquarie University and Ryde), 525 (Parramatta and Olympic Park), and the 526 (Rhodes).

A Traffic and Parking Impact Report has been prepared by Motion Traffic Engineers that considered the impact of traffic and parking and any issues arising from the change to the development controls, having regard to the proposed development concept. The Report is included at Appendix C.

The Report considered the performance of the existing road network, additional parking requirements generated by the proposed development and the impact on nearby intersections and capacity to accommodate additional traffic. The report concluded that parking would be required in accordance with the requirements, potentially up to 185 spaces under the RMS

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Guidelines. Further, the proposed development was considered a moderate trip generator during peak hours and would not significantly impact nearby intersection performance.

The full range of utility services including electricity, telecommunications, water, sewer and stormwater are all currently available on the site. These services were to be upgraded as part of the currently approved development application. Consultation with relevant authorities during the public exhibition of the Planning Proposal will confirm the capacity of current utilities to serve the increase in density on the site.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

RMS and Sydney Train issued concurrence to the approved 8 storey development as part of the Development Application process. RMS formally responded on 17 September 2015 and Sydney Trains also responded on 17 September 2015 following the exhibition of the DA in July/August of that year. Further consultation with the RMS and Sydney Trains will occur as part of the exhibition process and in accordance with the conditions of the Gateway.

Sydney Water were also consulted as part of the previous development application process and raised no objection to the proposal subject to conditions in their letter of 7 August 2015. Further consultation would likely occur on the increase in density sought by the Planning Proposal.

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Part 4 – Mapping

Maps illustrating the current Burwood LEP 2012 land zoning, maximum height of buildings and floor space ratio controls for the Planning Proposal are located at Appendix A.

Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Part 5 Community Consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway Determination.

It is proposed that, at a minimum, this will involve the notification of the public exhibition of the Planning Proposal:

- On the Burwood Council website;
- At the information desk of the Burwood Council offices;
- In the relevant local newspaper(s); and
- In writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

It is anticipated that the Planning Proposal will be publicly exhibited for a period of not less than 28 days in accordance with the requirements of Section 5.5.2 of the Department of Planning and Environment's publication *A Guide to Preparing Local Environmental Plans*.

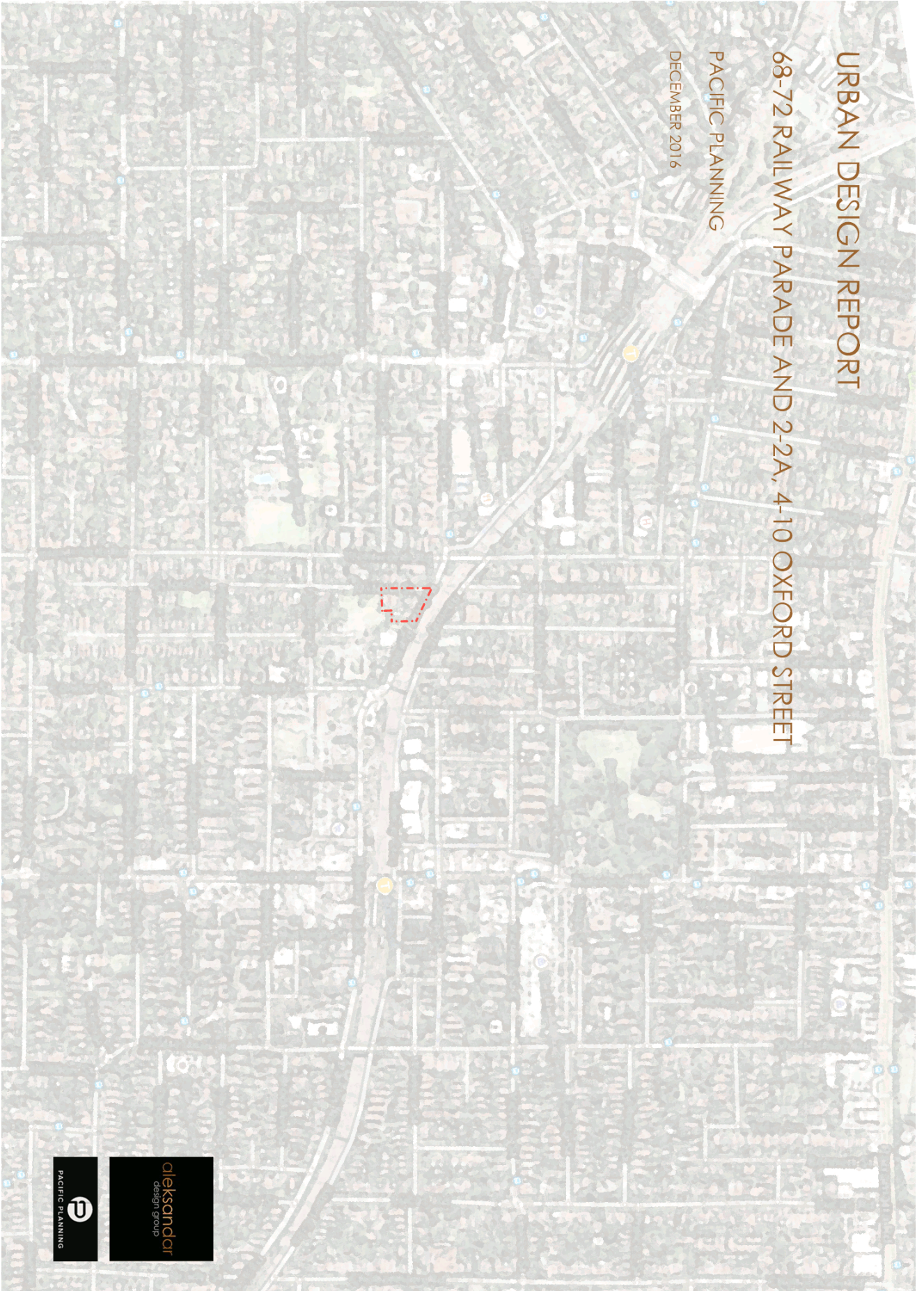
Planning Proposal – 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood

Part 6 – Project timeline

The following project timeline will assist with tracking the progress of the planning proposal through its various stages of consultation and approval. Indicative timeframes have suggested that this amendment to the Burwood LEP 2012 will be completed by December 2017. All timeframes are subject to a number of factors, including conditions of the Gateway determination, comments and requirements of Council, Council's timeframes, and consultation and exhibition requirements.

Stage	Timeframe
Submit Planning Proposal to Burwood Council	February 2017
Planning Proposal assessment undertaken by Council staff	February – March 2017
Consideration of Planning Proposal by Council and determination made	April 2017
Planning Proposal submitted to the Department of Planning and Environment for Gateway determination (if supported)	April/May 2017
Public exhibition and public authority consultation of Planning Proposal	June 2017
Review of submissions received during public exhibition	July 2017
Approval of amendment to LEP (if supported)	August 2017
Return to the Department for finalisation/Drafting of instrument and finalisation of mapping	September 2017
Finalisation of Plan and notification on the NSW Legislation website	November/December 2017

Table 7: Project Timeline



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Nominated Architect:
Aleksandar Jelicic
Registration No. 7167

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Revisions:

Revision B May 2017

for submission



1	INTRODUCTION	Pg 04
2	STRATEGIC POSITION REGIONAL CONTEXT LOCAL CONTEXT STRATEGIES SUBJECT SITE LEP CONTROLS	Pg 06
3	SITE ANALYSIS 3D CONTEXTURAL ANALYSIS SITE PHOTOS SURVEY SITE ANALYSIS OPPORTUNITIES + CONSTRAINTS NEIGHBOURING SITE ZONING ELEVATION	Pg 14
4	THE PROPOSAL VISION BUILDING DESIGN PRINCIPLES BUILT FORM MODELLING SHADOW ANALYSIS MASSING PLANS GFA/FER ANALYSIS + AREA CALCULATION SOLAR ANALYSIS CROSS VENTILATION ANALYSIS 3D RENDERING CONCLUSION	Pg 28





1

INTRODUCTION

Sydney is growing to its western boundaries. Suburbs like Burwood and Strathfield are undergoing a densification process.

This Urban Design report has been prepared by Aleksander Design Group as part of a planning proposal that seeks to review the key controls for the corner of 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood.

The comprehensive review of the site and its surroundings reveals that the subject site has the opportunity to provide both additional density and height.

The client has expressed an interest in the opportunity to develop the site into a multi-residential development. Our site investigation and comprehensive review of the site has illustrated an opportunity for a rezoning.

This urban design report examines :

- Appropriateness of current controls to site context and strategic planning framework
- Building envelope testing (height, setbacks, floor plate, efficiencies, bulk, mass and overshadowing, Apartment Design Guide amenity/ building separations)
- 3D modelling of the built form proposed on the subject site and on adjacent properties is provided to demonstrate impact as well as contextual fit
- The impact of the redevelopment on neighbouring sites

In thoroughly examining these issues, this report identifies a preferred built form that satisfies the above objectives.

This Urban Design Report has been prepared by Aleksander Design Group to inform the future development of the subject land, being 68-72 Railway Parade & 2-2A Oxford Street, Burwood. This Report considers the history and background of the site, the existing planning controls, the strategic context and the opportunities and constraints for the development of the land.

The site is subject to an existing development consent for an 8 storey residential flat building comprising 87 apartments over 2 basement parking levels. The approval was issued prior to the acquisition of the adjoining lots to the south, which will facilitate greater development potential in a well-located position.

The findings of the report present a number of options for redevelopment, including massing and elevations, which will inform a planning proposal for submission to Burwood Council seeking to amend the development controls.

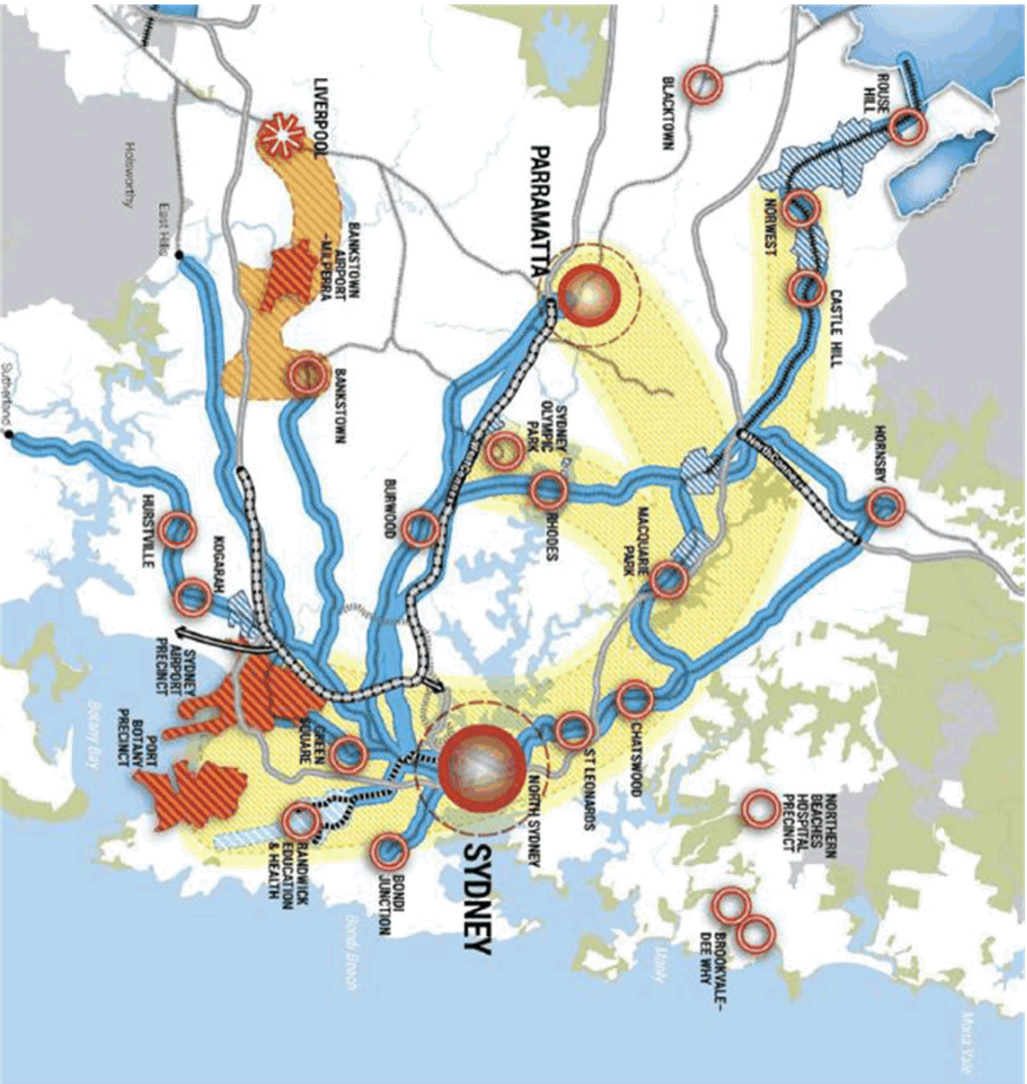


2

STRATEGIC POSITION

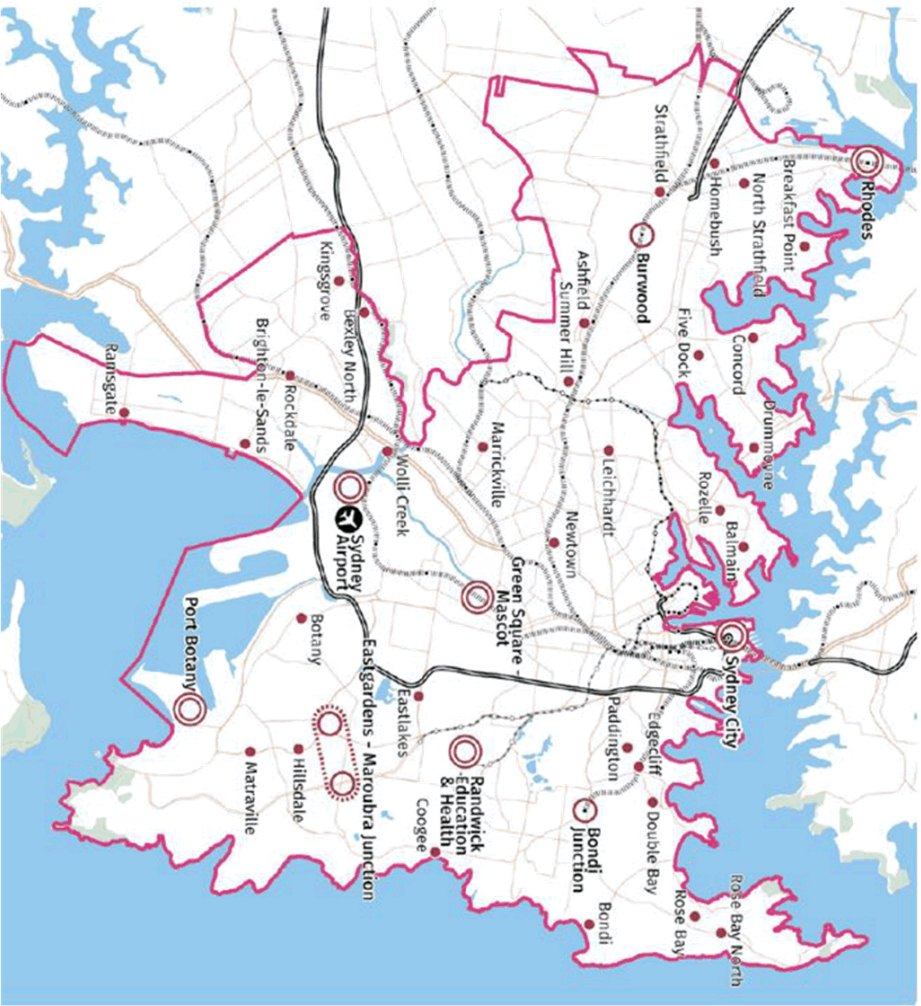
Analysis of the site within its strategic context

STRATEGIC POSITION | 02
 REGIONAL CONTEXT



A Plan for Growing Sydney
 A Plan for Growing Sydney is the Government's Plan to manage the growth of Sydney over the next 20 years. It is intended to guide land use planning decisions and presents a strategy for accommodating Sydney's projected population growth.
 The Plan supersedes the Metropolitan Plan for Sydney 2036 and is broad in its application, however targets some specific objectives such as the expansion and enhancement of Western Sydney; the provision of increased housing numbers and densities near transport and employment areas; and the provision of greater connectivity throughout Sydney.

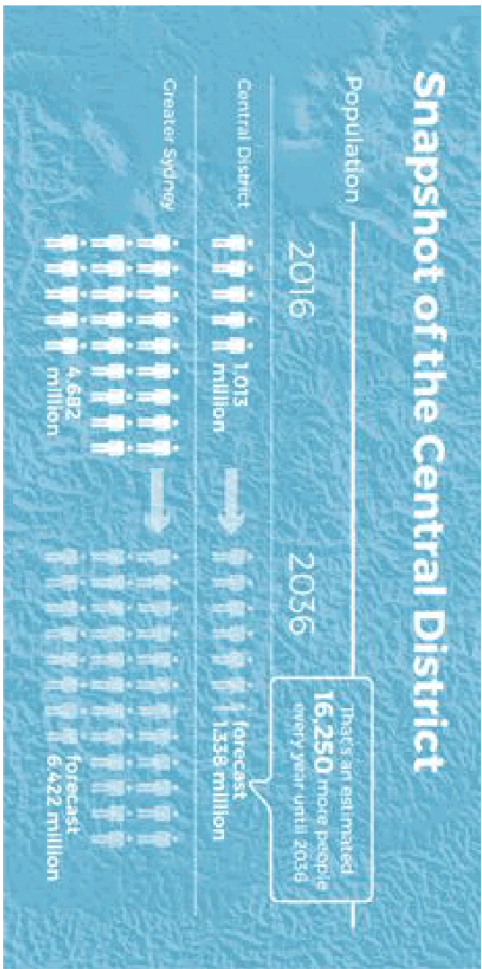
STRATEGIC POSITION | 02
 LOCAL CONTEXT



Centres	
	Strategic Centre
	District Centre
	Local Centre
	District Boundary
	Airport
	National Drive and Interstates
	Waterways
	Station
	Existing Light Rail
	Existing Light Rail Station
	CRD 2 South East Light Rail (under construction)
	Sydney South East Light Rail (Sydney Island construction)
	Highway
	Stoad

Central Subregion

The site is located in the Central Subregion, which is one of six subregions across Sydney. On 21 November 2016, the Greater Sydney Commission put on public exhibition the six District Plans. The Plans set out the opportunities, priorities and actions and provide the means by which A Plan for Growing Sydney can be implemented. The site borders the Burwood town centre, approximately 500 metres from the train station. Burwood is identified as a Strategic Centre under A Plan for Growing Sydney. A Strategic Centre is an area of intense, mixed economic and social activity built around the transport network. Under the Central subregion District Plan, Burwood is identified as a 'District Centre', being a centre that has jobs, facilities and services that support the district population.



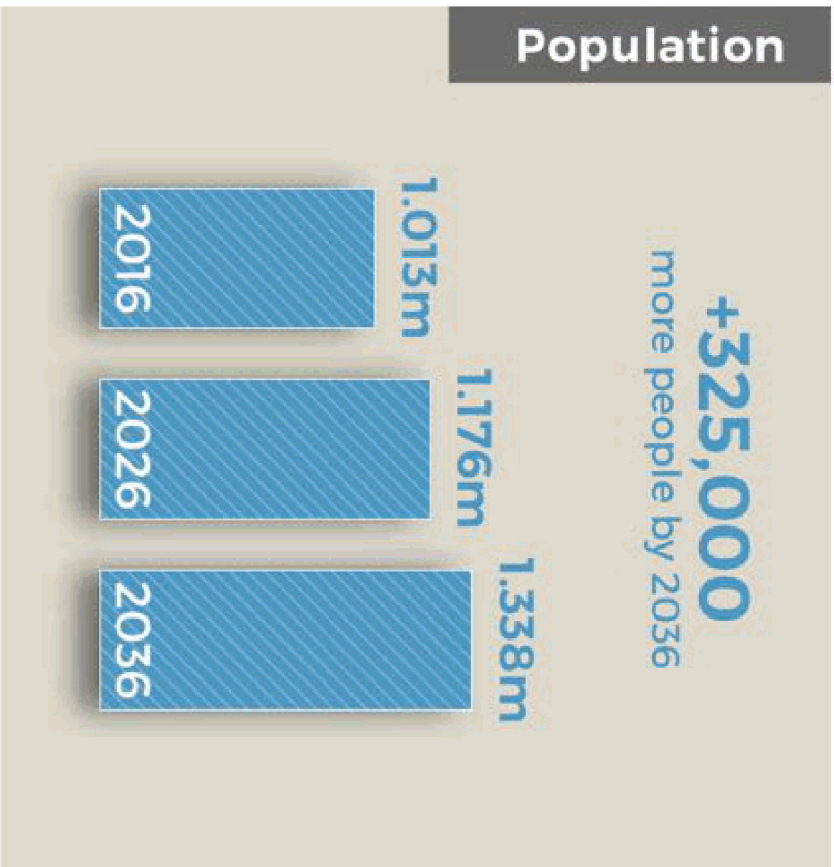
Sydney Metropolitan Council	2016	2021	2026	2031	2036
Burwood	14,750	17,000	18,650	20,300	21,950

Central subregion population projections

To inform the preparation of the District Plans, the Department of Planning and Environment released population household and dwelling projections for the period 2011 to 2031. The central subregion was expected to grow by 266,850 people over the 20-year period, growing at an annual growth rate of 1.4% each year to 2031.

The draft Central District Plan forecasts an increase in the District's population of 325,000 from 1,013 million to 1,338 million between 2016 and 2036. That's an estimated 16,250 more people every year.

Further, the NSW Government's dwelling targets, informed by the future household projections provides for an additional 7,200 dwellings in the Burwood local government area between 2016 and 2036, growing from 14,750 in 2016 to 21,950 in 2036.

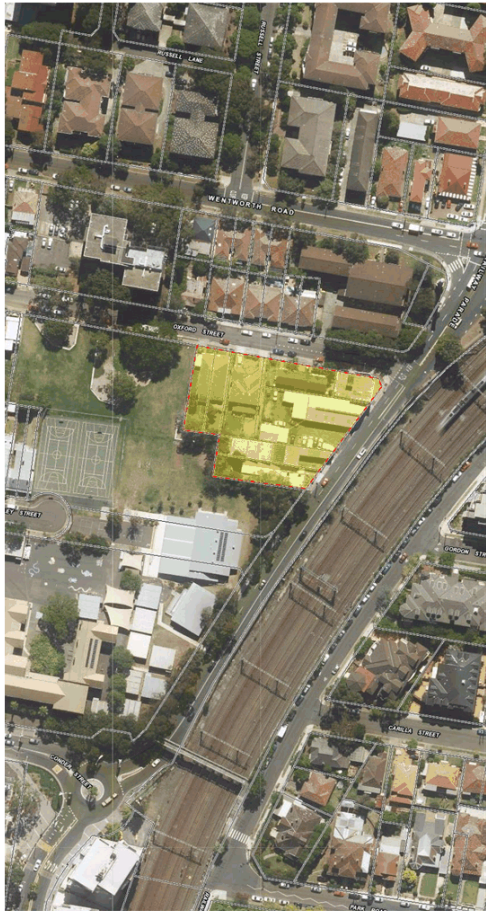


Local Housing Strategies

The District Plan seeks to facilitate the provision of homes through local housing strategies. In considering areas for increased housing opportunities to assist Council's and the District's meet their housing targets, Councils are encouraged to consider the capacity for additional homes around strategic and district centres.

The subject site, given its advantageous location in proximity to a District Centre; Strathfield Centre; two train stations; and considerable jobs, facilities and services, provides a significant opportunity to provide additional homes on a site that has now achieved a greater development footprint since the existing Development Application was approved.

STRATEGIC POSITION | 02
 SUBJECT SITE



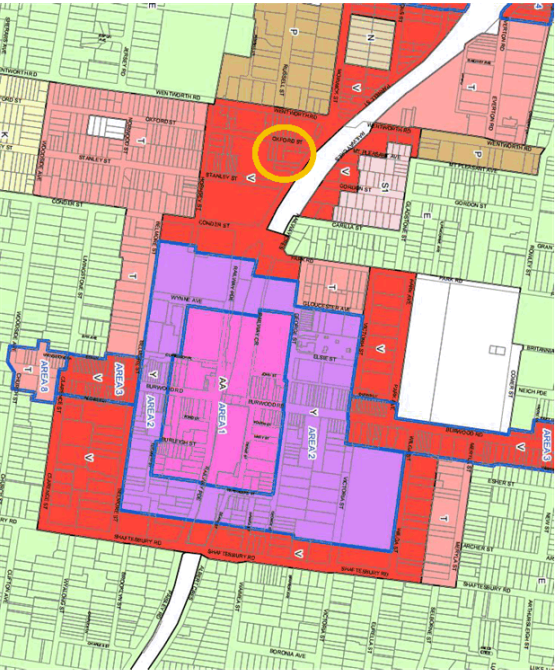
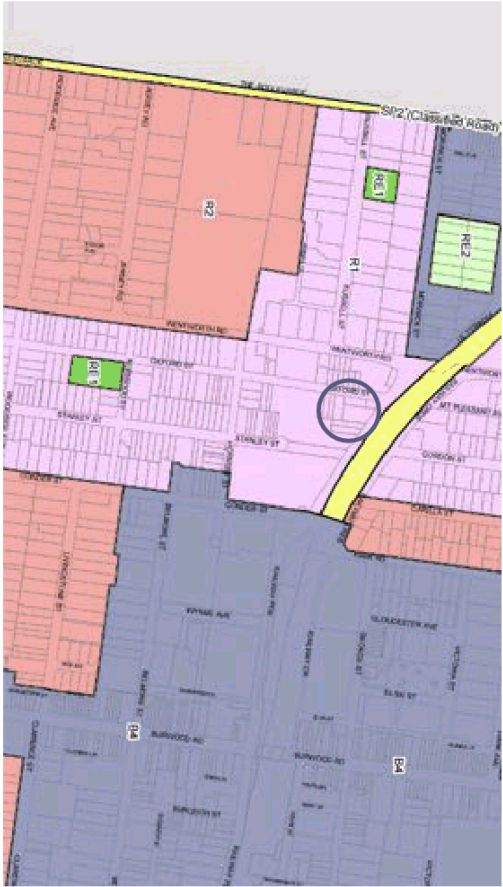
The subject site is located on the corner of Railway Parade and Oxford Street, Burwood, in the Burwood local government area. The site is located approximately 500 metres from the Centre of Burwood and entrance to the Burwood railway station and approximately 510 metres from the Stratfield Town Centre and entrance to Stratfield railway station. The site is located adjacent to the railway line and the area is characterised by residential land uses, and includes the adjoining Burwood public school.

The site, has an approximate area of 3,402sq.m and comprises eight allotments. The site has a frontage to Railway Parade to the north and Oxford Street to the west, Burwood public school adjoins the site to the east and south.

The site is located just outside the Burwood Town Centre and is characterised by medium density residential development, with 3 to 4 storey flats, dual occupancy dwellings, and the 9 storey Wentworth Towers all nearby on Oxford Street.

The site previously contained residential buildings: an auto electrical facility; an auto services building; and a two storey brick factory (68-72 Railway Parade & 2-2A, Oxford Street). These land uses have subsequently been demolished in accordance with the development approval for the 8 storey residential flat building.

4-10 Oxford Street contains one two storey and one single storey dual occupancy dwellings, which were not included as part of the development approval but are included for the purposes of the subject urban design analysis and planning proposal.



Floor Space Ratio Map
 - Sheet FSR_001

Maximum Floor Space Ratio (r:1)

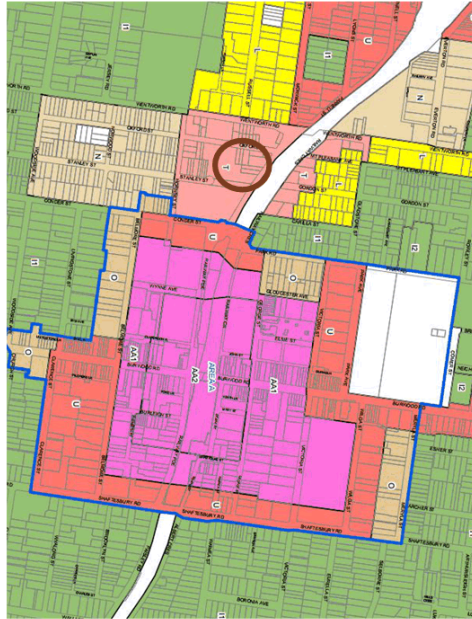
0.55
0.85
1
1.2
1.5
1.75
2
2.5
3
4.5
6
Refer to Clause 4.4A

Burwood LEP 2012
 The site is located in the Burwood local government area and therefore the Burwood Local Environmental Plan 2012 is the applicable statutory document. The site is zoned R1 General Residential under the Burwood LEP 2012. The objectives of the R1 zone seek to:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents

Note 'residential flat building' and 'shop top housing' are permissible land uses with development consent in the R1 General Residential zone. At this stage therefore, no changes to the land zone are proposed as part of this urban design analysis.

Key Development Controls
 Maximum Floor Space Ratio
 The site has a maximum floor space ratio of 3:1.



Height of Buildings Map
 - Sheet HOB_001

HEIGHT OF BUILDINGS: 26 metres (8 storeys)

The site is located within an area that has a maximum building height of 26 metres applying. This area is outside of the Burwood Town Centre as defined by the blue line below and also the Height Plane Controls that generally follow the edge of the town centre boundary.

To the east heights extend from 30 metres to 60 metres to 70 metres; to the Burwood train station.

To the west heights extend from 11 metres to 30 metres and then to 42 metres and 54 metres in the Stratfield LGA.

Maximum Building Height
 The site has a maximum building height of 26 metres

HERITAGE

The site is not subject to any heritage listing and is not within a heritage conservation zone.

Item 48 to the east is the former School of Arts at 5 Conder Street and Item 97 is a sewer vent at 7A Railway Parade.



LEGEND

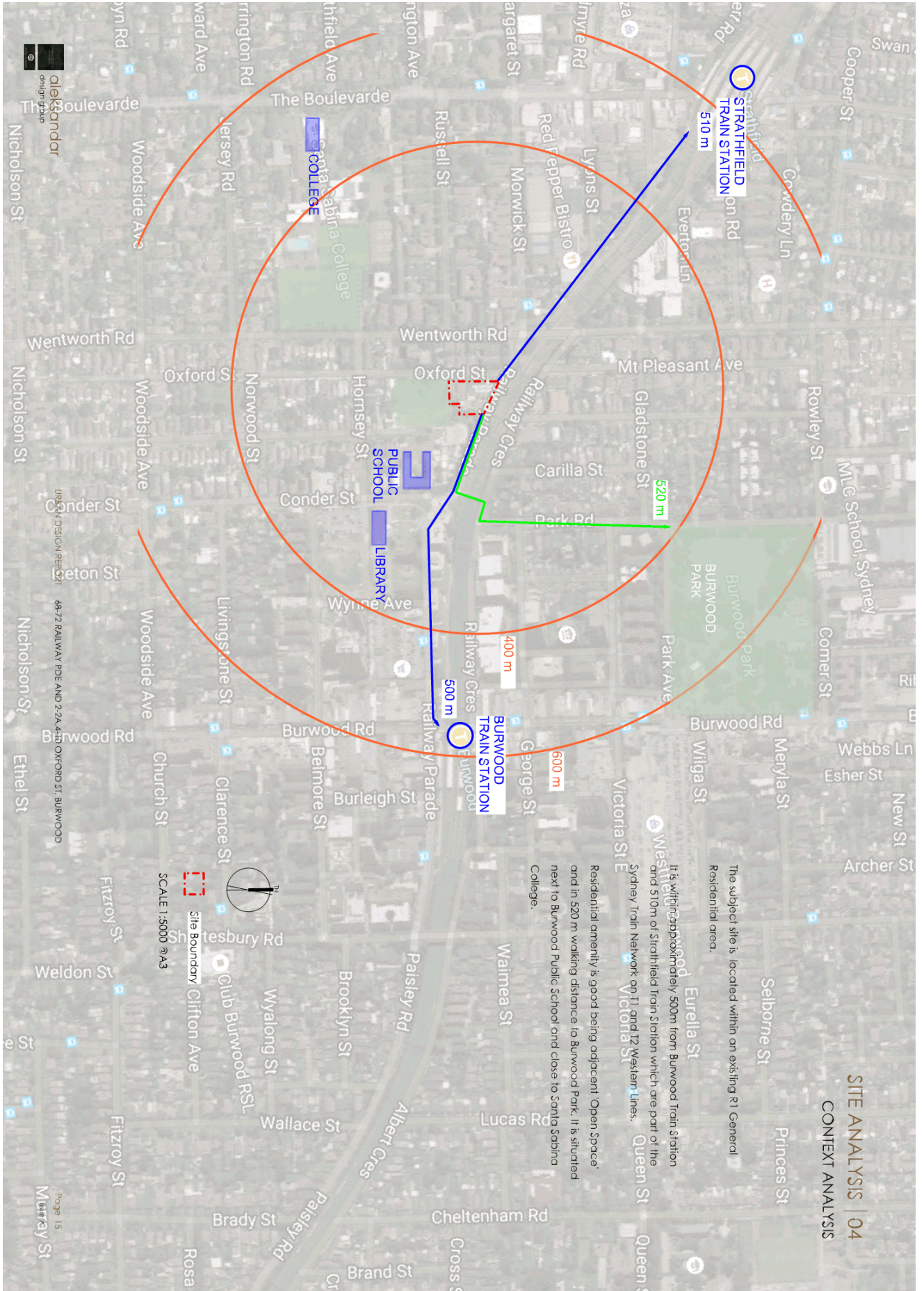
- 147 Burwood Council Office (1887 building only) at 2-4 Conder Street.
- 148 School of Arts (former) at 5 Conder Street
- 187 Victorian Houses at 34, 36 and 50 Oxford Street
- 1110 Corner shop (former) at 25 Stanley Street

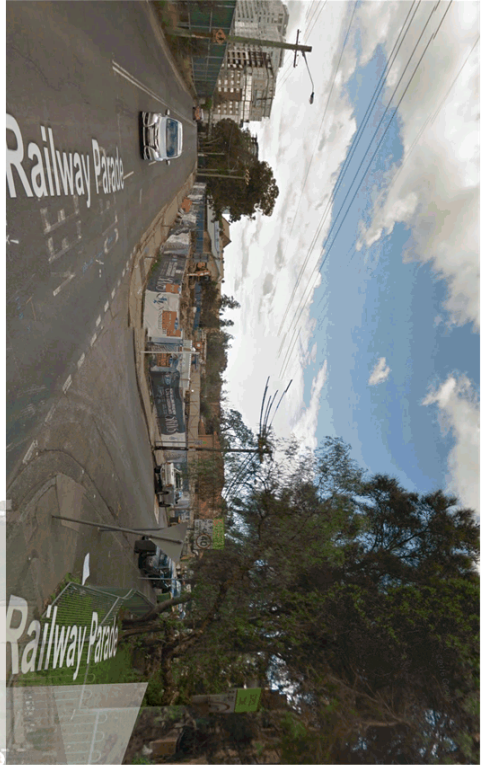


3

SITE ANALYSIS

Analysis of the site from a local perspective

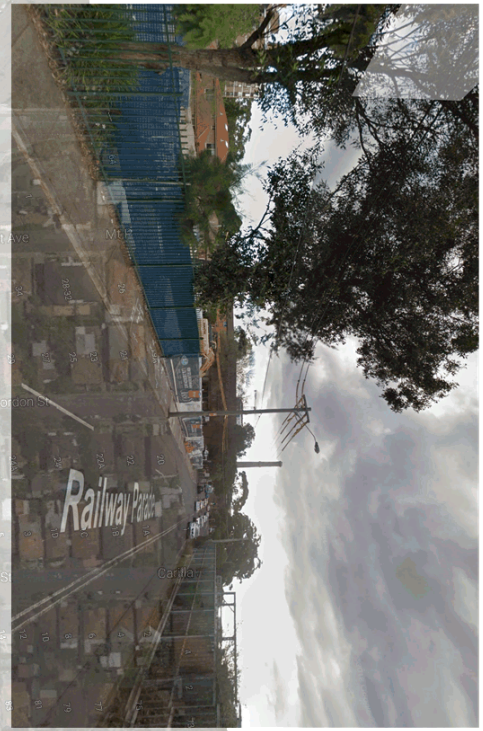




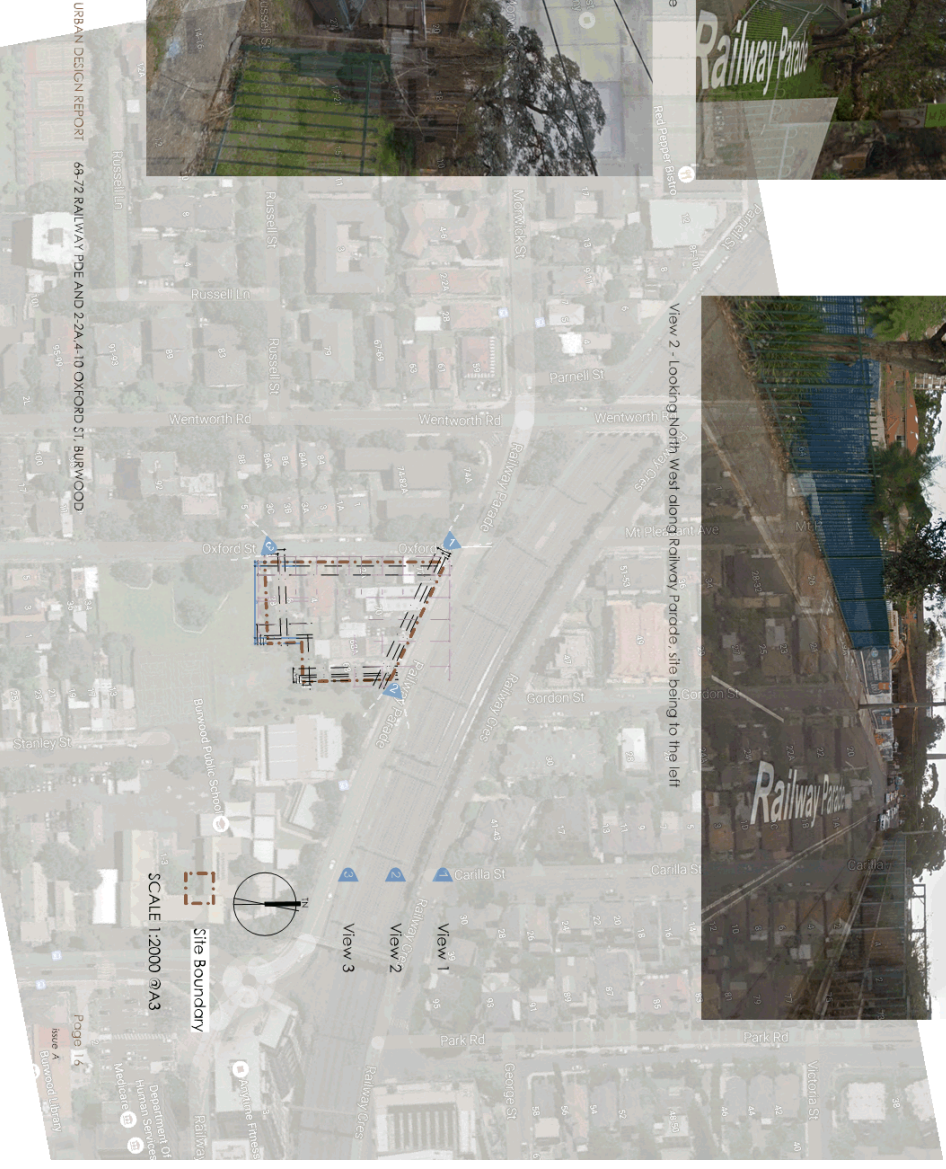
View 1 - Looking South East Corner Railway Parade and Oxford Street towards the site



View 3 - Looking North Oxford Street, site on the right



View 2 - Looking North West along Railway Parade, site being to the left

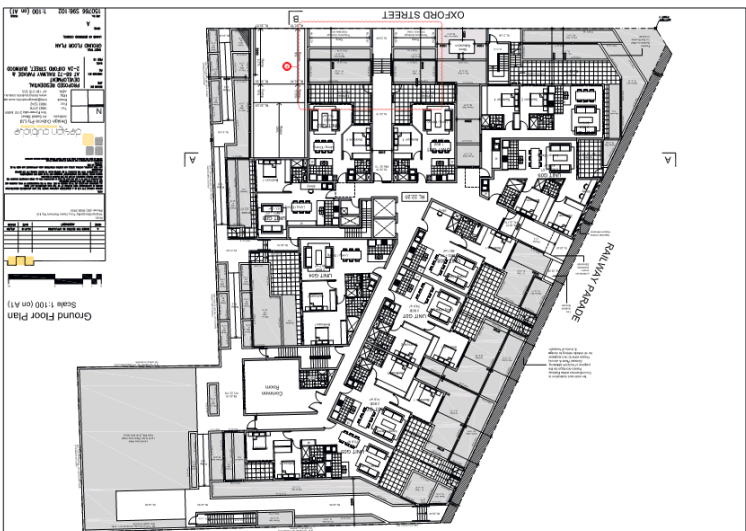
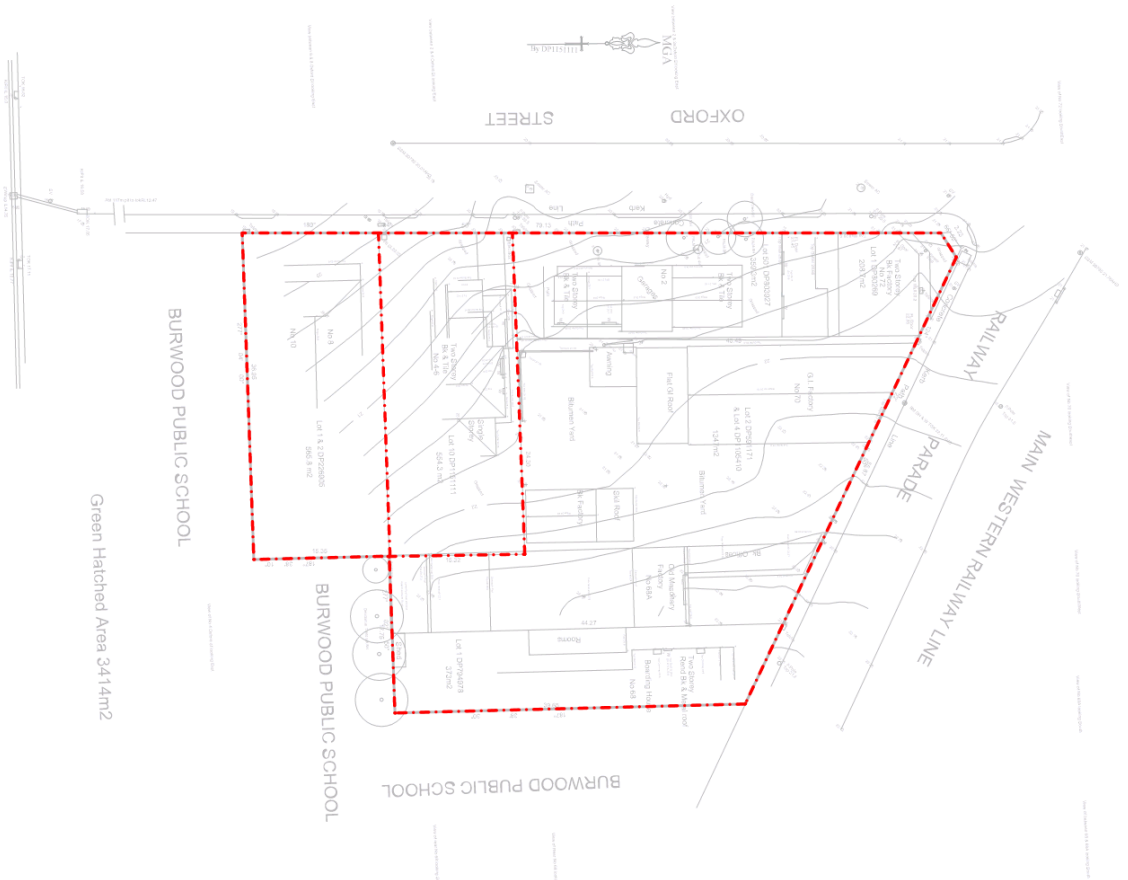


ATTACHMENT 3

ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC
 Proponent's Urban Design Report

SITE ANALYSIS | 04
 SURVEY / APPROVED PLAN

The site is the consolidation of 68-72 Railway Parade and 2-2A and 4-10 Oxford Street.
 The survey shows the site to the south of Railway Parade and the east of Oxford Street.
 To the South and West Burwood Public School has its open space.



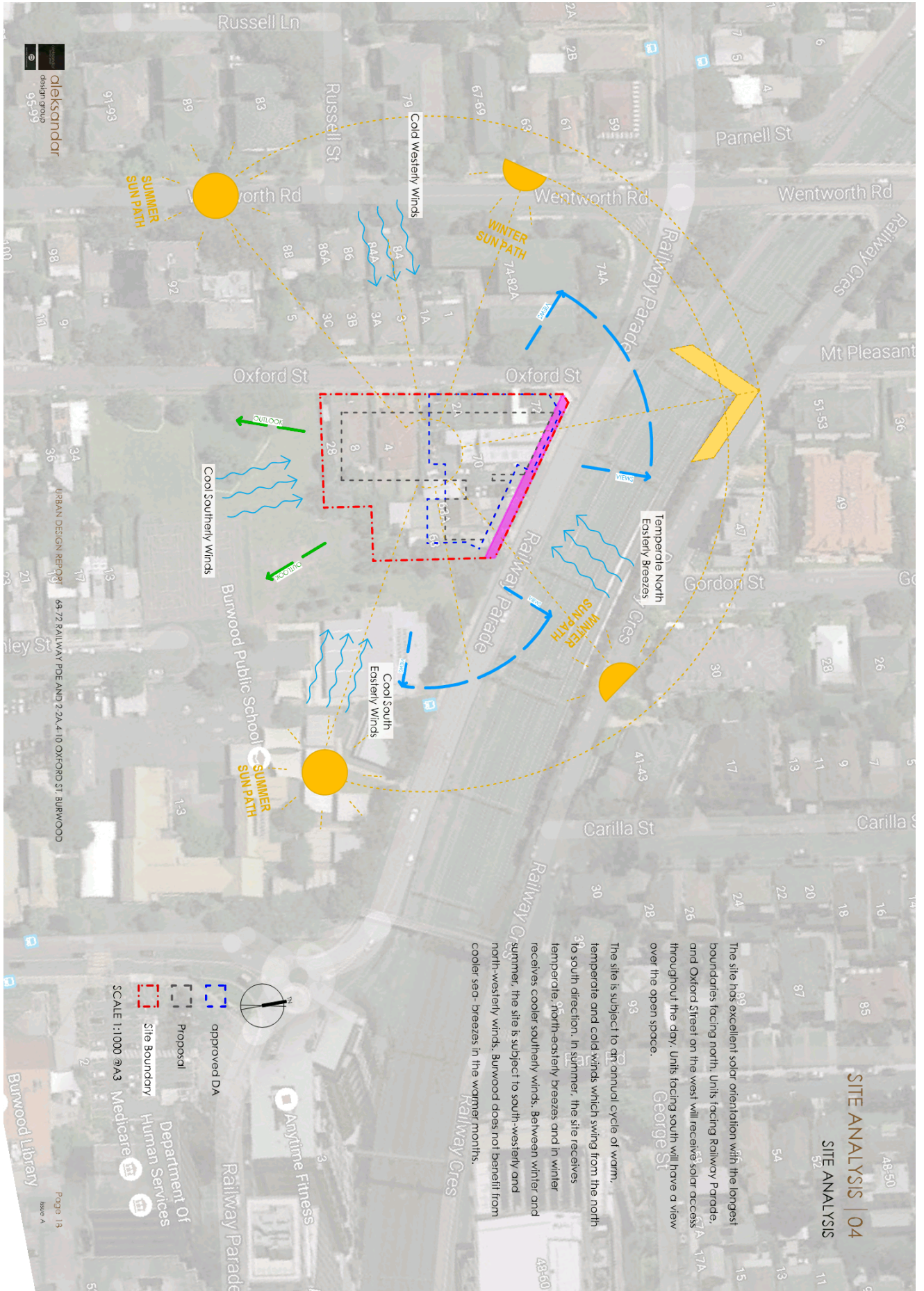
APPROVED GF PLAN (NTS)



Site Boundary

SCALE 1:500 @A3

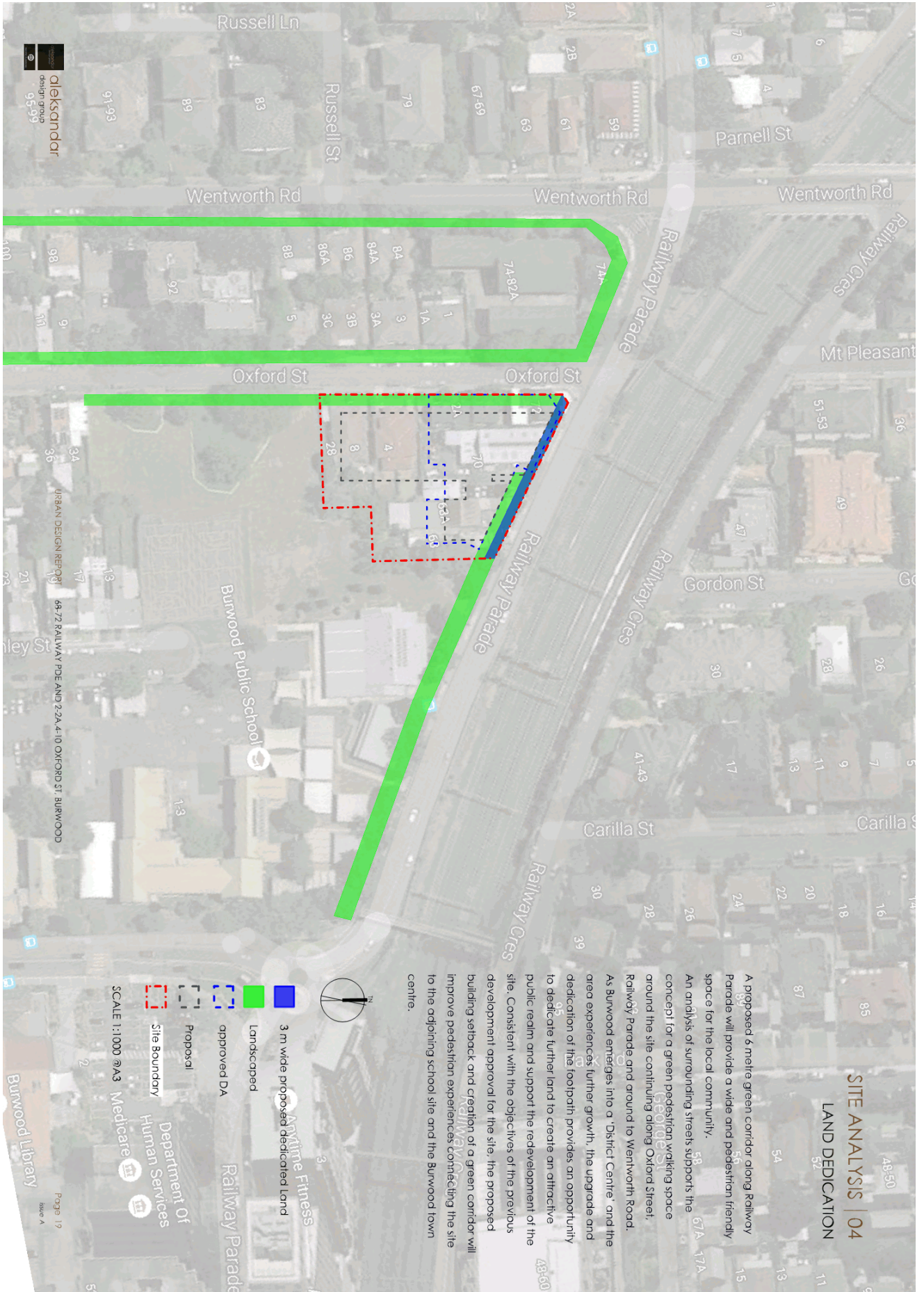


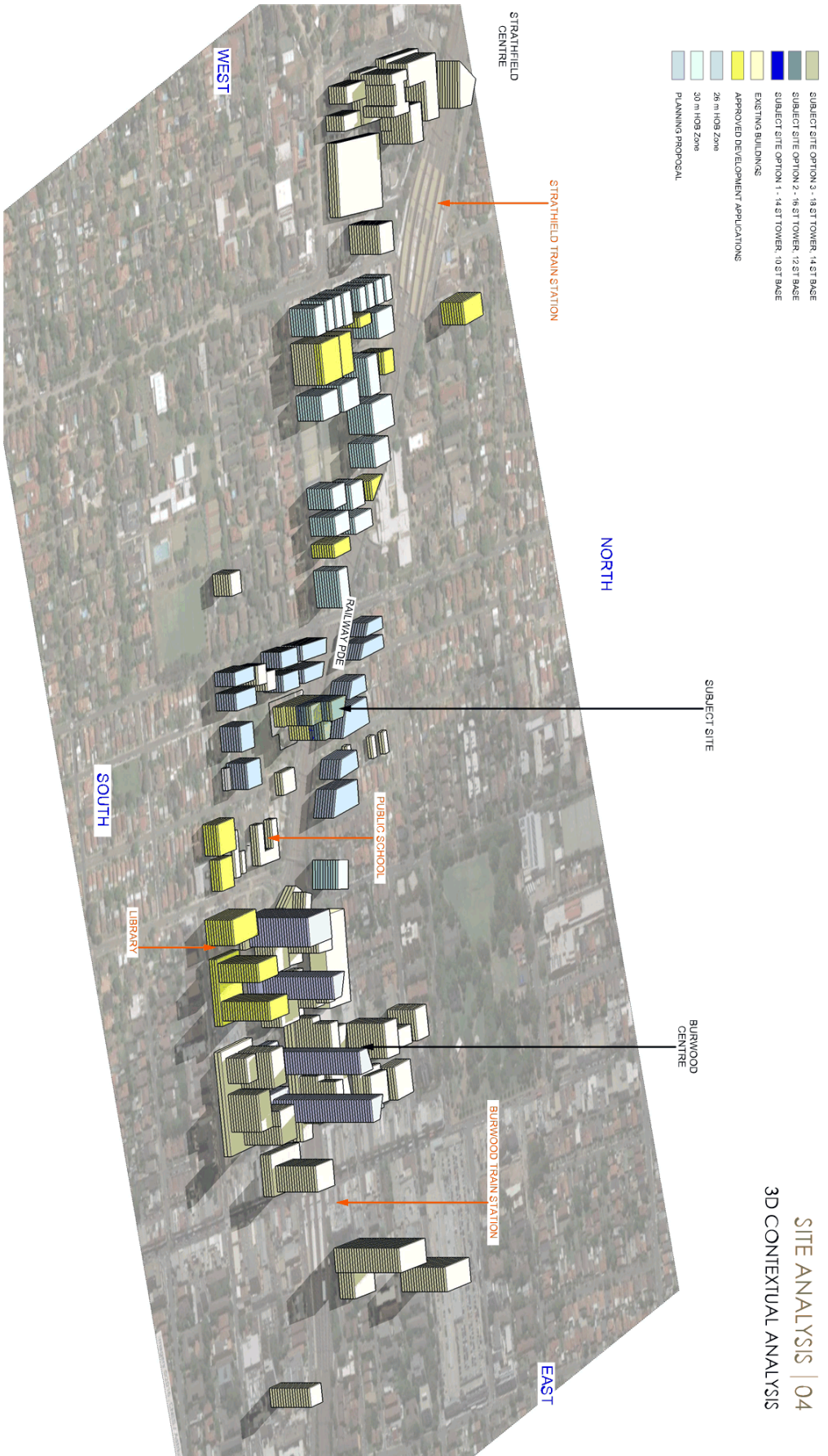


SITE ANALYSIS | 04
 SITE ANALYSIS

The site has excellent solar orientation with the longest boundaries facing north. Units facing Railway Parade, and Oxford Street on the west will receive solar access throughout the day. Units facing south will have a view over the open space.

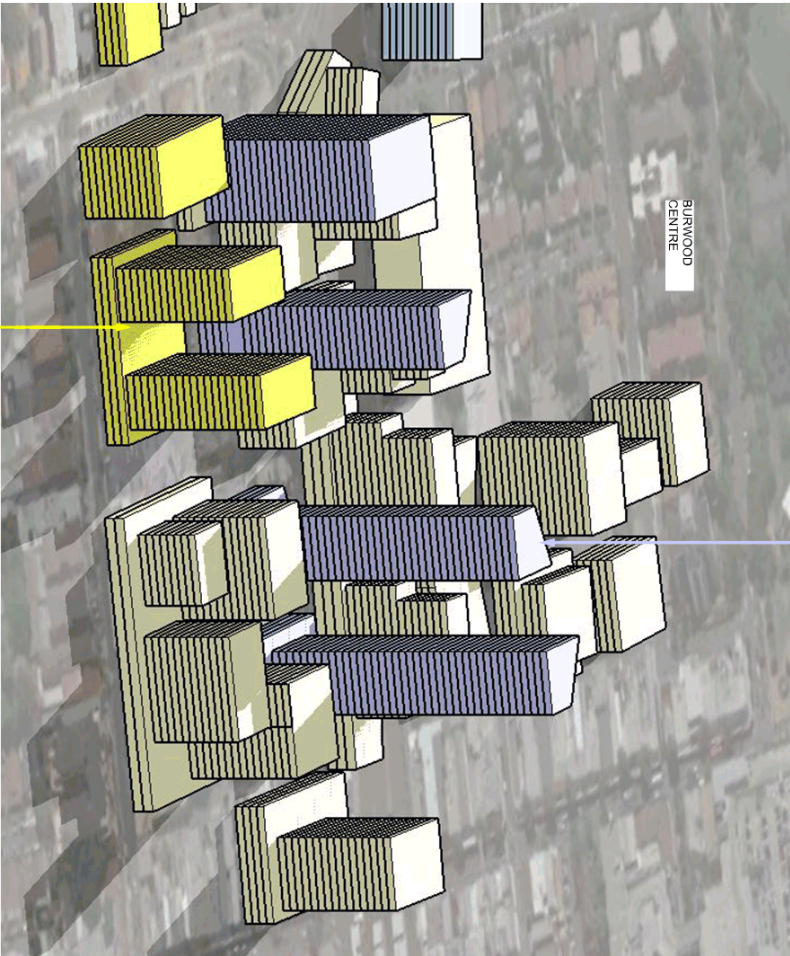
The site is subject to an annual cycle of warm, temperate and cold winds which swing from the north to south direction. In summer, the site receives temperate, north-easterly breezes and in winter receives cooler southernly winds. Between winter and summer, the site is subject to south-westerly and north-westerly winds. Burwood does not benefit from cooler sea-breezes in the warmer months.





SITE ANALYSIS | 04
 3D CONTEXTUAL ANALYSIS

- SUBJECT SITE OPTION 3 - 18 ST TOWER, 14 ST BASE
- SUBJECT SITE OPTION 2 - 16 ST TOWER, 12 ST BASE
- SUBJECT SITE OPTION 1 - 14 ST TOWER, 10 ST BASE
- EXISTING BUILDINGS
- APPROVED DEVELOPMENT APPLICATIONS
- 26 m HOA Zone
- 30 m HOA Zone
- PLANNING PROPOSAL



Burwood Centre is located to the east of the subject site within walking distance of 400 m.



BURWOOD GRAND
 1 Burwood - 38-47 Balaclava St, Burwood

SITE ANALYSIS | 04
3D ANALYSIS BURWOOD

Planning proposal for Burwood Plaza
development of up to 42 storeys given green light



DAVID HENDERSON
 1 9 8 8 3 0 1 7

Inner West Council

1000 WEST NEW SOUTH WALKS NEW STREET



Planning proposal for Burwood Plaza

THE finer west skyline could change forever, with a five tower development moving one step closer to realisation after a major endorsement from New South Wales planning authorities.

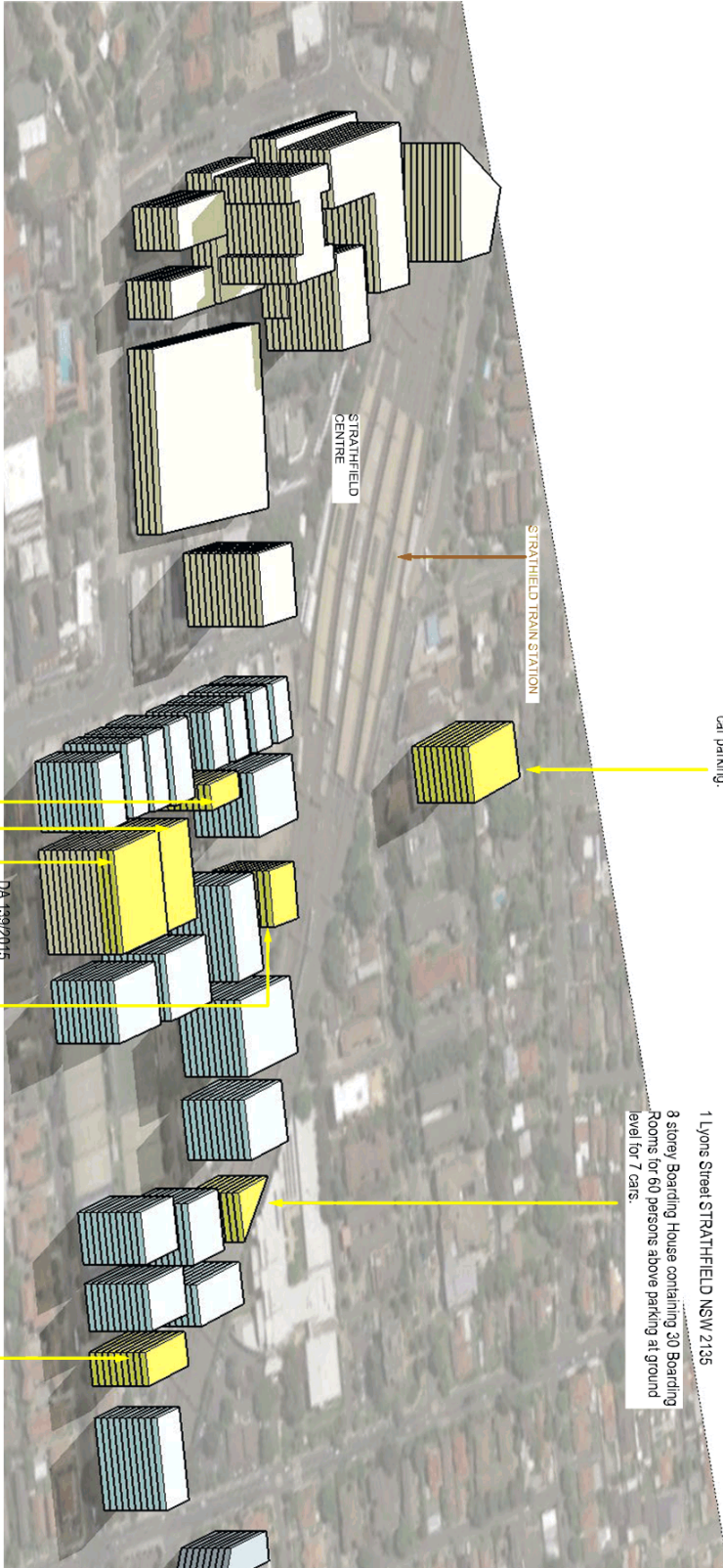
About three years ago, Victorian Property Group bought the Burwood Plaza shopping centre site for about \$80 million, and last May, Burwood Council gave the site green light for the planning proposal.

Now, the proposal has been given the thumbs-up by the Greater Sydney Commission and the Department of Planning and Environment, clearing a supportive gateway.

The proposal is to transform the two adjoining blocks (comprising of the Burwood Plaza and the Telera building) in the heart of Burwood's CBD, on either side of Wynne Ave and forming Railway Parade, with around 1000 new apartments — across four residential towers ranging from 20 to 42 levels.



- SUBJECT SITE OPTION 3 - 18 ST TOWER, 14 ST BASE
- SUBJECT SITE OPTION 2 - 16 ST TOWER, 12 ST BASE
- SUBJECT SITE OPTION 1 - 14 ST TOWER, 10 ST BASE
- EXISTING BUILDINGS
- APPROVED DEVELOPMENT APPLICATIONS
- 26 m HOV Zone
- 30 m HOV Zone
- PLANNING PROPOSAL



SITE ANALYSIS | 04
 3D ANALYSIS STRATHFIELD

DA 071/2014
 25 Everton Road STRATHFIELD NSW 2135
 Demolition of existing buildings and construction of a 9 storey mixed commercial and residential development with basement car parking.

Strathfield Centre is located to the West of the subject site within walking distance of 600 m.
 DA 101/2015
 1 Lyons Street STRATHFIELD NSW 2135
 8 storey Boarding House containing 30 Boarding Rooms for 60 persons above parking at ground level for 7 cars.

DA 439/2015
 28A & 28 Parmell Street Strathfield NSW 2135
 Nine storey building comprising 40 residential apartments (10 x 1 bed, 29 x 2 bed & 1 x 3 bed) ground floor commercial premises, & 3 levels of basement car parking containing 56 spaces.

DA 077/2015
 13 Morwick Street STRATHFIELD 2135
 Demolition of existing buildings and construction of a 9 storey residential flat building of 28 apartments and basement car parking.

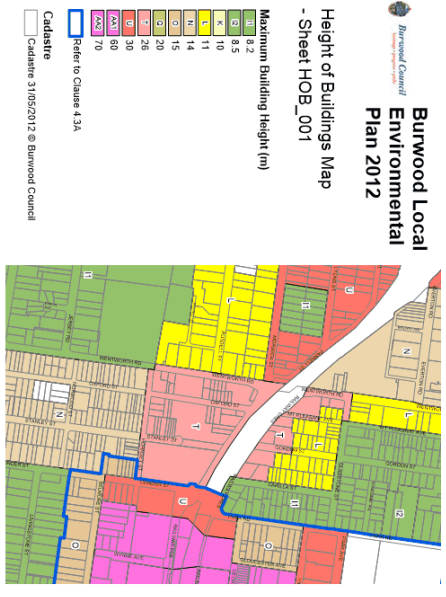
DA 031/2015
 27 Lyons Street STRATHFIELD NSW 2135
 Demolition of existing building and construction of a 9 storey mixed use building containing a ground floor commercial unit, serviced apartments and a boarding house over basement parking.

DA 007/2016
 8-14 Lyons Street Strathfield NSW 2135
 Development of 9 Storey Building containing commercial premises units and 57 residential apartment over basement parking for 74 car spaces.

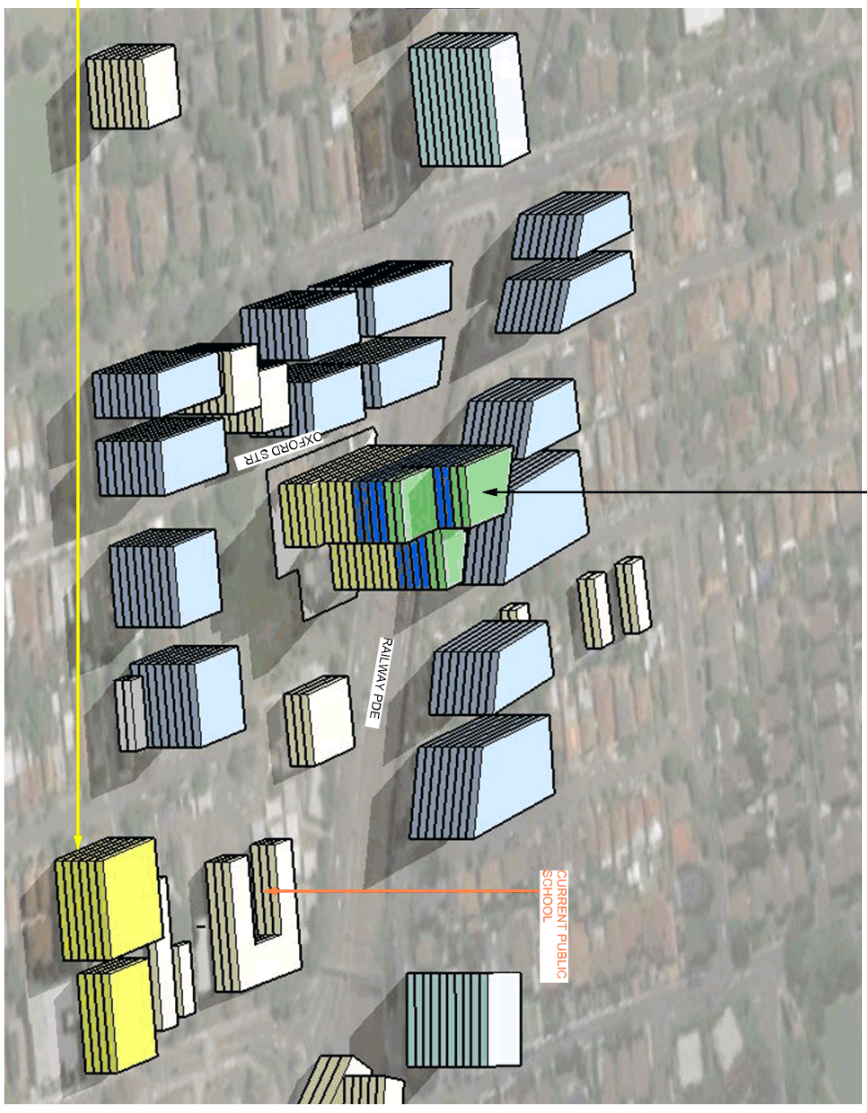
DA 190/2014
 31 Morwick Street, Strathfield 2135
 An additional 12 residential levels comprising 24x2 bed apartments to an existing 9 storey residential flat building

ATTACHMENT 3

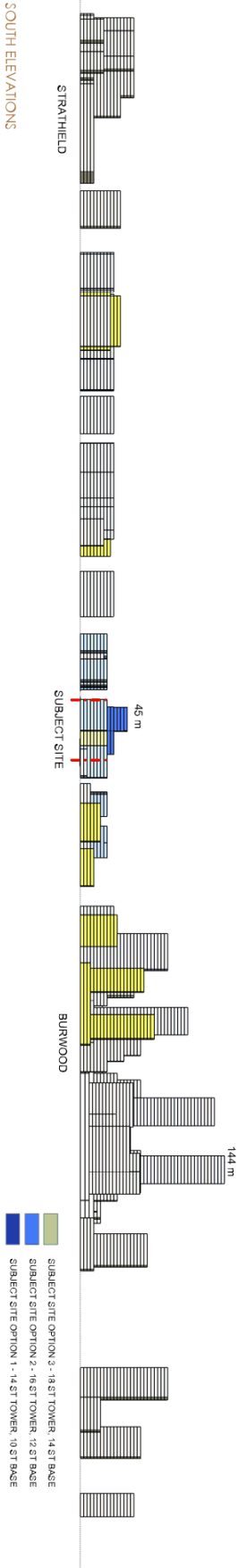
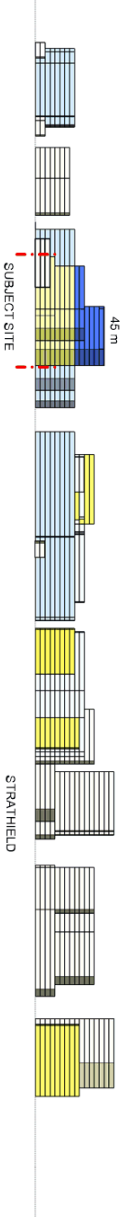
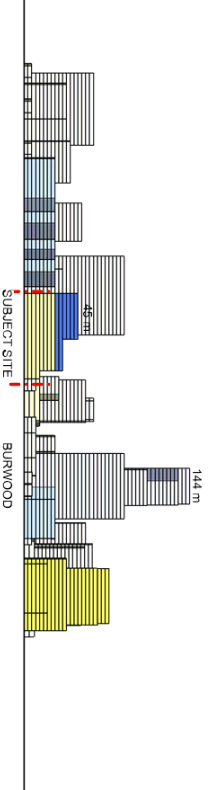
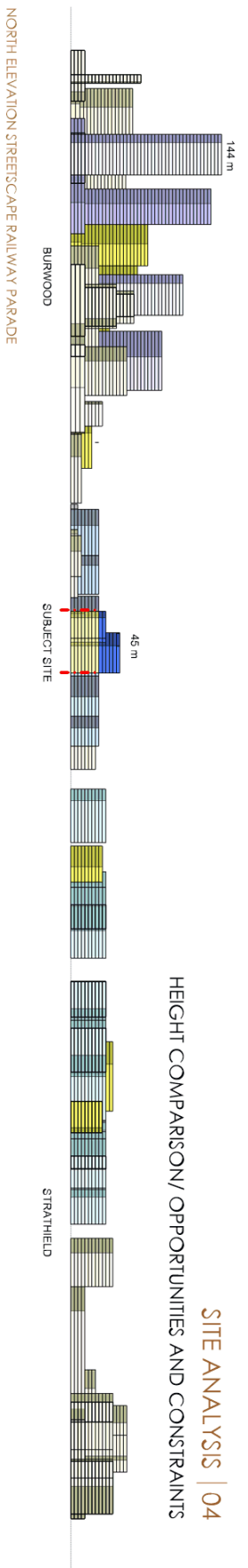
ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC Proponent's Urban Design Report



DA 089/2015
7-15 Cander, 2-10 Homsey & 2-4 Stanley Street BURWOOD NSW 2134
Demolition of existing structures and erection a 1x 4 Storey , 1x 5/6 storey residential flat building containing 36 apartments over 2 levels of basement parking for 116 vehicles.

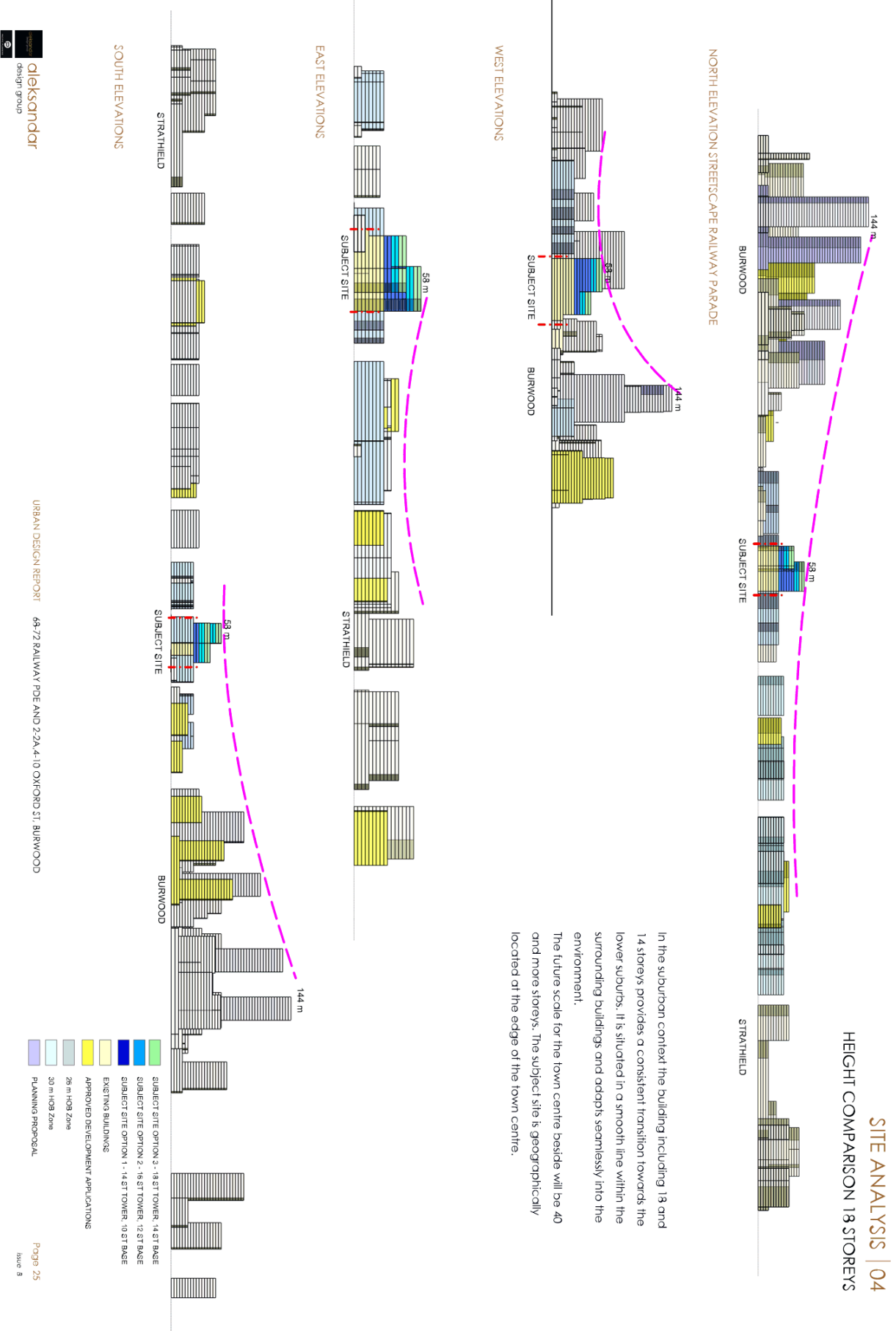


SITE ANALYSIS | 04
 HEIGHT COMPARISON/ OPPORTUNITIES AND CONSTRAINTS

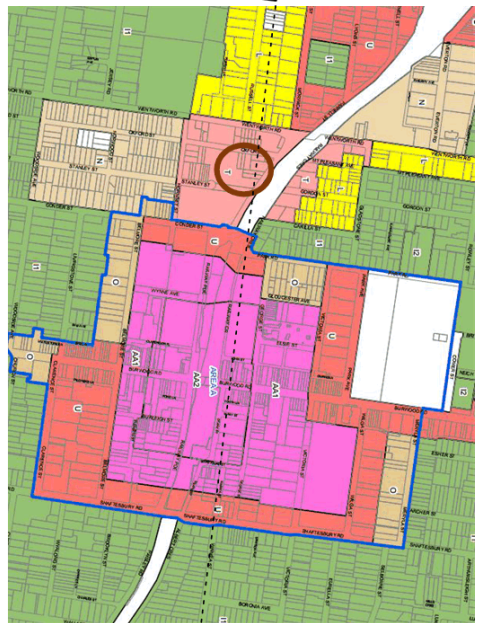


The context shows clearly an increase of height all around the area, especially towards Burwood Centre, where there are supposed to be 30m = 10 storeys high Buildings.
 The zone right next to the building allows 30 meters, which offers much more opportunities, with expected further developments around the areas there are opportunities to densify and prepare Burwood and Strathfield for the future.

- SUBJECT SITE OPTION 3 - 18 ST TOWER, 14 ST BASE
- SUBJECT SITE OPTION 2 - 16 ST TOWER, 12 ST BASE
- SUBJECT SITE OPTION 1 - 14 ST TOWER, 10 ST BASE
- EXISTING BUILDINGS
- APPROVED DEVELOPMENT APPLICATIONS
- 26 m HOB Zone
- 30 m HOB Zone
- PLANNING PROPOSAL





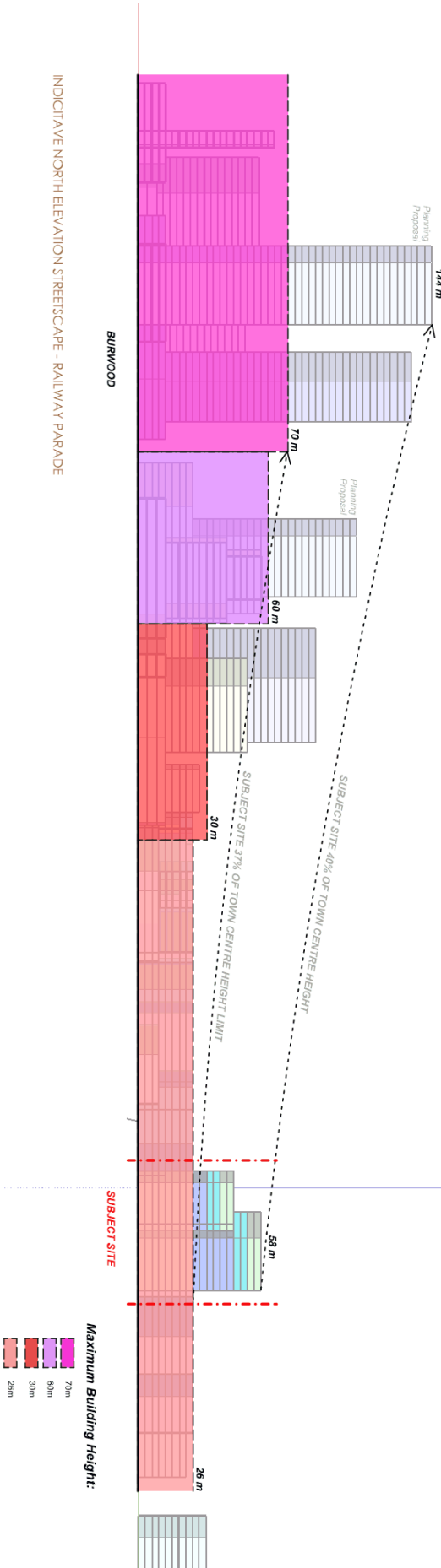


Maximum Building Height (m)

II	8.2
III	8.5
IV	10
V	11
VI	14
VI	15
VI	20
VI	28
VI	30
VI	60
VI	70

Refer to Clause 4.3A

HEIGHT OF BUILDINGS MAP



INDICATIVE NORTH ELEVATION STREESCENE - RAILWAY PARADE

Maximum Building Height:

70m
60m
30m
26m





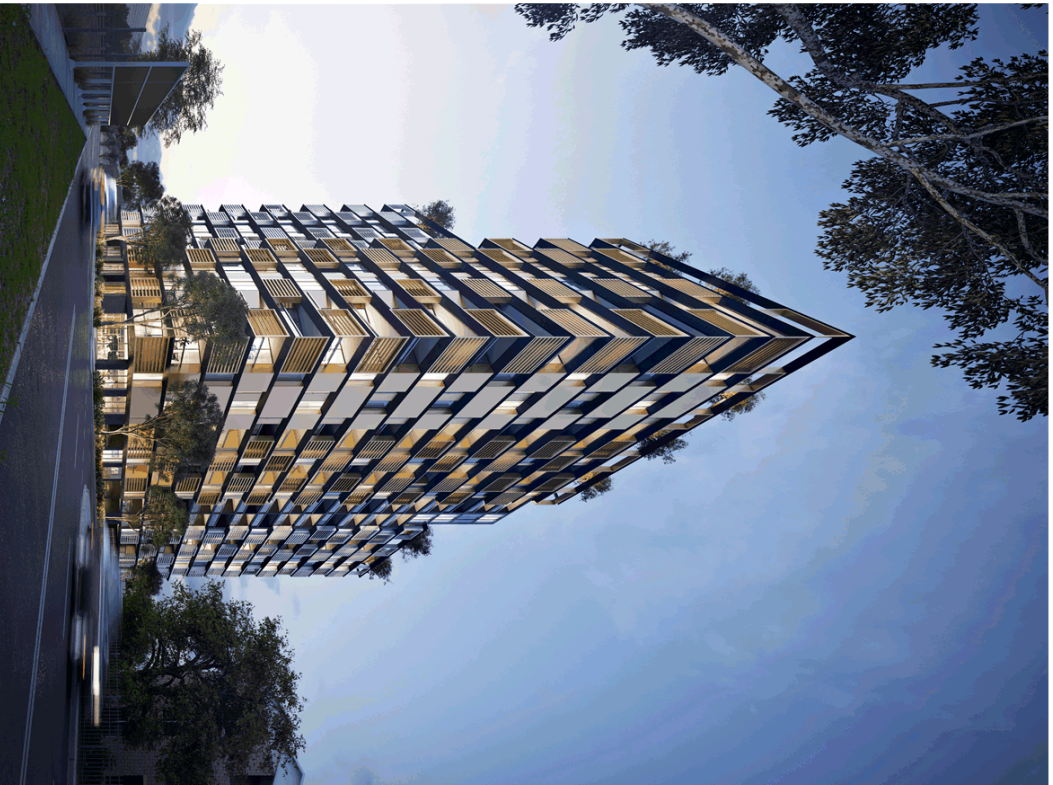
4

THE PROPOSAL

Plans and diagrams showing performance

THE PROPOSAL | 04
VISION

Opportunities for growth and further housing supply in strategic locations are becoming increasingly scarce and limited to sites that can accommodate additional height. As is being experienced in other parts of the Burwood town centre, the subject site is not alone in its ability to accommodate density in further height, given the land amalgamation and minimal impacts on surrounding existing development. The site contains an existing approval for 8 storeys prior to the amalgamation with all adjoining residential land. The site is well positioned along the railway line connecting Burwood to Strathfield. The opportunity also provides for an improved public realm and the potential to provide community facilities should this be desirable at a later stage in the planning process.



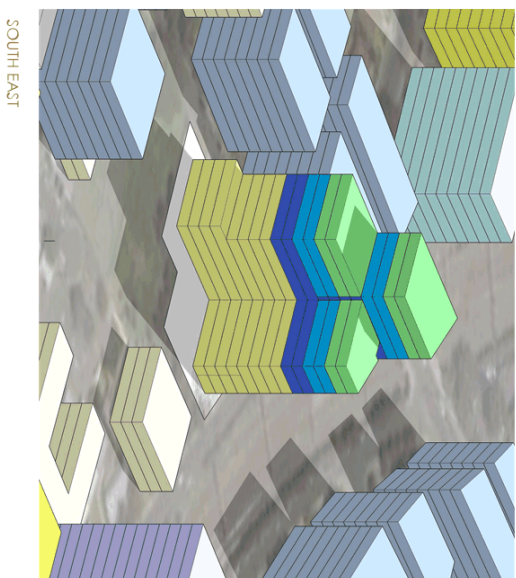
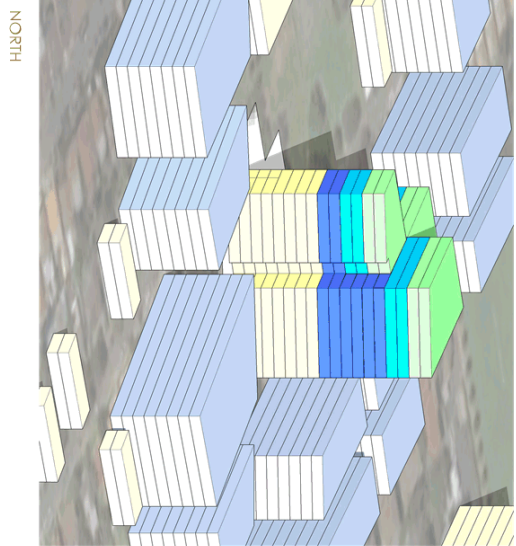
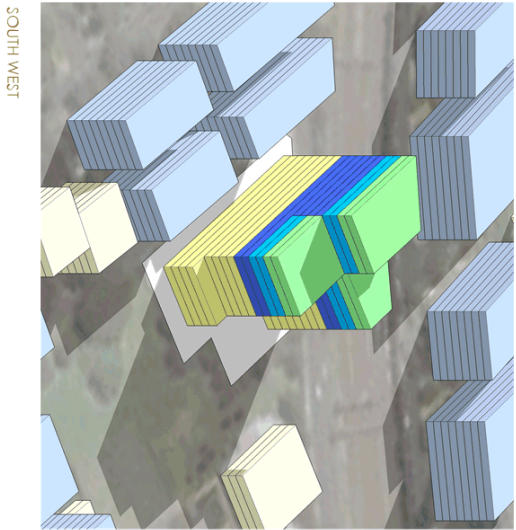
PERSPECTIVE CORNER RAILWAY PDE AND OXFORD ST

ATTACHMENT 3

ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC
 Proponent's Urban Design Report

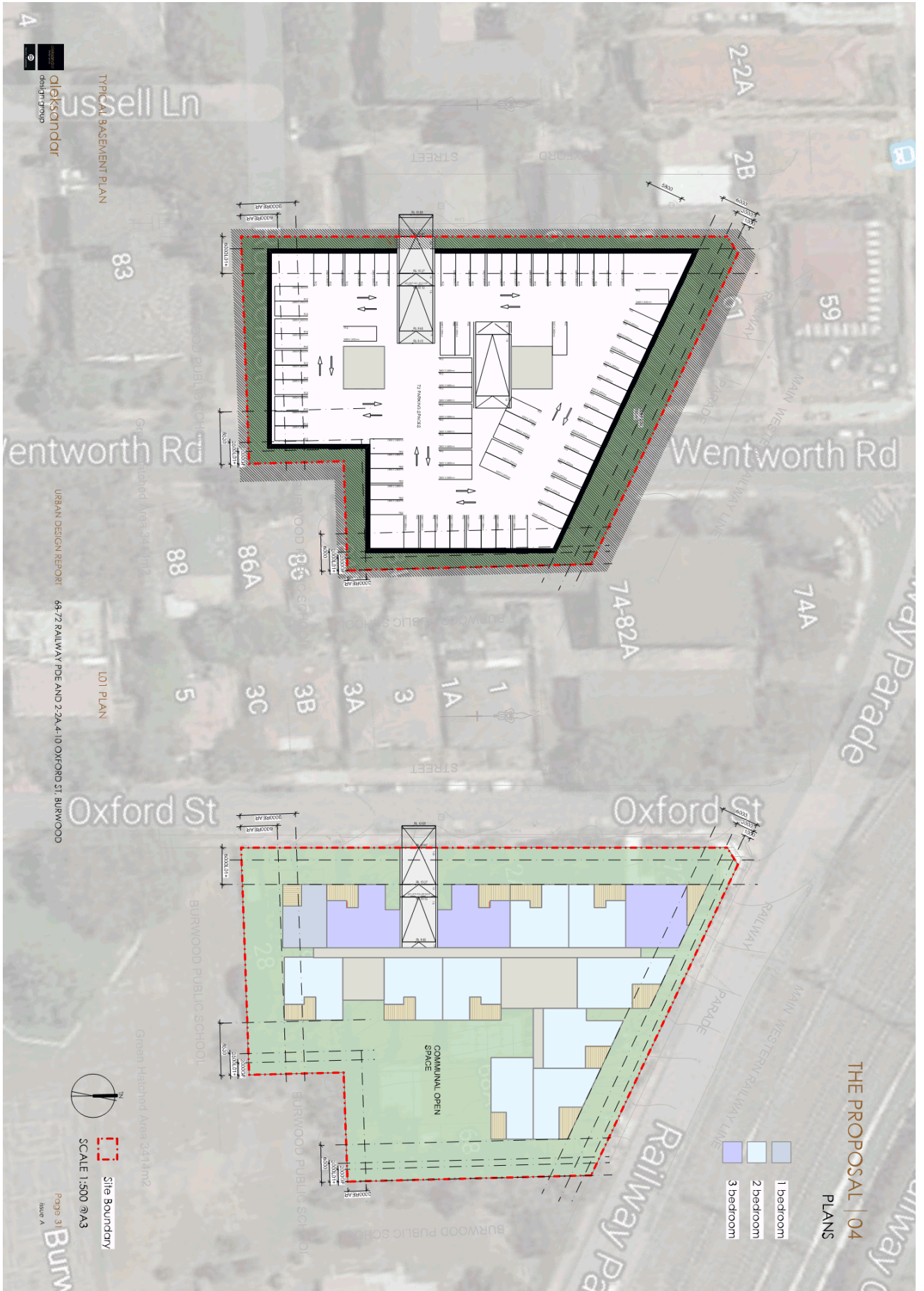
THE PROPOSAL | 04
 DESIGN PRINCIPLES / BUILT FORM MODELLING

- SUBJECT SITE OPTION 3 - 18 ST TOWER, 14 ST BASE
- SUBJECT SITE OPTION 2 - 16 ST TOWER, 12 ST BASE
- SUBJECT SITE OPTION 1 - 14 ST TOWER, 10 ST BASE
- EXISTING BUILDINGS
- APPROVED DEVELOPMENT APPLICATIONS
- 26 m HOB Zone
- 30 m HOB Zone
- PLANNING PROPOSAL



ATTACHMENT 3

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 Proponent's Urban Design Report



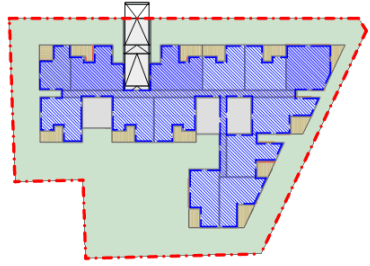


The 13 Storeys Tower only comprises 20% of the site area. Stepping down to 14 storeys it offers a lot more dynamic built form and a very strong corner relationship. It provides opportunities for various building heights to help distinguish the adjoining properties.

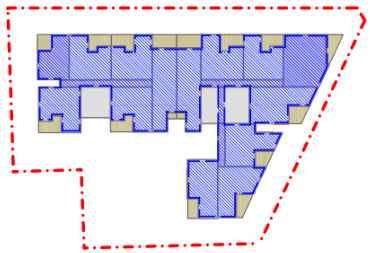
The building is supposed to look like a cluster of smaller attached buildings. The tallest element is the one on the corner, followed by a small recessive part and a lower part along the street. The height is transitioning from the taller corner to the lower parts of the building further down the street. The different parts of the building include several different materials and colours, to differentiate between the parts.

ATTACHMENT 3

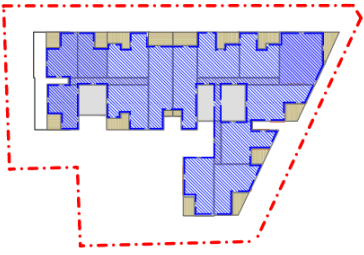
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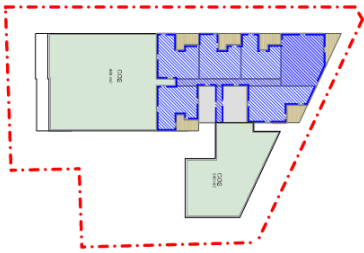
L01 PLAN



TYPICAL PLAN L02:04



TYPICAL PLAN L05:14

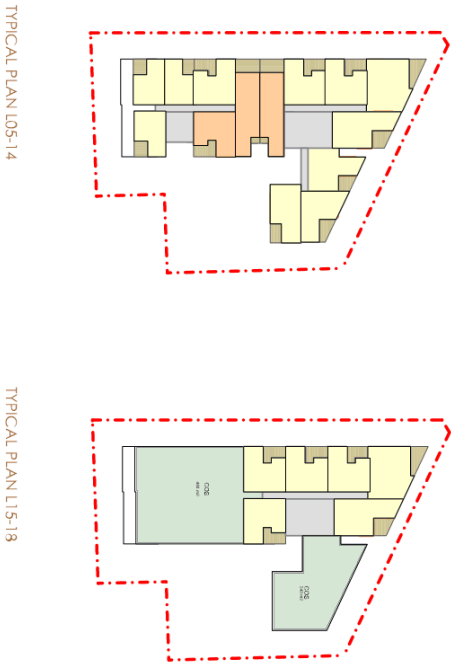
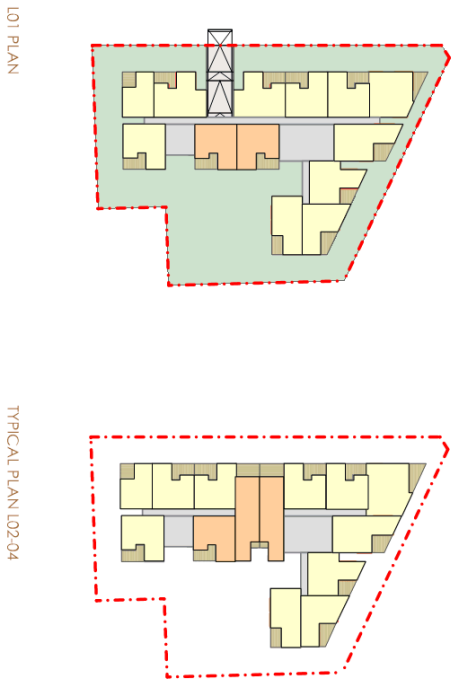


TYPICAL PLAN L15:18

OPTION 1					
HEADLINE	USE	NO. OF STOREYS	GFA PER LEVEL (M ²)	SUBJECT SITE TOTAL GFA (M ²)	UNITS PER FLOOR TOTAL UNITS
LEVEL 01	RESIDENTIAL	1	1113	1113	13
LEVEL 02 -04	RESIDENTIAL	3	1209	3627	42
LEVEL 05 -10	RESIDENTIAL	6	1166	6996	84
LEVEL 11-14	RESIDENTIAL	4	549	2196	24
TOTALS		14	4037	13932	169
			FSR	4.38 : 1	
			SITE GFA	13932 M ²	
			SITES FSR	4.38 : 1	
			SITES POTENTIAL UNITS	163	

OPTION 4					
HEADLINE	USE	NO. OF STOREYS	GFA PER LEVEL (M ²)	SUBJECT SITE TOTAL GFA (M ²)	UNITS PER FLOOR TOTAL UNITS
LEVEL 01	RESIDENTIAL	1	1113	1113	13
LEVEL 02 -04	RESIDENTIAL	3	1209	3627	42
LEVEL 05 -12	RESIDENTIAL	8	1166	9328	112
LEVEL 13 -16	RESIDENTIAL	4	549	2196	24
TOTALS		16	4037	16264	191
			FSR	4.77 : 1	
			SITE GFA	16264 M ²	
			SITES FSR	4.77 : 1	
			SITES POTENTIAL UNITS	191	

OPTION 3					
HEADLINE	USE	NO. OF STOREYS	GFA PER LEVEL (M ²)	SUBJECT SITE TOTAL GFA (M ²)	UNITS PER FLOOR TOTAL UNITS
LEVEL 01	RESIDENTIAL	1	1113	1113	13
LEVEL 02 -04	RESIDENTIAL	3	1209	3627	42
LEVEL 05 -14	RESIDENTIAL	10	1166	11660	140
LEVEL 15 -18	RESIDENTIAL	4	549	2196	24
TOTALS		18	4037	16396	219
			FSR	5.45 : 1	
			SITE GFA	16396 M ²	
			SITES FSR	5.45 : 1	
			SITES POTENTIAL UNITS	219	



OPTION 1					
SOLAR ACCESS		SUBJECT SITE			
	NO. OF STOREYS	UNITS PER FLOOR	TOTAL UNITS	> 2H SOLAR ACCESS PER FLOOR	SOLAR ACCESS TOTAL
LEVEL 01	1	13	13	11	11
LEVEL 02 - 04	3	14	42	11	33
LEVEL 05 - 10	6	14	84	11	66
LEVEL 11 - 14	4	6	24	6	24
TOTALS	14		163		134
					82%

OPTION 2					
SOLAR ACCESS		SUBJECT SITE			
	NO. OF STOREYS	UNITS PER FLOOR	TOTAL UNITS	> 2H SOLAR ACCESS PER FLOOR	SOLAR ACCESS TOTAL
LEVEL 01	1	13	13	11	11
LEVEL 02 - 04	3	14	42	11	33
LEVEL 05 - 12	8	14	112	11	88
LEVEL 13 - 16	4	6	24	6	24
TOTALS	16		191		156
					82%

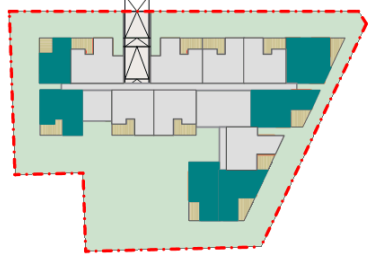
OPTION 3					
SOLAR ACCESS		SUBJECT SITE			
	NO. OF STOREYS	UNITS PER FLOOR	TOTAL UNITS	> 2H SOLAR ACCESS PER FLOOR	SOLAR ACCESS TOTAL
LEVEL 01	1	13	13	11	11
LEVEL 02 - 04	3	14	42	11	33
LEVEL 05 - 14	10	14	140	11	110
LEVEL 15 - 18	4	6	24	6	24
TOTALS	18		219		178
					81%

ATTACHMENT 3

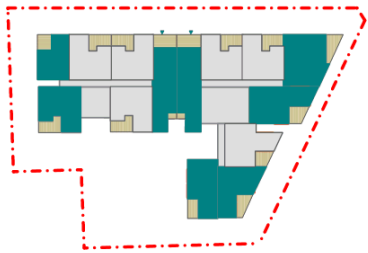
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THE PROPOSAL | 04 CROSS VENTILATION

 CROSS VENTILATED



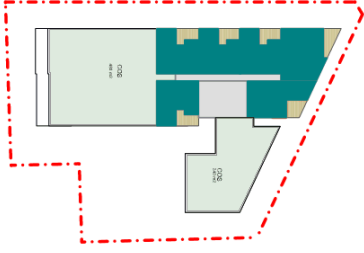
L01 PLAN



TYPICAL PLAN L02-04



TYPICAL PLAN L05-14



TYPICAL PLAN L15-18

OPTION 1						
CROSS VENTILATION		SUBJECT SITE		TOTAL UNITS	CROSS VENT PER FLOOR	CROSS VENT TOTAL
LEVEL	N.O. OF STOREYS	UNITS PER FLOOR	UNITS PER FLOOR			
LEVEL 01	1	13	13	13	6	6
LEVEL 02 - 04	3	14	14	42	8	24
LEVEL 05 - 09	5	14	14	70	8	40
LEVEL 10	1	14	14	14	14	4
LEVEL 11 - 14	4	6	6	24	6	24
TOTALS	14			163		98
						60%

OPTION 2						
CROSS VENTILATION		SUBJECT SITE		TOTAL UNITS	CROSS VENT PER FLOOR	CROSS VENT TOTAL
LEVEL	N.O. OF STOREYS	UNITS PER FLOOR	UNITS PER FLOOR			
LEVEL 01	1	13	13	13	6	6
LEVEL 02 - 04	3	14	14	42	8	24
LEVEL 05 - 09	5	14	14	70	8	40
LEVEL 10 - 12	3	14	14	42	14	42
LEVEL 13 - 16	4	6	6	24	6	24
TOTALS	16			191		138
						71%

OPTION 3						
CROSS VENTILATION		SUBJECT SITE		TOTAL UNITS	CROSS VENT PER FLOOR	CROSS VENT TOTAL
LEVEL	N.O. OF STOREYS	UNITS PER FLOOR	UNITS PER FLOOR			
LEVEL 01	1	13	13	13	6	6
LEVEL 02 - 04	3	14	14	42	8	24
LEVEL 05 - 09	5	14	14	70	8	40
LEVEL 10 - 14	5	14	14	70	14	70
LEVEL 15 - 18	4	6	6	24	6	24
TOTALS	18			219		164
						75%

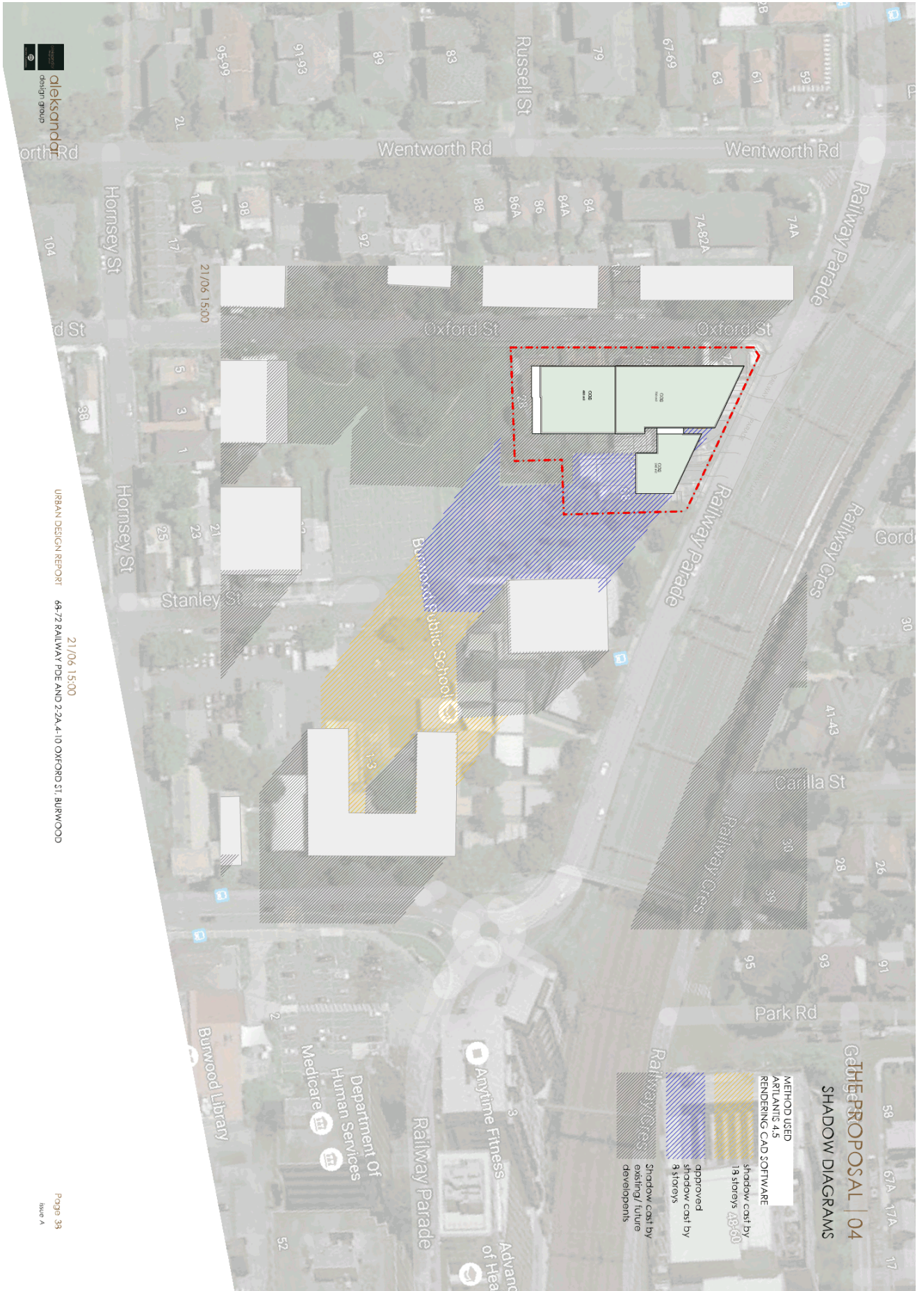
ATTACHMENT 3

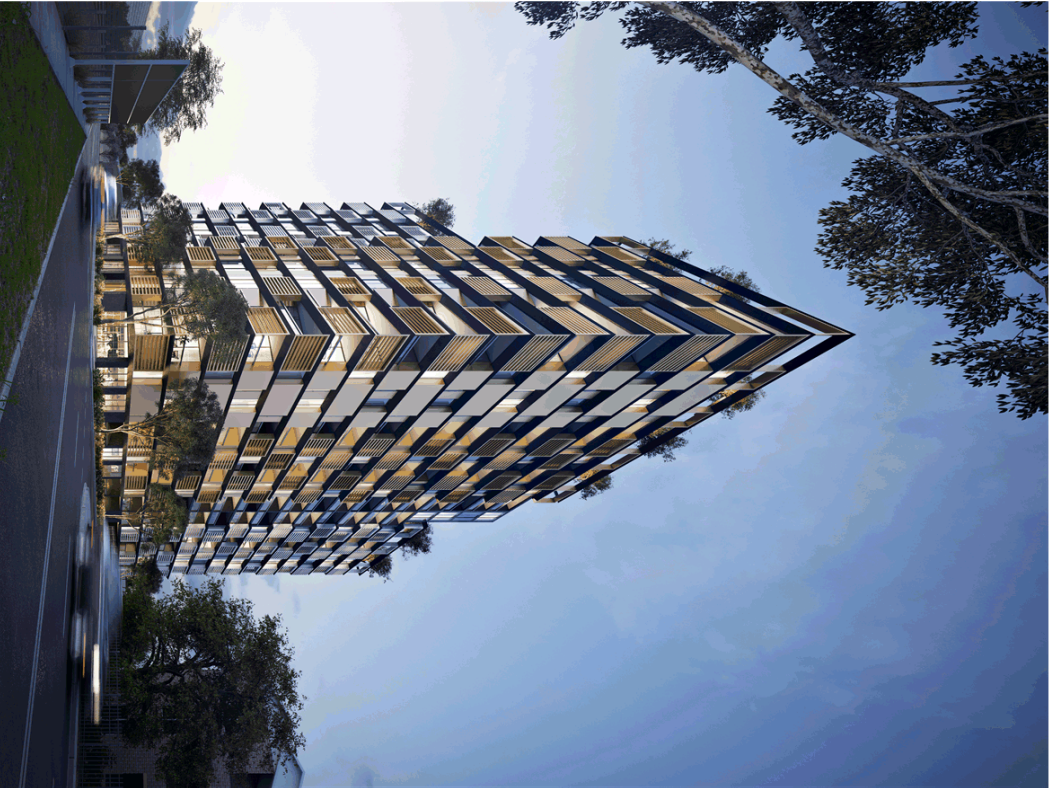
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 Proponent's Urban Design Report



ATTACHMENT 3

ITEM 42/17 Planning Proposal - 68-72 Railway Parade and 2-10 Oxford Street Burwood.DOC
 Proponent's Urban Design Report





THE PROPOSAL | 04
 CONCLUSION

Burwood is identified as a 'District Centre' under the recently released draft Central subregion District Plan. Burwood is a centre of high economic activity housing retail, local services and jobs in support of a growing inner west population. The findings of this Urban Design Report for additional homes in close proximity to transport, open space, jobs and services is consistent and supports the priorities for the Burwood Centre and the Central subregion as follows:

- Review local planning instruments and consider development initiatives that encourage the development of large floorplate mixed-use buildings
- Improve connections across the centre over the rail line
- Expand the function and type of land uses in the centre
- Investigate opportunities to enhance the night time economy

The proposal while not resulting in a substantial increase to the population, will increase housing supply, choice, diversity and affordability while also creating a 'busier' sense of community in this location. The design has been prepared in support of the opportunity presented by the amalgamation and in accordance with state and local objectives to improve housing affordability: supply and choice

(ITEM 44/17) DRAFT VOLUNTARY PLANNING AGREEMENT - 180-186 BURWOOD ROAD AND 7-9 BURLEIGH STREET, BURWOOD

File No: 17/31729

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) prepared in connection with a Development Application (DA) for 180-186 Burwood Road and 7-9 Burleigh Street Burwood have been publicly notified in accordance with the relevant legislation. The draft VPA provides for the developer to pay a monetary contribution to Council towards the provision, augmentation and/or improvements of open space, community facilities or other public facilities as determined by Council, in exchange for additional development on the site. Council's endorsement is sought to enter into the VPA.

Background

Development Application BD.2016.103 proposes the construction of a mixed use development comprising commercial, residential and serviced apartments over basement car parking on the site. The proposal will seek to provide 979.08m² of additional gross floor area (GFA), or a 10% increase in the maximum floor space ratio (FSR) permitted by the *Burwood Local Environmental Plan* (BLEP).

Draft VPA and EN

The draft VPA will:

- Provide a monetary contribution to Council for the purposes of providing, augmenting or improving open space, community facilities or other public facilities as determined by Council in accordance with the *Burwood Open Space and Community Facilities Study* undertaken for Council
- Provide the developer, in exchange for making the monetary contribution, additional FSR over the development site, based on the *Burwood Town Centre Urban Design Study* undertaken for Council, which recommended a maximum 10% FSR increase.

Under the draft VPA the developer proposes to pay Council \$1,076,988.00, based on the monetary contribution rate of \$1,100/m² additional GFA. The VPA was submitted to Council in August 2016, when the \$1,100/m² rate was applicable.

The draft VPA and EN were referred to Council's solicitors for their advice and vetting. The documents have been modified in negotiation with the applicant in response to the legal advice. Further minor revision of the draft VPA may be necessary prior to execution, e.g. updating footer or insertion of dates. Any changes will not alter the purpose or intention of the VPA.

Public Notice

Following the modification and negotiation of the document contents, the draft VPA and EN were publicly notified for a period of 28 days from 30 May 2017 to 27 June 2017. A public notice was placed in the local newspaper and on Council's Website. Hard copies were also made available to view at Council's Customer Service Centre.

Planning or Policy Implications

Council has a *Planning Agreement Policy* which has been referenced in the progression of this matter. The Policy contains an acceptability test which stipulates the matters that Council should

consider when determining whether or not to enter into a VPA. Consideration of these matters against the draft VPA is outlined below:

1. The VPA is directed towards a proper legitimate planning purpose. The VPA provides funds to Council to be used to provide the augmentation or improvement of open space, community facilities or other public facilities, consistent with the *Burwood Open Space and Community Facilities Study*.
2. The VPA would result in a public benefit. The contribution to Council would be used towards public facilities.
3. The VPA provides a reasonable means of achieving the relevant purpose. The *Burwood Open Space and Community Facilities Study* recommended a monetary contribution rate for additional development.
4. The VPA would be taken into consideration in the assessment of the DA. The DA must stand on its own merits from a design, planning and amenity perspective, which has been the subject of a separate and independent planning assessment. If the VPA is not entered into, approval of the DA could not be granted and the applicant would be expected to submit a proposal without the additional floor space.
5. The VPA would produce outcomes that meet the general values and expectations of the community, and protect the overall public interest. The provision, augmentation and improvement of public facilities by Council are an expectation of the community. The VPA provides Council with the financial resources to assist in the delivery.
6. The VPA promotes Council's strategic objectives as outlined in Clause 2.1 of Council's *Planning Agreements Policy*, particularly:
 - Objective 'a' – to provide an enhanced and more flexible development contributions system for Council. The VPA encourages flexibility by enabling a monetary contribution towards public facilities, to the mutual benefit of the developer and the community.
 - Objective 'b' – to supplement or replace, as appropriate, the application of s94 and s94A of the Act for development. The VPA supplements Council's Section 94A Plan because the VPA contribution is on top of established Section 94A contributions.
 - Objective 'e' – to lever planning benefits from development wherever possible. The VPA would facilitate the provision of public facilities, which represent a public benefit.
7. The VPA conforms to the fundamental principles governing the Council's use of planning agreements as set out in Clause 2.2 of the *Planning Agreements Policy*, particularly:
 - Principle 'a' – planning decisions may not be bought or sold through planning agreements. Council is not obliged to support the DA proposal and instead, each application must be considered on the individual merit.
 - Principle 'd' – Council will not use planning agreements for any purpose other than a proper planning purpose. The manner in which the VPA is proposed to be used is in accordance with Council's studies.
8. There are not considered to be any circumstances that may preclude the Council from entering into the VPA should it determine to do so.

Financial Implications

The VPA would provide for a monetary contribution of \$1,076,988.00 to Council towards the provision, augmentation and/or improvement of open space, community facilities, or other public

facilities. Council would be obliged under legislation to allocate the contribution and any return on its investment to the provision of, or recoupment of costs for, public facilities.

The provision of public facilities by Council would not coincide with the completion of the subject development, and would be undertaken at a time determined by Council at its discretion.

Conclusion

Council's endorsement is now sought to enter into a VPA for 180-186 Burwood Road and 7-9 Burleigh Street Burwood. The VPA would help secure a monetary contribution of \$1,076,988.00 for the allocation towards public facilities. It is recommended that arrangements be made for the execution of the VPA by Council authorising the signing of the agreement, after the granting of the consent of the DA but prior to the issue of the construction certificate, which would include a condition of consent on the DA requiring that the VPA be entered into.

Recommendation(s)

1. That Council enter into the VPA for Nos. 180-186 Burwood Road and 7-9 Burleigh Street Burwood for the provision of a monetary contribution of \$1,076,988.00 towards public facilities after the granting of the consent for the Development Application, which would include a condition of consent requiring that the VPA be entered into.
2. That Council authorise the General Manager to sign the VPA and any related documentation under his Power of Attorney.
3. That Council authorise the General Manager to endorse the minor revisions of the VPA documents prior to execution.
4. That the Developer pay the monetary contribution (dollar value dependant on the final determination of the Development Application in relation to floor space) to Council, on or before, the execution of the VPA by Council.

Attachments

- 1 Draft Voluntary Planning Agreement and Explanatory Note

Planning Agreement

180-186 Burwood Road and 7-9 Burleigh Street, Burwood

Parties

Burwood Council [ABN 84 362 114 428] of Suite 1, Level 2, 1-17 Elsie Street Burwood in the State of New South Wales

(Council)

and

Giant Project Group Pty Ltd [ACN 607 857 714] of Level 10, 11-15 Dean Street, Burwood in the State of New South Wales (registered office 47-49 Buckley Street, Marrickville)

(Developer)

and

The Greek Orthodox Parish & Community of Burwood & District Saint Nectaros Limited [ACN 001007807] of Railway Parade (Cnr Burleigh Street), Burwood in the State of New South Wales

(Owner)

Background

- A The Land is situated at 180-186 Burwood Road and 7-9 Burleigh Street, Burwood NSW.
- B The Developer is the registered proprietor of Lot 100 DP 1046417. The Owner is the registered proprietor of Lot 2 DP 741809,
- C On 28 July 2016 a Development Application was submitted by the Developer to Council for Development Consent for development to be carried out on the Land for the purpose of the demolition of the existing buildings and the construction of a mixed use development comprising commercial, residential and serviced apartments over basement car parking on the Land.
- D The Developer has prepared and submitted, in connection with the Development Application:
- (a) a statement of environmental effects and accompanying plans.
 - (b) a written request under clause 4.6 of the Burwood LEP 2012 seeking an exception to the 'height of building' development standards set out in clause 4.3 of the Burwood LEP 2012.
 - (c) a written request under clause 4.6 of the Burwood LEP 2012 seeking an exception to the 'floor space ratio' development standards set out in clause 4.4 of the Burwood LEP 2012.
 - (d) a written request under clause 4.6 of the Burwood LEP 2012 seeking an exception to the 'floor space ratio' development standards set out in clause 4.4A of the Burwood LEP 2012.
- E The Developer has also prepared and submitted, in connection with the Development Application, an offer by the Developer to enter into this Planning Agreement seeking approval for an additional 0.6:1 floor space ratio (FSR) over the maximum FSR for the Land, equating to a variation of 10%, in exchange for making a Development Contribution towards the Public Facilities if the Development Application is granted.
- F As contemplated by section 93F of the Act, the parties wish to enter into a Planning Agreement with respect to the 10% increase in FSR for the Land associated with the Development Application.

Operative Provisions

1. Definitions and Interpretation

1.1 Definitions

The following words have the corresponding meanings for the purposes of this Planning Agreement:

Act means the *Environmental Planning and Assessment Act 1979 (NSW)*, as amended, and includes any regulations made under the Act.

ATTACHMENT 1

ITEM /17 Draft Voluntary Planning Agreement - 180-186 Burwood Road and 7-9 Burleigh Street, Burwood.DOC Draft Voluntary Planning Agreement and Explanatory Note

Approval means any approvals, consents, section 96 modifications, Part 4A certificates or approvals under the Act, certificates, construction certificates, occupation certificates, complying development certificates, permits, endorsements, licences, conditions or requirements (and any variation to them) which may be required by this Planning Agreement or the Development Consent.

Authority means any government, local government, statutory, public, ministerial, administrative, fiscal or other authority or body, and includes the Independent Hearing Assessment Panel or such other consent authority as may be lawfully appointed and authorised to grant an Approval, including an accredited certifier defined under the Act.

Business Day means any day except for Saturday or Sunday or a day which is a public holiday in Sydney.

Construction Certificate means a certificate issued under Part 4A of the *Environmental Planning and Assessment Act 1979* (NSW) approving building work to be carried out on the Land for the whole or part of the work consented to under the Development Consent on the Land.

Dealing in relation to the Land means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

Development means the development of the Land in accordance with the Development Application as made by the Developer and any conditions of consent imposed by the Development Consent.

Development Application means Development Application No.D103/2016 lodged with Council on or about 28 July 2016.

Development Consent means the consent granted in connection with the Development Application.

Development Contribution means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit.

Explanatory Note means the Explanatory Note set out in **Schedule 1** of this Planning Agreement.

Force Majeure means any physical or material restraint beyond the reasonable control of the Party claiming force majeure.

GST has the meaning as in the GST Law.

GST law has the same meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of GST.

Land means land described in the certificate of title Lot 100 DP1046417 and Lot 2 DP741809

Law means:

- (a) the common law including principles of equity, and

ATTACHMENT 1

ITEM /17 Draft Voluntary Planning Agreement - 180-186 Burwood Road and 7-9 Burleigh Street, Burwood.DOC Draft Voluntary Planning Agreement and Explanatory Note

- (b) the requirement of all statutes, rules, ordinances, codes, instruments, regulations, proclamations, by-laws or consent by an Authority,

that presently apply or that may apply in the future.

Monetary Contribution means the sum of \$1,076,988.00 (one million and seventy-six thousand and nine hundred and eighty eight dollars), inclusive of GST (if applicable), representing \$1,100.00 x 979.08 sqm.

Party means a party to this Planning Agreement, including their successors and assigns.

Planning Agreement means this Planning Agreement.

Public Benefit means the Monetary Contribution.

Public Facilities means the augmentation or improving of open space, community facilities, or other public facilities as determined by the Council.

1.2 Interpretation

In the interpretation of this Planning Agreement, the following provisions apply unless the context otherwise requires:

- (a) headings are for convenience only and do not affect interpretation.
- (b) a reference to "person" includes an individual, the estate of an individual, a corporation, an Authority, an association or a joint venture (whether incorporated or unincorporated), a partnership and a trust.
- (c) a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation.
- (d) a reference to a party to the Agreement includes a reference to servants, representatives, agents, and contractors of the party.
- (e) a reference to a document (including this Planning Agreement) is to that document as varied, novated, ratified, supplemented or replaced from time to time.
- (f) a reference in this Planning Agreement to any Law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (g) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender.
- (h) a reference to a party, clause, schedule, exhibit, attachment or annexure is a reference to a party, clause, schedule, exhibit, attachment or annexure to or of this Planning Agreement, and a reference to this Planning Agreement includes all schedules, exhibits, attachments and annexures to it.
- (i) if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning.

ATTACHMENT 1

ITEM /17 Draft Voluntary Planning Agreement - 180-186 Burwood Road and 7-9 Burleigh Street, Burwood.DOC Draft Voluntary Planning Agreement and Explanatory Note

- (j) A reference to the word "include", "includes" or "including" is to be interpreted without limitations.
- (k) the Explanatory Note set out in this Planning Agreement is not to be used to assist in construing the Agreement.
- (l) a reference to "\$" or "dollar" is to Australian currency.

1.3 Compliance with New Laws

If a Law is changed or a new Law comes into force (both referred to as "New Law"), and the Developer is obliged by the New Law to perform certain works or pay an amount which it is required to do in accordance with this Planning Agreement or which was not contemplated at the time of entering into this Planning Agreement, then, to the extent that the relevant obligation is required under the New Law and the Agreement, compliance with the New Law will constitute compliance with the relevant obligation under this Planning Agreement.

2. Planning Agreement under the Act

The Parties acknowledge and agree that this Planning Agreement is a planning agreement within the meaning of section 93F of the Act and is governed by Part 4 of the Act.

3. Application of this Planning Agreement

The Planning Agreement applies to the Land.

4. Operation of this Planning Agreement

- (a) This Planning Agreement takes effect on the date of this Planning Agreement after execution by both parties, subject to clause 4(b).
- (b) This Planning Agreement will remain in force and effect until:
 - (a) it is terminated by operation of Law; or
 - (b) all obligations are performed or satisfied; or
 - (c) the Development Consent is surrendered in accordance with the Act; or
 - (d) it is otherwise discharged or terminated in accordance with the terms of this Planning Agreement.
- (c) If a legal challenge to the Development Consent by a third party results in the Development Consent being rendered invalid or otherwise unenforceable, then the Developer may, in their absolute discretion, either terminate this Planning Agreement or request the Council to consider changes to its terms.

5. Monetary Contribution

5.1 Monetary Contributions to be made under this Agreement

- (a) The Developer will pay to the Council the Monetary Contribution after Development Consent and prior to the issue of the Construction Certificate for the Development.

ATTACHMENT 1

ITEM /17 Draft Voluntary Planning Agreement - 180-186 Burwood Road and 7-9 Burleigh Street, Burwood.DOC Draft Voluntary Planning Agreement and Explanatory Note

- (b) The payment of the Monetary Contribution will be by way of the delivery of a bank cheque to the Council which must be:
 - (a) made payable to the Council; and
 - (b) in a form acceptable to the Council.
- (c) The Developer covenants and agrees not to make an application for the issue of any Construction Certificate until the Monetary Contribution required to be made to the Council hereunder has been paid.
- (d) Subsequent to payment of the Monetary Contribution, in the event the Development Consent is not taken up by the Developer or an application for the issue of the Construction Certificate is refused, Council will refund the amount of the Monetary Contribution to the Developer within 14 days of notice being given to Council by the Developer of such event.
- (e) Notwithstanding any refund of the Monetary Contribution pursuant to clause 5.1 of the Planning Agreement, the Planning Agreement shall continue to have effect.

5.2 Application of the Monetary Contribution

- (a) The Monetary Contribution paid by the Developer under this Agreement will be used by the Council to develop and provide Public Facilities.
- (b) The Public Facilities will:
 - (a) not be provided to coincide with the conduct or completion of the Development;
 - (b) be constructed at a time determined by the Council at its absolute discretion;
 - (c) be available for use by the general public and will not be restricted for use by owners, occupiers or patrons of the Development.

6. Application of the Act to the Development

This Planning Agreement does not exclude the application of:

- (a) sections 94 and 94A of the Act;
- (b) any Affordable Housing Levy;
- (c) any other monetary contributions;

in connection with the Development Application. Benefits under this Planning Agreement, are not to be taken into account in determining a development contribution under Section 94 or Section 94A of the Act.

ATTACHMENT 1

ITEM /17 Draft Voluntary Planning Agreement - 180-186 Burwood Road and 7-9 Burleigh Street, Burwood.DOC Draft Voluntary Planning Agreement and Explanatory Note

7. Registration of this Planning Agreement

7.1 The Developer and Owner covenant with the Council:

- (a) that prior to the issue of any Construction Certificate issued in connection with the Development Application, or within such further time as the parties hereto agree, they shall do all things reasonably necessary to obtain the consent to the registration of this Planning Agreement over the title to the Land pursuant to section 93H of the Act from all persons who have an interest in the Land;
- (b) that forthwith after receiving the consents specified in subclause (a) hereof they shall cause this Planning Agreement to be registered on the title of the Land;
- (c) that if this Planning Agreement is not registered on the title to the Land, and if the Owner should propose to sell the Land or any part thereof then it shall:
 - (i) within seven (7) days of listing the land or any part thereof for sale, either through an agent or privately, notify the Council of such intention;
 - (ii) as a condition of any sale, require that the incoming purchaser enter into with Council a like agreement to this present Planning Agreement in which substantially the same covenants as set out herein shall apply;
 - (iii) within seven (7) days of exchange of contracts, notify the Council of the sale and provide the Council with a copy of the contract;
 - (iv) within twenty one (21) days of receipt from the Council of a replacement agreement between the Council and the purchaser substantially in the form of this Planning Agreement, have it executed by the purchaser and return it to the Council;
 - (v) that if this Planning Agreement is not registered on the title to the Land, and if the Developer and/or Owner should propose otherwise than by sale to transfer or assign its interest in the Land or any part thereof to a transferee or assignee, then they shall before effecting such assignment or transfer have the incoming transferee or assignee enter into an agreement with the Council substantially in the form of this Planning Agreement insofar as concerns the interest assigned or transferred and shall provide same to the Council.

7.2 The Developer and Owner further covenant and agree with the Council that pending the registration of this Planning Agreement on the title of the Land as required by clause 7, the Council shall be entitled to register a caveat at the Land & Property Management Authority over the title to the Land to protect its interest therein pursuant to this Planning Agreement.

8. Dealing with the Development Property

The Parties acknowledge and agree that nothing in this Planning Agreement abrogates, fetters or in any way prevents the Developer and/or Owner from selling, transferring, assigning, subdividing, mortgaging, charging, encumbering or otherwise dealing with any part of the Land .

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9. GST

9.1 Interpretation

In this clause 9 words and expressions which are not defined in this Planning Agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.

9.2 Consideration GST exclusive

Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this Planning Agreement are exclusive of GST.

9.3 Payment of GST - additional payment required

- (a) If GST is payable by an entity (**Supplier**) in respect of any supply made under this Planning Agreement (**Relevant Supply**), then the party required under the other provisions of this Planning Agreement to provide the consideration for that Relevant Supply (**Recipient**) must pay an additional amount to the Supplier (**GST Amount**), as calculated under clause 9.3(b).
- (b) To the extent that the consideration to be provided by the Recipient for the Relevant Supply under the other provisions of this Planning Agreement is a payment of money, the Recipient must pay to the Supplier an additional amount equal to the amount of the payment multiplied by the rate of GST for that Relevant Supply.
- (c) To the extent that the consideration payable by the Recipient is a taxable supply made to the Supplier by the Recipient, no additional amount shall be payable by the Recipient to the Supplier on account of the GST payable on that taxable supply.
- (d) The Recipient will pay the GST Amount referred to in this clause 9.3 in addition to and at the same time as the first part of the consideration is provided for the Relevant Supply.

9.4 Tax invoice

The Supplier must deliver a tax invoice to the Recipient before the Supplier is entitled to payment of the GST Amount under clause 9.3. The Recipient can withhold a payment of the GST Amount until the Supplier provides a tax invoice.

9.5 Adjustment event

If an adjustment event arises in respect of a taxable supply made by a Supplier under this Planning Agreement, the amount payable by the Recipient under clause 9.3 will be recalculated to reflect the adjustment event and a payment will be made by the Recipient to the Supplier or by the Supplier to the Recipient as the case requires.

9.6 Reimbursements

Where a party is required under this Planning Agreement to pay or reimburse an expense or outgoing of another party, the amount to be paid or reimbursed by the first party will be the sum of:

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- (a) the amount of the expense or outgoing less any input tax credits in respect of the expense or outgoing to which the other party, or to which the representative member for a GST group of which the other party is a member, is entitled; and
- (b) any additional amount payable under clause 9.3 in respect of the reimbursement.

10. Dispute Resolution

10.1 Reference to Dispute

If a dispute arises between the parties in relation to this agreement, the parties must not commence any Court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

10.2 Notice of Dispute

The party wishing to commence the dispute resolution process, must give written notice (**Notice of Dispute**) to the other parties of:

- (a) The nature of the dispute,
- (b) The alleged basis of the dispute, and
- (c) The position which the party issuing the Notice of Dispute believes is correct.

10.3 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 10 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified dispute.
- (b) The parties may, without limitation:
 - (i) resolve the dispute during the course of that meeting,
 - (ii) agree that further material or expert determination in accordance with clause 10.6 about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for resolution; or
 - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

10.4 Further Notice if Not Settled

If the dispute is not resolved within 10 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (Determination Notice) by mediation under clause 10.5 or by expert determination under clause 10.6.

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10.5 Mediation

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) The parties must agree to the terms of reference of the mediation within 10 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply;
- (b) The mediator will be agreed between the parties, or failing agreement within 10 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (c) The mediator appointed pursuant to this clause 10.5 must:
 - (i) Have reasonable qualifications and practical experience in the area of the dispute; and
 - (ii) Have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) The parties must within 10 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation;
- (f) The parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) In relation to costs and expenses:
 - (i) Each party will bear its own professional and expert costs incurred in connection with the mediation; and
 - (ii) The costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

10.6 Expert determination

If the dispute is not resolved under clause 10.3 or clause 10.5, or the parties otherwise agree that the dispute may be resolved by expert determination, the parties may refer the dispute to an expert, in which event:

- (a) The dispute must be determined by an independent expert in the relevant field:
 - (i) Agreed upon and appointed jointly by the parties; and

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- (ii) In the event that no agreement is reached or no appointment is made within 10 Business Days of the agreement to refer the dispute to an expert, appointed on application of a party by the then President of the Law Society of New South Wales;
- (b) The expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) The expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) Each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and
- (f) Any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
 - (i) Within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and commences litigation; or
 - (ii) The determination is in respect of, or relates to, termination or purported termination of this agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal.

10.7 Litigation

If the dispute is not *finally* resolved in accordance with this clause 10, then either party is at liberty to litigate the dispute.

10.8 No suspension of contractual obligations

Subject to any interlocutory order obtained under clause 10.1, the referral to or undertaking of a dispute resolution process under this clause 10 does not suspend the parties' obligations under this agreement.

11. Enforcement

11.1 Default

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party **(Default Notice)** giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the

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continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.

- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 10 of this agreement.

11.2 Restriction on the issue of Certificates

In accordance with section 109F of the Act and clause 146A of the Regulation the obligation to pay the Monetary Contributions under this agreement must be satisfied prior to the issue of a Construction Certificate for the Development or any part of the Development.

11.3 General Enforcement

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this agreement prevents:
 - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
 - (ii) the Council from exercising any function under the Act or any other Act or Law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

12. Acknowledgements

The Developer and Owner acknowledge that the Council may include a notation on Planning Certificates under section 149 (5) of the Act in relation to this Agreement.

13. Notices

- (a) Any notice, consent, information, application or request that must or may be given or made to a Party under this Planning Agreement is only given or made if it is in writing and sent in one of the following ways:
 - (a) delivered or posted to that Party at its address set out below.
 - (b) faxed to that Party at its fax number set out below.
 - (c) emailed to that party at its email address set out below.

Council

Attention: The General Manager

Address: Suite 1, Level 2, 1-17 Elsie Street, Burwood NSW 2134

Post: PO Box 240, Burwood NSW 1805

Fax Number: (02) 9911 9900

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Email: council@burwood.nsw.gov.au

Developer

Attention: George Elias

Address: Level 10, 11-15 Deane Street, Burwood NSW 2134

Post: As above.

Fax Number:

Email: George@urbanapartments.com.au

Owner

Attention: Mr Steve Kourepis, Director

Address: 7-9 Burleigh St Burwood NSW 2134

Post: 7-9 Burleigh St Burwood NSW 2134

Fax Number:

Email: skourepis@gmail.com

- (b) If a Party gives another Party 3 Business Days notice of a change of its address, or fax number, any notice, consent, information, application, or request is only given or made by that other Party if it is delivered, posted, or faxed to the latest address or fax number.
- (c) Any notice, consent, information, application or request is to be treated as given or made at the following time:
 - (a) if it is delivered, when it is left at the relevant address;
 - (b) if it is sent by post, 2 Business Days after it is posted;
 - (c) if it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.
- (d) If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a Business Day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next Business Day.

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14. General

14.1 Entire agreement

This Planning Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, anything said or done by another Party, agent or employee of the Party, before this Planning Agreement was executed, except as permitted by Law.

14.2 Further acts

Each party must promptly sign and execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Planning Agreement and all transactions incidental to it, including giving an approval or consent.

14.3 Governing Law and Jurisdiction

This Planning Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

14.4 Joint and individual liability and benefits

Except as otherwise set out in this Planning Agreement, any agreement, covenant, representation or warranty under this Planning Agreement by two or more persons binds them jointly and each of them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

14.5 No fetter

Nothing in this Planning Agreement is to be construed as requiring a Council to do, or refrain from doing, anything that would cause it to be in breach of any of its obligations at Law, and without limitation, nothing in this Planning Agreement is to be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

14.6 Representations and warranties

The Parties represent and warrant that they have power to enter into this Planning Agreement and comply with their obligations under this Planning Agreement and that entry into this Planning Agreement will not result in the breach of any Law.

14.7 Severability

- (a) If any part of this Planning Agreement can be read in any way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- (b) If any part of this Planning Agreement is illegal, unenforceable or invalid, that part is to be treated as removed from this Planning Agreement, but the rest of this Planning Agreement is not affected.

14.8 Release and Discharge

- (a) To the extent the Developer and Owner have :

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- (i) satisfied its obligations under this Planning Agreement; or
- (ii) the Agreement no longer applies as a consequence of any event referred to in clause 4(b) of this Planning Agreement;

the Council will provide a release and discharge of this Planning Agreement with respect to any part of, or the whole of, the Land.

- (b) To the extent the Developer and Owner have:

- (i) satisfied all of its obligations under this Planning Agreement in respect of that part of the Land; or
- (ii) the Planning Agreement no longer applies as a consequence of any event referred to in clause 4(b) of this Planning Agreement;

the Council will provide a release and discharge of this Planning Agreement with respect to any part of the Land:

- (iii) if the Developer and/or Owner requests a partial release and discharge of this Planning Agreement for the purpose of selling part of the Development Property; or
 - (iv) if the Developer and/or Owner requests a partial release and discharge of this Planning Agreement in connection with the completion of a sale contract for a Lot forming part of the Development.
- (c) The Council will execute any form, and supply such other information, as is reasonably required to enable the removal of the Agreement from the title to the Land or part of the Land in accordance with this clause 14.8.

14.9 Modification, Review and Replacement

- (a) No modification of this Planning Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Planning Agreement.
- (b) The Parties agree that this Planning Agreement may be reviewed or modified in the circumstances using their best endeavours and acting in good faith, and in accordance with this clause 14.9.
- (c) Any review or modification will be conducted in the circumstances and in the matter determined by the Parties and in accordance with the provisions of the Act and Regulations. For clarity, no such review or replacement shall have any force or effect unless and until formal documents are signed by the Parties in accordance with this clause 14.9.

14.10 Waiver

The fact that a Party fails to do, or delays in doing, something the Party is required or entitled to do under this Planning Agreement, does not amount to a waiver of any obligation by another Party.

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14.11 Confidentiality

The Parties agree that the terms of this Planning Agreement are not confidential and this Planning Agreement may be treated as a public document and exhibited or reported without restriction by any Party.

14.12 Assignment and Novation

- (a) This Planning Agreement may be assigned or novated by the Developer and/or Owner in accordance with any dealings the Developer and/or Owner may have with respect to their interests in the Land without requiring the Developer and/or Owner to obtain Council's Approval in respect of either the dealing or the assignment or the novation of this Planning Agreement.
- (b) Council agrees to execute any deeds of assignment or novation or other documents necessary to assign, novate or otherwise transfer all of the Developer and/or Owner's rights and obligations under the Agreement to a successor as contemplated by the agreement.

14.13 Force Majeure

- (a) If a Party is unable by reason of force majeure to carry out wholly or in part its obligations under the Agreement, it must give to the other Party prompt notice of the force majeure with reasonably full particulars.
- (b) The obligations of the Parties so far as they are affected by the force majeure are then suspended during continuance of the force majeure and any further period as may be reasonable in the circumstances.
- (c) The Party giving such notice under this clause must use all reasonable effort and diligence to remove the force majeure or ameliorate its effects as quickly as practicable.
- (d) If the Parties are unable to agree on the existence of an event of force majeure or the period during which the obligations of the Parties are suspended during the continuance of the force majeure, that dispute must be referred for determination under the Agreement.

14.14 Counterparts

This Planning Agreement may be executed in counterparts. All counterparts when taken together are to be taken to constitute one instrument.

15. Costs

- (a) The Developer will pay its costs directly related, and incidental to negotiating, preparing, executing, stamping and registering the Planning Agreement, including any costs of lodging/removing caveats on the title to the Land.
- (b) The Developer will pay Council's reasonable legal costs not exceeding \$5,000.00 (five thousand dollars) directly related, and incidental to negotiating, preparing, executing, stamping and registering the Planning Agreement and of drafting, registering and removing caveats on the title to the Land.

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16. Explanatory Note

The Explanatory Note put on exhibition with this Planning Agreement is not to be used in construing the terms of the Planning Agreement.

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Execution Page

Dated:

Executed as an Agreement

Signed for and behalf of **Burwood Council** by its attorney, **Michael Gerard McMahon**, under Power of Attorney dated 6 July 2011 registered book 4615 number 590 in the presence of:

Signature of Witness

Signature of Attorney

Michael Gerard McMahon

(Print) Name of Witness

(Print) Name of Attorney

Level 2, 1-17 Elsie Street, Burwood,
New South Wales, 2134

By executing this document, the attorney certifies that he has not received notification of revocation of the power of attorney.

On behalf of Giant Project Group Pty Ltd

Giant Project Group Pty Ltd
ACN 607 857 714 executed this agreement pursuant to s127 of the Corporations Act

Signature of Director/Secretary

Signature of Director

Print Full Name of Director / Secretary

Print Full Name of Director

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On behalf of The Greek Orthodox Parish & Community of Burwood & District Saint Nectarios Limited

**The Greek Orthodox Parish
& Community of Burwood &
District Saint Nectarios
Limited ACN 001007807**

executed this agreement
pursuant to s127 of the
Corporations Act

Signature of Director/Secretary

Signature of Director

Print Full Name of Director /
Secretary

Print Full Name of Director

.....

Date

Schedule 1

Planning Agreement - Explanatory Note

Planning Agreement - Explanatory Note

180-186 Burwood Road and 7-9 Burleigh Street, Burwood

The Developer has submitted a Planning Agreement in connection with Development Application No.D103/2016, lodged with Council on or about 28 July 2016, pertaining to the proposed redevelopment of 180-186 Burwood Road and 7-9 Burleigh Street, Burwood NSW, made pursuant to Section 93F of the *Environmental Planning and Assessment Act 1979* (NSW) (EPA Act) . This is the Explanatory Note accompanying that Planning Agreement, prepared pursuant to Clause 25E of the *Environmental Planning and Assessment Regulation 2000* (NSW) (EPA Regulation).

1. Parties

The parties to the Planning Agreement are:

Burwood Council [ABN 84 362 114 428] of Suite 1, Level 2, 1-17 Elsie Street Burwood in the State of New South Wales (**Council**)

and

Giant Project Group Pty Ltd [ACN 607 857 7214] of Level 10, 11-15 Dean Street, Burwood in the State of New South Wales (**Developer**)

and

The Greek Orthodox Parish & Community of Burwood & District Saint Nectaros Limited [ACN 001007807] of Railway Parade (Cnr Burleigh Street), Burwood in the State of New South Wales (**Owner**)

2. Description of Subject Land

The land to which the Planning Agreement relates is as follows:

Lot 100 DP1046417, and

Lot 2 DP741809

known as 180-186 Burwood Road and 7-9 Burleigh Street, Burwood NSW. The Developer is the registered proprietor of Lot 100 DP 1046417. The Owner is the registered proprietor of Lot 2 DP 741809.

3. Description of Proposed Development

The Developer has lodged a Development Application for the Land which proposes a 19 storey commercial tower (fronting Burwood Road) and a 21 storey mixed use tower (fronting Burleigh Street) comprising 57 residential apartments and 15 serviced apartments, above a podium base over basement car parking for 109 vehicles. The Development Application includes a voluntary planning agreement for financial contribution to Council as a public benefit as part of the Development Application seeking approval for an additional 979.08 sqm of floor space area above what the Burwood LEP would normally allow overall.

4. Summary of Objectives, Nature and Effect of the Planning Agreement

[Clause 25E(1)(a) of the EPA Regulation]

The intent of the Planning Agreement is to ensure that public benefits are provided in the form of provision, augmentation or improvement of open space, community facilities or other public facilities as determined by Council.

The Planning Agreement requires the Developer to make Monetary Contribution to the Council for an amount of **\$1,076,988.00** (one million and seventy-six thousand and nine hundred and eighty eight dollars), inclusive of GST (if applicable), representing \$1,100.00 per square metre (979.08 sqm) of FSR in excess of the permitted FSR limit for the Land, payable by the Developer prior to the issue of a Construction Certificate for the Development Application.

5. Assessment of the Merits of the Planning Agreement

[Clause 25E(1)(b) of the EPA Regulation]

5.1 The planning purposes served by the Planning Agreement

[Clause 25E(2)(e) of the EPA Regulation]

The Planning Agreement serves the following planning purpose:

- The Monetary Contribution paid by the Developer under this Planning Agreement will be used by Council to provide, augment, or improve open space, community facilities, or other public facilities as determined by Council.

Whether the Planning Agreement provides for a reasonable means of achieving that purpose:

- (i) Council has conducted an Urban Design Study which revealed that in parts of the Burwood Town Centre, including the area in which the Land is located, there is some potential for a maximum increase of 10% in FSR. Council also has in place a Burwood Community Facilities and Open Space Study which identified public benefit requirements in the Burwood Local Government Area.
- (ii) The Planning Agreement will secure a considerable material benefit to the public as the Council is to use, or put the Monetary Contribution towards, the provision of material benefits such as civil infrastructure, public domain upgrades and facilities for the Burwood Town Centre, which will not only benefit the users and those in the immediate vicinity of the Burwood Town Centre but the wider Burwood population. This is considered to be a substantial public benefit and the Planning Agreement achieves this objective of delivering the benefit.

5.2 Promotion of the public interest and the objects of the EPA Act

[Clause 25E(2)(a) and (c) of the EPA Regulation]

The Planning Agreement promotes the public interest by:

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- Ensuring the orderly use and development of land by ensuring that public benefits are provided where a development site achieves excess FSR.

The Planning Agreement promotes one or more of the objects of the EPA Act as follows:

- (i) The proper management and development of land for the purpose of promoting the social and economic welfare of the community and a better environment;
- (ii) The provision and co-ordination of community services and facilities; and
- (iii) Opportunities for public involvement and participation in environmental planning and assessment.

5.3 Promotion of the Council's charter

[Clause 25E(2)(d) of the EPA Regulation]

The Planning Agreement promotes one or more of the elements of Council's charter under Section 8 of the *Local Government Act 1993* (NSW) as follows [italicised sections come directly from the Charter]:

- (i) Council undertakes to provide *adequate, equitable and appropriate services for the community*. The Planning Agreement provides the monetary resources to assist Council in the provision of civil infrastructure, public domain upgrades and facilities for the augmentation, or improvement of open space, community facilities, and other public facilities for the Burwood Town Centre and ensures that those *facilities are managed efficiently and effectively*. Council is the *custodian and trustee of public assets* and has a responsibility to *effectively plan for, account for, and manage the assets*.
- (ii) Council undertakes to involve *councillors, members of the public, users of facilities and services, and council staff* in its activities. The Planning Agreement process provides an opportunity for the community and stakeholders to be involved and interested people are invited to make comment during the exhibition period. The public exhibition and the consideration of this matter at Council meetings is intended to *keep the local community informed*.

5.4 Capital Works Program

[Clause 25E(2)(f) of the EPA Regulation]

Whether Council has a capital works program, and if so, whether the Planning Agreement conforms with or promotes that capital works program:

- Council has in place a capital works program, but the program does not, to date, identify public benefits within the Burwood Town Centre.
- Council has prepared a Burwood Community Facilities and Open Space Study which identifies works and improvements to community facilities and open space to be carried out as a direct result of the Urban Design Study. These are known as public benefits. This study will inform the capital works program as it is reviewed annually where those public benefits will be included within the capital works program including when and where sufficient funds are available.

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5.5 Whether the draft Planning Agreement specifies that certain requirements must be complied with before a construction certificate is issued.

The draft Planning Agreement provides that the Monetary Contribution be paid prior to the issue of a Construction Certificate for the proposed development.

(ITEM 45/17) CONSULTATION WITH LANDOWNERS REGARDING PLANNING CONTROLS FOR WESTERN SIDE OF BYER STREET AND NOS. 12A, 14, 16 AND 18 PLYMOUTH STREET, ENFIELD

File No: 16/50769

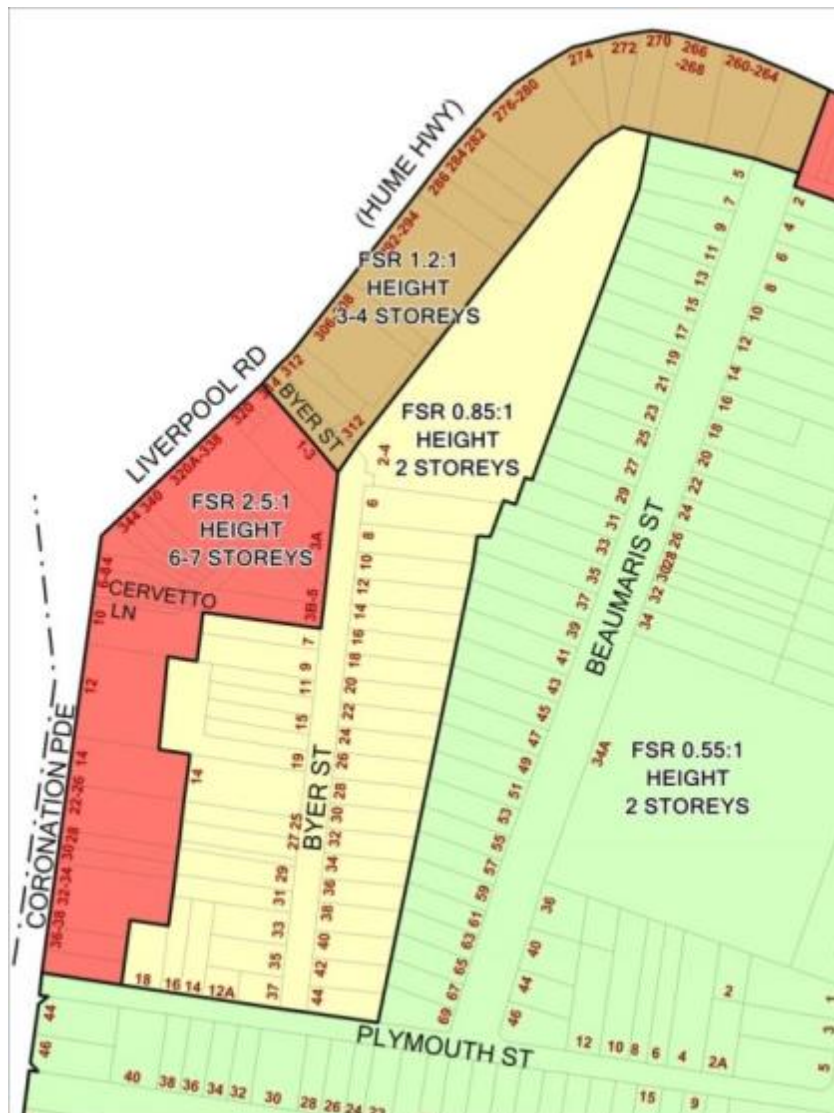
REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

Council had previously investigated the planning controls for properties in Byer Street and part of Plymouth Street Enfield. Council subsequently resolved to allow floor space ratio (FSR) and building height increases for Nos. 7-37 Byer Street and Nos. 12A, 14, 16 and 18 Plymouth Street, with a road widening at the front of Nos. 7-37 Byer Street, and consult with landowners in the area. This report outlines the proposed planning controls and results of the landowners' consultation. It is recommended that no further works be undertaken on this matter.

Background

Council had been investigating the floor space ratio (FSR) and building height controls in the Byer and Plymouth Streets Enfield area. The current FSR and building height controls in the area are shown in the diagram below.



Current FSR and Building Height Controls

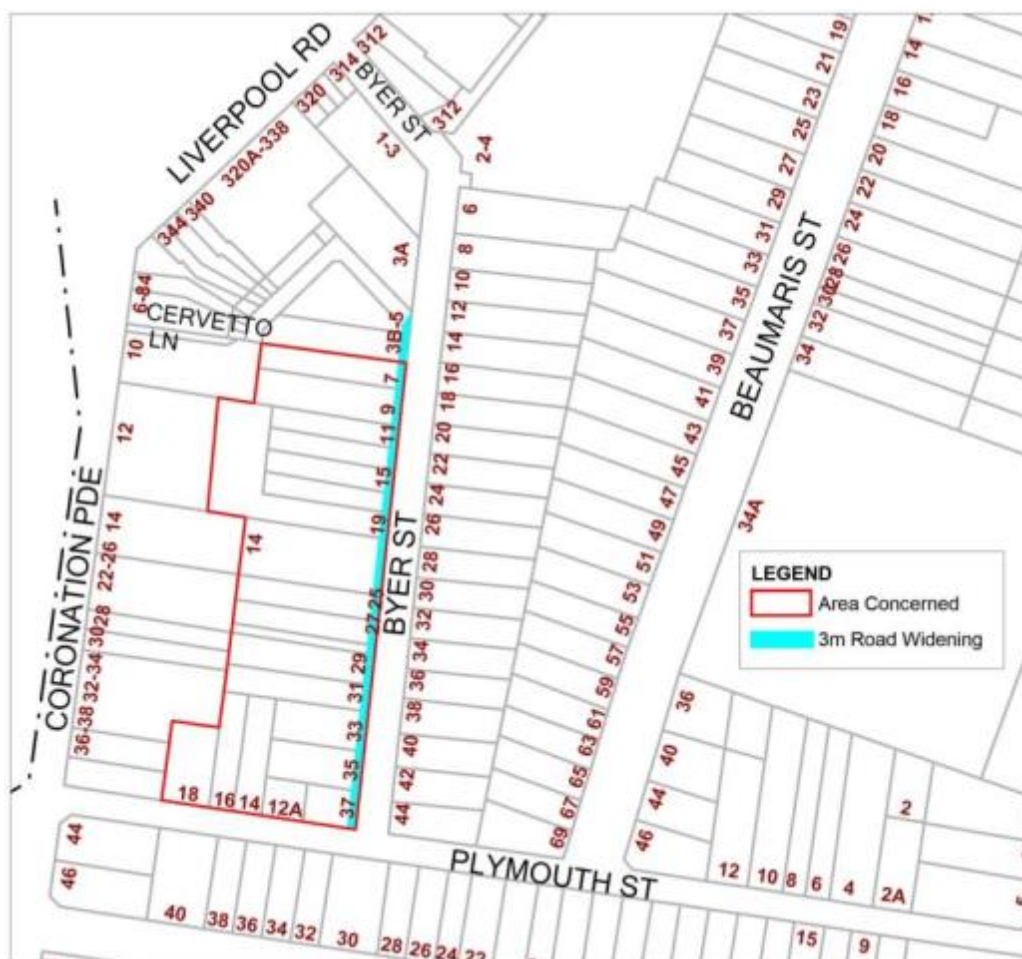
A timeline for investigating the planning controls for the area is as follows:

- At its Extraordinary Meeting on 15 May 2012, Council resolved to endorse the then draft Burwood Local Environmental Plan (BLEP) with minor amendments for finalisation, and to conduct a resident survey concerning a possible increase in density as per a residents' petition received during the public exhibition of the draft BLEP.



Council on 15 May 2012 Resolved to Conduct a Resident Survey for Land as Shown

- In November 2013, a survey of landowners within the area as shown was conducted.
- On 2 June 2014, the results of the survey were presented to a Councillor Workshop.
- Following the Councillor Workshop, consultants were engaged to undertake the urban design, traffic and development feasibility analysis.
- At its Meeting of 28 September 2015, Council resolved to allow development of four storeys in height and a maximum FSR of 1.5:1 to 2:1 for the western side of Byer Street, i.e. Nos. 7-37 Byer Street and Nos. 12A, 14, 16 and 18 Plymouth Street, Enfield. Council also resolved to include road widening on the western side of Byer Street and seek expert advice regarding the suggested building height and FSR controls.

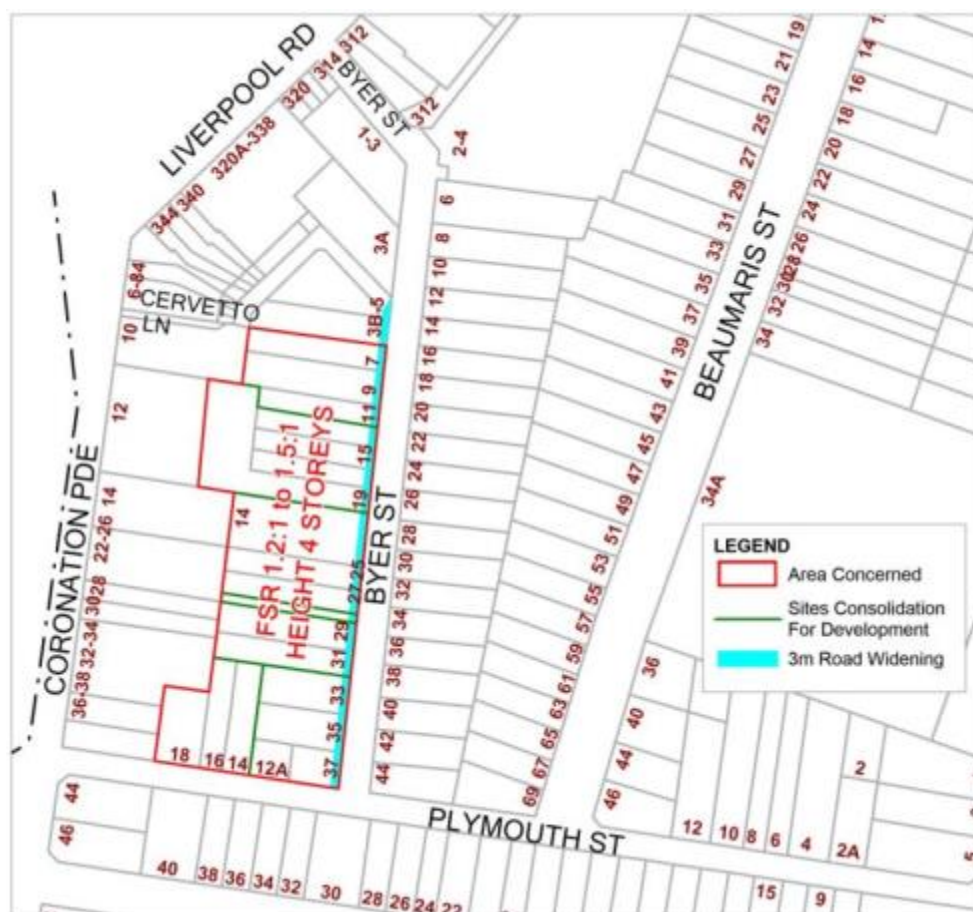


Council on 28 September 2015 Resolved to Change Planning Controls
for Western Side of Byer Street

- Following the above Council resolution, the urban design consultant conducted further analysis, which was the subject of a peer review.
- At its Meeting of 22 March 2016, Council resolved to adopt a tiered FSR control as recommended by the peer review consultant, subject to a further review of the minimum width of 28m for amalgamated lots. Council also resolved to consult with landowners of the properties directly affected and adjacent, and that results of this consultation be reported back to Council prior to the preparation of a Planning Proposal (PP).
- Following the above Council resolution, the minimum width of 28m for amalgamated lots was reviewed by a third urban design consultant. The conclusion was that the minimum width of 28m should be adopted, and that sites of less than 28m wide could be considered if privacy objectives are achieved.

Proposal

The planning controls which were recommended and site tested by the consultants and were adopted in principal by Council are shown in the diagram below:



Proposed FSR and Height Controls

The proposed planning controls are as follows:

- For development of individual properties without site consolidation, no change to the current FSR and building height controls which are: a maximum FSR of 0.85:1 and a maximum building height of two storeys.
- For properties that are consolidated as suggested, or have achieved a minimum site width of 28m, a maximum FSR of 1.2:1 and a maximum building height of four storeys would be allowed, subject to full compliance with requirements of the State Government and Council for residential flat/apartment buildings. Site width of less than 28m must demonstrate meeting the privacy objectives.
- The maximum FSR may be increased to 1.5:1, and the maximum building height of four storeys to remain, if the development on a consolidated site can still demonstrate full compliance with the requirements of the State Government and Council. Again site width of less than 28m must demonstrate meeting the privacy objectives.
- A road widening of 3m on the western side of Byer Street is proposed. This should not affect the development potential of the properties as the area affected by the road widening can be included in the site area and FSR calculations. Land dedication for road widening would be undertaken in conjunction with development of the properties concerned.

Consultation

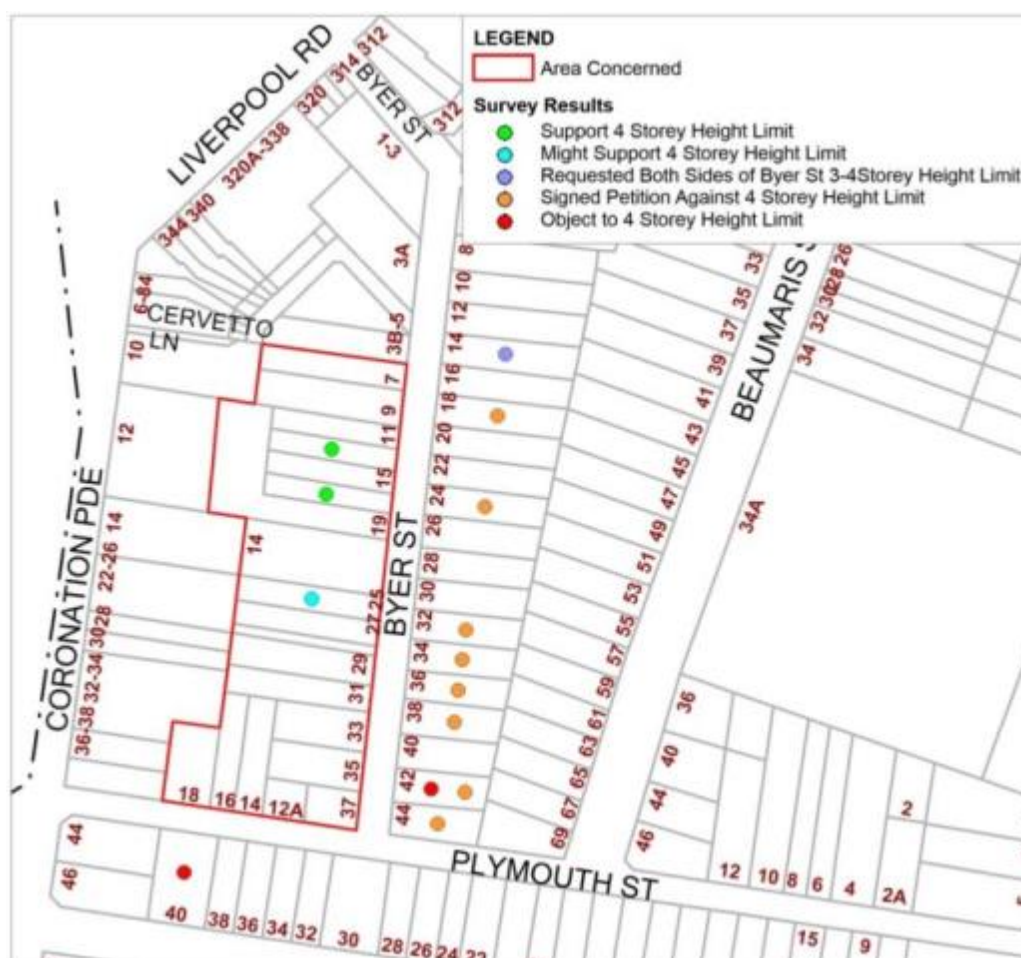
On 8 September 2016 approximately 100 letters were sent to the landowners in the area seeking their comment on the abovementioned proposal by 7 October 2016.

Seven submissions, including a petition with eight signatures have been received in response:

Submission from	Issues Raised	Planning Comment
Eight properties on eastern side of Byer Street (petition with eight signatures)	<ul style="list-style-type: none"> ▪ Object to the proposal on congestion, overshadowing and property devaluation for the eastern side of Byer Street. ▪ The proposed road widening of 3m on the western side of Byer Street is a 'sweetener' and developers will find a way around it. ▪ If Council proceeds with the proposal, it is intended to escalate this issue to a higher level. 	<ul style="list-style-type: none"> ▪ Traffic analysis conducted by consultant has recommended traffic improvement measures, including the widening of Byer Street, to alleviate the impact of development on traffic should the proposed planning controls eventuate. ▪ Future development on the western side of Byer Street if based on the proposed planning controls, could cast shadows on the front part of the properties on the eastern side of Byer Street in the afternoon on winter solstice.
A property on western side of Byer Street	<ul style="list-style-type: none"> ▪ May support the proposal mainly due to Coronation Parade allowing six to seven storey development. ▪ Suggest Council to have an open forum with affected residents. ▪ Raise the concerns of privacy and overshadowing (from Coronation Parade), congestion and narrowness of Byer Street, lack of parking, and getting repressed around multiple storey buildings. 	<ul style="list-style-type: none"> ▪ The proposal to allow up to four storey high development on the western side of Byer Street would reduce the contrast on the interface of properties in Coronation Parade and Byer Street. ▪ All people who have made a submission to Council will be notified of the Council Meeting and the opportunity to address Council at the Meeting. ▪ The concerns raised are acknowledged. The proposal, if proceeding to finalisation, could see a change of built form and streetscape character in Byer Street and western section of Plymouth Street.
A property on eastern side of Byer Street:	<ul style="list-style-type: none"> ▪ Request that (both sides of) Byer Street be subject to a height limit of three to four storeys, given that there have been two storey townhouses and up to six storey high units in the street. 	<ul style="list-style-type: none"> ▪ The option of increasing the building height limit on both sides of Byer Street was considered by Council, which has resolved to allow an increase for the western side of Byer Street only. An increase for the eastern side of Byer Street would create further impact on properties in Beaumaris Street, which is lower than Byer Street in contour levels.
A property from eastern side of Byer Street:	<ul style="list-style-type: none"> ▪ Object to the proposal on property devaluation, overshadowing, increase in traffic, difficult parking, noise, pollution and danger to the 	<ul style="list-style-type: none"> ▪ The objection and concerns are acknowledged. Refer to comments made earlier.

Submission from	Issues Raised	Planning Comment
	elderly and children from heavy traffic and loss of current streetscape character.	
A property from Mina Rosa Street	<ul style="list-style-type: none"> Object to the proposal on privacy, overlooking and the spoiling of the Enfield suburb as a family area with the park and swimming pool close by. 	<ul style="list-style-type: none"> The objection and concerns are acknowledged. Refer to comments made earlier.
Two properties on the western side of Byer Street	<ul style="list-style-type: none"> Support the proposal 	<ul style="list-style-type: none"> Noted.

The diagram below provides a snapshot of the landowners consultation.



Results of Consultation with Landowners in the Area

Planning or Policy Implications

The proposal would provide a transition from the higher rise development in Coronation Parade to the low rise dwelling houses in Beaumaris Street which is located to the east of Byer Street. The impact of development in Coronation Parade on the interface with the western side of Byer Street would be less stark.

The suggested maximum FSR would only be available with amalgamation, or the existing FSR (0.85:1) and building height limits (two storeys) would continue to apply.

Should Council decide to proceed with the proposal, a PP needs to be prepared to go through the State Government's gateway process. It is likely that the PP preparation will be complicated as the State Government may have an issue with the tiered planning control approach adopted by Council.

The seven submissions received of the approximate 100 letters sent out suggest a very low response rate from landowners in the area. Two of the seven submissions expressed a support of the proposed planning controls, suggesting a lack of strong support.

Further progression of the proposed planning controls could not be justified in view of the amount of potential work ahead in preparing a PP to go through the State Government's gateway process, as well as the low response and lack of strong support from the landowners consultation.

Financial Implications

The project has incurred approximately \$27,000 (excluding GST) on urban design, traffic and development feasibility analysis and peer reviews. Consultation with landowners and reporting to Council have been undertaken in-house with existing staff resources.

Conclusion

Council's resolution is sought not to progress the matter further.

Recommendation(s)

1. That Council note the results of the landowners' consultation regarding the proposed planning controls for the western side of Byer Street and Nos. 12A, 14, 16 and 18 Plymouth Street, Enfield.
2. That progression of the proposed planning controls by the preparation of a Planning Proposal is not recommended in view of the amount of potential work ahead, and the low response and lack of strong support from landowners in the area.
3. That the landowners who have made a submission to Council on the matter be advised of the Council resolution in writing.

Attachments

There are no attachments for this report.

(ITEM 46/17) 16 WHITE STREET (PART) STRATHFIELD - LAND ACQUISITION FOR ROAD WIDENING

File No: 17/18387

REPORT BY DEPUTY GENERAL MANAGER CORPORATE, GOVERNANCE & COMMUNITY

Summary

In 2011 and 2013 St John of God Health Care Incorporated advised that Council had acquired part of 16 White Street, Strathfield from them for the purpose of road widening in 1970. Further investigation revealed that the road widening had in fact taken place, but Council has no record of formally acquiring the land. St John of God Health Care Inc have now requested that the land be officially transferred to Council's ownership.

Background

By letters dated 3 June 2011 and 5 July 2013, St John of God Health Care Inc have requested that the land known as part 16 White Street, Burwood, acquired by Council for road widening, be formally transferred to Council's name. St John of God Health Care Inc have not asked for any monetary consideration for this transfer.

A search of Council records revealed that the lot now known as Lot 1 DP 542364 was part of a subdivision of 16 White Street in 1970. The road widening has taken place but no record of Council acquiring the land can be found.

Council arranged for a survey of the land in July 2016 which confirmed the dimensions of the lot and that the ownership is still in the name of St John of God Health Care Inc.

Proposal

Council obtained legal advice on this matter and that advice recommended that Council have the land known as Lot 1 DP 542364 transferred to its name and then have a notice published in the Government Gazette dedicating such land as a public road. Because the land is being acquired for a public road, it is not required to be classified as operational land.

It is proposed that Council implement this advice.

Consultation

In accordance with S. 377 (1)(h) of the *Local Government Act 1993*, any exchange of land is one that cannot be delegated and accordingly the decision must be made by Council resolution.

Planning or Policy Implications

As the road widening has already taken place there are no planning or policy implications.

Financial Implications

The legal advice is that the transfer be for nil consideration (\$1 if required).

Conclusion

Following on from the request by St John of God Health Care Inc to transfer Lot 1 DP 542364 to Council for road widening purposes, and because such road widening has already taken place, it is proposed that Council approve the transfer of land to Council's name for nil consideration and the land be dedicated as a public road.

Recommendation(s)

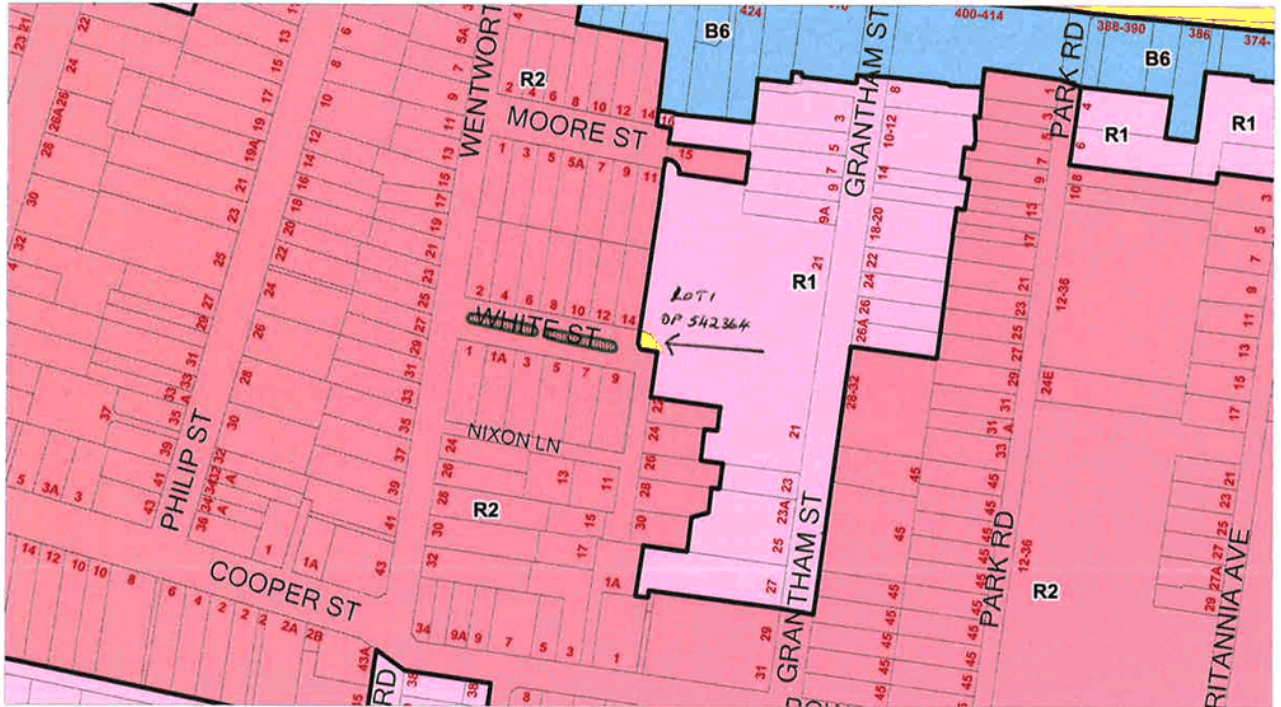
1. That approval be given for the transfer of land being part 16 White Street Strathfield known as Lot 1 DP 542364 from St John of God Health Care Inc to Council for nil consideration (\$1 if required), and that such land be dedicated as a public road.
2. That the General Manager be authorised to sign all relevant documents under Power of Attorney.

Attachments

- 1 16 White Street Map

ATTACHMENT 1

ITEM /17 16 White Street (part) Strathfield - Land Acquisition for road widening.DOC
16 White Street Map



Higgins Surveyors

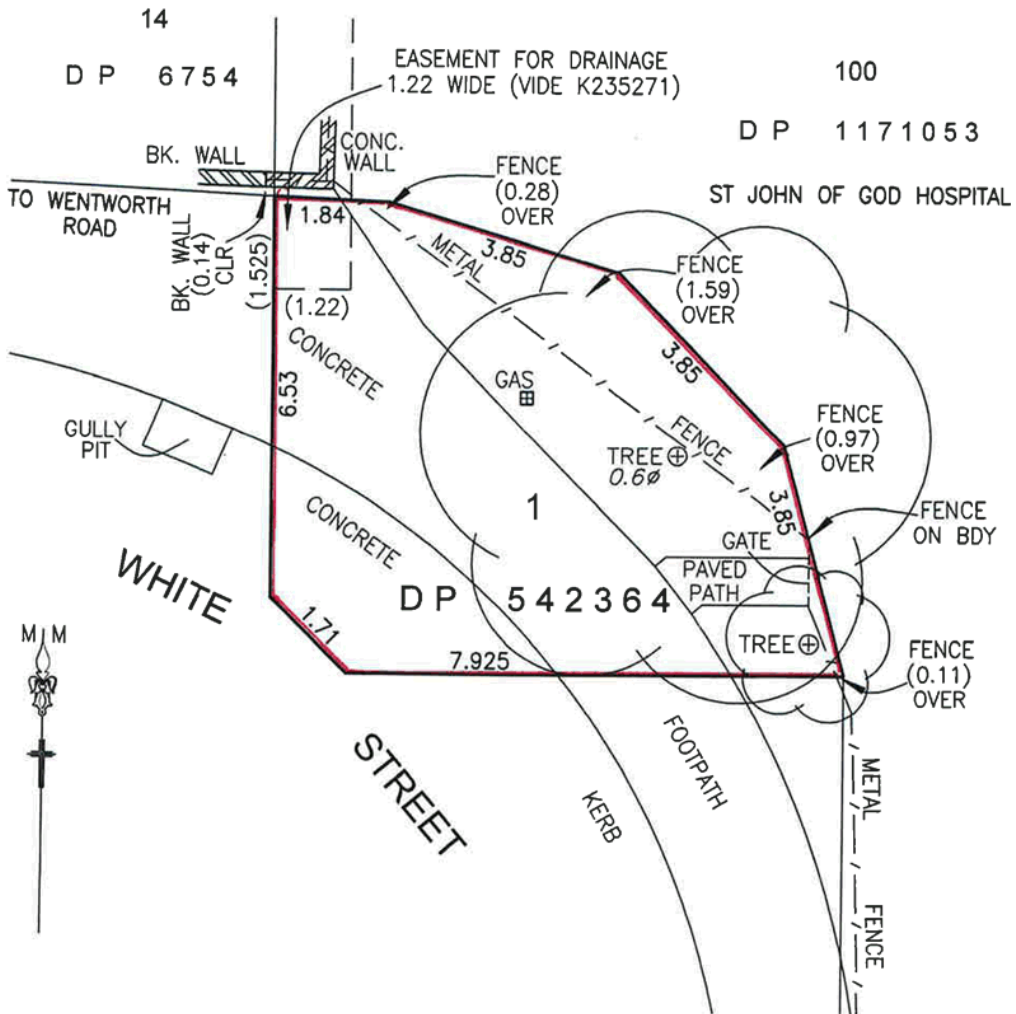
PROPERTY & DEVELOPMENT CONSULTANTS

SKETCH

OUR REF 08193

PAGE 2 OF 2 PAGES

DATE 28.7.16



THIS SURVEY SKETCH TO BE USED FOR IDENTIFICATION PURPOSES ONLY IN CONJUNCTION WITH WRITTEN REPORT

Higgins Surveyors Pty Ltd ABN 39 003 853 094

PER *[Signature]*
Registered Surveyor

(ITEM 47/17) DELIVERY PROGRAM 2013/17 - QUARTERLY REPORT FOR THE PERIOD ENDING 30 JUNE 2017

File No: 17/32025

REPORT BY DEPUTY GENERAL MANAGER CORPORATE, GOVERNANCE & COMMUNITY

Summary

Following the introduction of the Integrated Planning and Reporting framework in 2009, Section 404(5) of the *Local Government Act 1993* requires that the General Manager provide progress reports to the Council, at least every six months, as to its progress with respect to the principal activities detailed in its Delivery Program.

As per Burwood Council's Delivery Program 2013/17 (Strategic Goal 2.1.2), a review of the Program is to be presented to Council on a quarterly basis.

Background

The report reflects the structure of the Delivery Program 2013/17 and Operational Plan 2016/17, which in turn follow the targets identified by the Community in 2010 and 2013 as part of the Burwood2030 Community Strategic Plan.

The strategic goals are divided into five themes:

- A Sense of Community
- Leadership Through Innovation
- A Sustainable Natural Environment
- Accessible Services and Facilities
- A Vibrant Economic Community

Each strategic goal is divided into actions, which represent the specific initiatives Council proposes to implement to achieve the identified targets. The Delivery Program includes a total of 243 actions, allocated into quarters as part of the annual Operational Plan.

The reporting structure features:

- planned action
- identified performance measure
- target (indicating in which quarter Council plans to start or deliver the service)
- status (a management assessment of the project/activity)
- comment

Reporting Structure

Key users are required to provide a rating (Status) and a comment for each strategic action they are responsible for. The rating options are as follows:

On Track	The activity/project has been completed on time, or is ongoing and progressing regularly
Watch	The activity/project in underway, but has not been completed on time, or its completion date has been postponed
No Activity	The activity/project has not started
Not Due	No activity is planned for that specific quarter

These requirements support and promote a continuous risk evaluation process for staff and management, which allows the identification of risks and opportunities at an early stage in the delivery of activities/projects.

Measuring our success

For the period 1 April – 30 June 2017, Council has registered the following progress:

Status	Number
On Track	234
Watch	1
No Activity	3
Not Due	5
Total	243

In addition to the full Quarterly Review report (see attached) the General Manager and Executive Team provide to Council and the public an exception report highlighting and explaining the top 5 actions that have been rated as “Watch” or “No Activity” based on a management risk assessment.

For the reporting period 1 April – 30 June 2017 there were three “No Activity” items, one “Watch” item and five “Not Due” item.

Below is a summary of the “No Activity” items:

Strategic Goal	Action	Target	Comment
2.5.4 Conduct a comprehensive biannual customer survey regarding satisfaction with Council's performance and service provision	2.5.4.1 Design, implement and report on biannual customer survey	Survey to be undertaken in 2015 and 2017	The biannual survey has been deferred due to pending Council amalgamations
3.4.4 Promote greater use of more efficient green technologies and alternative energy sources	3.4.4.1 Support and promote Federal and State Government initiatives in the rollout of green technology grants and rebate schemes	Report take up of rebates by the community and recorded participation in schemes available through Government information services	Currently there are no rebate schemes available to residents of a sustainable or resource recovery nature. Therefore no data available on rebate uptake in the Burwood Local Government Area
2.3.1 Attract, engage, develop and retain the best and most highly skilled staff to strengthen workforce capability	2.3.1.2 Survey staff on employee relations and learning needs	Conduct employee survey every two years and action top five areas for improvement	Council's Employee Opinion survey was due to be conducted in November 2016 however has been put on hold as a consequence of the pending Council amalgamation with Canada Bay and Strathfield Councils The situation will be reviewed during the first quarter of the new reporting period

Below is a summary of the “Watch” items:

Strategic Goal	Action	Target	Comment
2.3.2 Implement best practice Human Resource policies and strategies	2.3.2.1 Implement, educate and communicate to staff and stakeholders on policy, procedure, entitlements and workplace change	Coordinate the implementation of the Human Resource Strategy and Workforce Plan and the development of associated policies, guidelines and corporate practices	<p>The Consultative Committee continues to be the forum of communication to discuss any policy updates, developments and workplace change. Monthly meetings have been held each quarter to discuss any workplace changes and workforce strategies</p> <p>There has been the development of a draft employee recognition corporate practice and guidelines for undertaking performance management assessments developed and consulted with during this quarter</p> <p>A review of the secondary employment corporate practice commenced this quarter</p>

Consultation

Once the Plan is endorsed by Council, the Delivery Program Quarterly Report will be made available to the public on Council's Website, and in hard copy at the Library and Community Hub, and at the Customer Service Centre.

Planning or Policy Implications

In accordance with Section 404(5) of the *Local Government Act 1993* the General Manager must provide progress reports to the Council, at least every six months, as to its progress with respect to the principal activities detailed in its Delivery Program. Burwood Council's Delivery Program 2013/17 (Strategic Goal 2.1.2) requires that a review of the Program is to be presented to Council on a quarterly basis.

Financial Implications

No Financial implications.

Recommendation(s)

That Council endorse the Delivery Program 2013/17 Quarterly Report for the period ending 30 June 2017.

Attachments

1 Operational Plan Report - 2014 QTR 4



Burwood Council
heritage • progress • pride

Operational Plan 2016-17

Quarterly Report
For the period ending 30 June 2017

HOW TO READ THE OPERATIONAL PLAN 2016-17 – QUARTERLY REPORT FOR THE PERIOD ENDING 30 JUNE 2017

Themes

The Operational Plan is divided into five themes:

- **A Sense of Community**
- **Leadership Through Innovation**
- **A Sustainable Natural Environment**
- **Accessible Services and Facilities**
- **A Vibrant Economic Community**

Strategic Goals

Each theme is divided into strategic goals, which address the priorities identified by the community during the Burwood2030 Community Strategic Plan consultation.

Responsibility

Identifies the team in Council responsible for the delivery of the specific strategic goal.

Service

The services Council carries out on an ongoing basis.

Action





The specific initiative that Council proposes to implement to achieve a strategic goal.

Service Standard

The performance indicator against which the actions will be measured.

Quarter

Indicates in which of the quarters Council plans to start or deliver the service.

-  Denotes Council has commenced the action or that the action is ongoing
-  Denotes Council has completed the action
-  Denotes no activities are scheduled for that quarter
-  Denotes the action will commence and be completed in the same quarter

Council's management team supports and promotes a continuous risk evaluation process, which allows the identification of risks and opportunities at an early stage in the delivery of activities/projects.

The quarterly report includes a status rating for each of the strategic actions.

The status options are as follows:

On Track The activity/project has been completed on time, or is ongoing and progressing regularly

Watch The activity/project is underway, but has not been completed on time, or its completion date has been postponed

No Activity The activity/project has not started

Not Due No activity is planned for that specific quarter

ATTACHMENT 1

ITEM /17 Delivery Program 2013/17 - Quarterly Report for the period ending 30 June 2017.DOC
Operational Plan Report - 2014 QTR 4

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
1 - A Sense of Community							
1.1 - A safe community for residents, workers and visitors							
1.1.1 - Maintain clean and attractive streets and public spaces.							
Lead Assets, Landscape, Architecture, Urban Design & Contracts Secondary Works, Operation & Parks	Capital Works	Complete Capital Works on time, within budget and to standards, including Walksafe Program, Road Resurfacing, kerb & gutter and stormwater.	95% Completed	●	On Track	Capital Works projects completed during this quarter include: Drainage and Kerb and Gutter reconstruction at Acton St from Paramatta Rd to Monash Pde, Drainage, Kerb and Gutter and Footpath reconstruction at Conder St from Woodside Ave to Norwood St, Durms Lane, Elsie St and Victoria St raised traffic thresholds, Road resurfacing works at Lang St, Acton St, Cheltenham Rd, Bay St and Queen St, Kerb and gutter reconstruction at Stanley St between Tangarra St to Georges River Rd, Kerb and Gutter reconstruction at Tangarra St East between Portland St and Stanley St, Kerb and Gutter, Drainage and road reconstruction works at Wentworth Rd between Arrowfield St and Minna St, Footpath reconstruction works at Railway Pde, Mccall Ave, Liverpool Rd, Waralah St, Shaftesbury Rd, Lucas Rd, Claremont Ave, Arthur St, Woodside Ave East, Wainnes St, Boyle St, Beresford Ave, Deane St, Wentworth Rd, Roberts St, Philip St, Esplan Ave, Hunt St, Stormwater drainage upgrade works at Brooklyn St, Shaftesbury Rd, Waralah St and Railway Cres, Kerb extension at Railway Cres, Stormwater drainage and road reconstruction works at Shaftesbury Rd.	
Stormwater Drainage Network	Maintain, clean stormwater drainage network	Inspect pits in critical locations (hot spots) twice a year.	●	On Track	Capital Works projects underway during this quarter include: Road stabilisation works at Tangarra St East between Portland St and Stanley St, Stanley St between Tangarra St East and Georges River Rd, Kerb and Gutter, Footpath and drainage reconstruction works at Kent Ave, Stormwater drainage and road reconstruction works at Victoria Ave, Henley Park Chess Set.		
Lead Works, Operation & Parks Secondary Works, Operation & Parks	Blocked drainage pits cleaned.	Within seven working days after being reported.	●	On Track	Reactively Council responds to Customer requests within the stipulated timeframes. Pro-actively Council inspects pits determined as being high risk or critical and schedule for cleans routinely.		
Lead Assets, Landscape, Architecture, Urban Design & Contracts Secondary Works, Operation & Parks	Shopping Precincts Clean footpaths in CBD areas of Stratfield, Croydon Park, Croydon, Burwood and Enfield.	Daily.	●	On Track	Footpaths in CBD areas are cleaned daily.		
Lead Works, Operation & Parks Secondary Works, Operation & Parks	Remove dumped rubbish from shopping precincts, carparks and streets. Maintain planter boxes along footpaths in CBD areas.	Collected within two working days from request. Monthly.	●	On Track	Dumped rubbish in CBDs is collected within two days in accordance with the agreed level of service. Maintained as per schedules.		

ATTACHMENT 1

ITEM /17 Delivery Program 2013/17 - Quarterly Report for the period ending 30 June 2017.DOC
Operational Plan Report - 2014 QTR 4

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
	Lead Parks, Secondary Works, Operation & Parks	Street Cleaning	Street sweeping	Streets swept within a three week cycle with urgent requests responded to within three working days.	●	On Track	Burwood road network of 611 lineal km's is swept over a 3 week sweeping cycle, or 30 lineal km's per week on a set routine. Three sub areas totalling approx. 30 lineal km's completed every week of the 3 week cycle. In addition to the weekly average an additional 13 lineal km's of reactive sweeping activities attending to CRMs, known hotspots and residents requests is undertaken. Our current service level of sweeping is 2 weeks.
	Lead Parks, Secondary Works, Operation & Parks	Carpark Cleaning	Provide clean and safe parking areas and landscaped areas.	Major carparks (Belmore St, Parrnell St, Elizabeth St, Fitzroy St, Merula St) cleaned daily.	●	On Track	Councils utilises a combination of machine/manual street sweeping for cleaning of major car parks 5 days per week, with additional clean ups as required.
	Lead Parks, Secondary Works, Operation & Parks	Crime & Safety	Implement Council's Graffiti Management Strategy.	Graffiti removed within five working days.	●	On Track	Reactively Council responds to customer requests within the stipulated timeframes. Pro-actively Council's Graffiti Team inspects hot-spots and cleans as required.
	Lead Parks, Secondary Works, Operation & Parks	Carpark Cleaning	Weed spraying of streets and carpark areas	Four times per year.	●	On Track	VandalTrak is Council's Graffiti Register Some minor weed removal by staff this quarter at various locations.
	Lead Assets, Landscape, Architecture, Urban Design & Contracts Secondary Works, Operation & Parks	Street Cleaning	Mowing of nature strips based on eligibility	Every six weeks.	●	On Track	Weed spraying by contractor of all streets and Council car parks scheduled to commence 17 July 2017. Properties on mowing list with pensioner and medical condition status mown at six calendar (6) week cycles by contractors.
	Lead Assets, Landscape, Architecture, Urban Design & Contracts Secondary Works, Operation & Parks	Asset Management Plans	Update asset management plans for civil assets including kerb & gutter, footpath, storm water and roads.	Update plans as assets are upgraded.	●	On Track	Council has completed new road infrastructure condition data capture and assessment following the previous data capture and assessment that was done in 2012. This new condition data is currently being imported into Council's New Asset Management Software ASSET-ITC, which was procured and is being implemented and configured to prioritise, schedule and formulate forward capital and maintenance works programs.
	Lead Parks, Secondary Works, Operation & Parks	Tree Maintenance	Respond to tree maintenance requests.	Requests addressed within 28 days.	●	On Track	This will assist Council to strategically manage its civil assets and provide real time condition data for these assets which will be used to update asset management plans. 85 Tree maintenance requests received with 78 completed within service standard 92% compliance.
	Lead Works, Operation & Parks Secondary Works, Operation & Parks	Street Cleaning	Clean area around bus shelters.	Daily in Burwood, Croydon and Strathfield CBD areas.	●	On Track	Areas around bus shelters within the CBDs are cleaned daily. Areas outside the CBDs are cleaned Tuesdays and Fridays.
	Lead Assets, Landscape, Architecture, Urban Design & Contracts Secondary Works, Operation & Parks	Asset Management Plans	Undertake inspections of footpaths in high pedestrian areas.	100% of footpaths in high pedestrian areas assessed annually i.e. Town Centre, schools, commercial areas etc.	●	On Track	Areas around bus shelters located outside the CBD areas are cleaned on Tuesdays and Fridays. Council has completed new road infrastructure condition data capture and assessment following the previous data capture and assessment that was done in 2012. This new condition data is currently being imported into Council's New Asset Management Software ASSET-ITC which was

ATTACHMENT 1

ITEM /17 Delivery Program 2013/17 - Quarterly Report for the period ending 30 June 2017.DOC
Operational Plan Report - 2014 QTR 4

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
Parks Secondary Works, Operation & Parks	Lead Works, Operation & Secondary Works, Operation & Parks	Clean-up Service	Provide a service to remove household items.	Provision of two Clean-up Services per annum – one scheduled & one at call		On Track	
				Public waste bins in CBD areas (Be Tidy Bins) emptied daily and as required in high traffic areas.		On Track	All Be tidy bins are emptied 7 days a week
				Wash public waste bins monthly.		On Track	Be tidy bin surrounds are washed monthly and as required
Street Lighting	Effectively maintain liaison with Energy Australia in regards to the design, supply maintenance, alteration and upgrading of street lighting services.	Attend to queries in regards to street lighting, negotiate and follow up with Energy Australia	100% of resident queries / complaints investigated and attended to within fourteen days including response.		On Track	Street lighting investigations and night audits have been undertaken for the following locations within the Burwood LGA: Elsie Street, Russel Street, Beaulior Street, Mimra Street, Rosa Street, Croydon Avenue, Malvern Avenue, Murray Street, Devonshire Street, Tahlee Street, Brady Street, David Street, Lea Street, Chelmsford Avenue, Monash Parade, Martin Reserve, Blair Park, Sanders Reserve and Woodstock car park. 100% of all required upgrades and maintenance works that were required have been completed successfully and within Ausgrid's minimum service standards of less than 8 days.	
				Quarterly Planning Meetings and reporting of outages within twenty four hours.		On Track	Street lighting outages have been investigated within a 24 hour period of initial report, with Ausgrid being notified upon completion of preliminary audit where necessary. The average repair time confirmed in Ausgrid's Performance Management Plan for its public lighting assets is 4.5 days from receipt of fault report. This is within the minimum Ausgrid service standard of less than 8 days.
10% of drainage system assessed annually via CCTV inspections.	Council was successful in receiving grant funding from the Office of Environment and Heritage (OEH) to carry out Overland Flow Flood Studies for the Cooks River and Dobroyd Canal Catchments. Both of these overland flow flood studies are ongoing and final draft reports have been completed.	Council applied and was successful in receiving further grant funding from OEH to carry out overland flow flood studies for the remaining catchments of the Council. These studies are ongoing. This will provide Council with flood and drainage assessment information on the storm water system for those catchments. Council also investigates and undertakes various CCTV inspections throughout the year of its stormwater drainage network.	Council applied and was successful in receiving further grant funding from OEH to carry out overland flow flood studies for the remaining catchments of the Council. These studies are ongoing. This will provide Council with flood and drainage assessment information on the storm water system for those catchments. Council also investigates and undertakes various CCTV inspections throughout the year of its stormwater drainage network.		On Track		procured and is being implemented and configured to prioritise, schedule and formulate forward capital and maintenance works programs.
				This will assist Council to strategically manage its civil assets and provide real time condition data for these assets which will be used to update asset management plans. High Pedestrian areas will be assessed annually and footpath condition data updated in ASSETIC accordingly.			

ATTACHMENT 1

ITEM /17 Delivery Program 2013/17 - Quarterly Report for the period ending 30 June 2017.DOC
Operational Plan Report - 2014 QTR 4

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
1.1.2 - Work with key partners and the community to reduce crime and improve community safety.	Lead: Assets, Landscape, Architecture, Urban Design & Contracts Secondary: Works, Operation & Parks	Infrastructure Maintenance Work	Measure, evaluate asset condition and develop forward programs.	Infrastructure Assets Maintenance Program, including roads, footpaths, kerb and gutter and drainage, developed by 30 April each year for the following financial year and forward programs reported quarterly.		On Track	Council has completed new road infrastructure condition data capture and assessment following the previous data capture and assessment that was done in 2012. This new condition data is currently being imported into Council's New Asset Management Software ASSET-TIC which was procured and is being implemented and configured to prioritise, schedule and formulate forward capital and maintenance works programs.
	Lead: Works, Operation & Parks Secondary: Works, Operation & Parks		Road and footpath Repairs – Low Risk Condition Notification	100% investigated, assessed and programmed within two working days.		On Track	Reactively Council responds to Customer Requests within the stipulated time frames. Pro-actively, Council's Civil Team and Contractors are tasked with making safe identified defects whilst working within the area. Defects investigated, assessed and programmed within 2 working days.
				100% investigated, assessed and programmed within four working days.		On Track	Reactively Council responds to Customer Requests within the stipulated time frames. Pro-actively, Council's Civil Team and Contractors are tasked with making safe identified Defects whilst working within the area, defects investigated, assessed and programmed within 4 working days.
	Lead: Compliance Secondary: Compliance	City Safe Program	Maintain a strategic CCTV capability	Authorised requests for footage completed within two working days.		On Track	Council works closely with Police producing CCTV footage for crime offences listed in the Code of Practice. This relationship involves producing CCTV footage in a timely manner ensuring the CCTV program is maintained and operational, attending court when required and participating in police operations.
1.1.3 - Support and implement programs that aim to reduce anti-social behaviour such as graffiti and littering.	Lead: Community and Library Services Secondary: Compliance	Community Development (Community Safety)	Meet and discuss crime activity and trends with Police.	Meet on a monthly basis.		On Track	Council works closely with Police to discuss crime trends and develop initiative to reduce crime statistics. This relationship consists of the Manager Compliance meeting with Police on a regular basis and participation by Police in the quarterly Safety Cross-Functional Team.
	Lead: Community and Library Services Secondary: Compliance		Work in partnership with the Police on community safety and crime prevention issues and attend key meetings, including safety precinct committees and Liquor Accord.	Attend all scheduled meetings and have a proactive representation in the Accord.		On Track	Monthly meetings between Council staff and Police from Burwood Local Area Command have continued in 2017. One initiative from the meetings has been a campaign to address stealing from motor vehicles, the 'Lock it or Lose it' campaign, highlighting the importance of securing items in your vehicle to local residents. The Lock it or Lose it Education resource was delivered across the LGA in May 2017. Council representatives attended all scheduled Accord meetings.
	Lead: Compliance Secondary: Compliance	Networking	Attend SSROC Compliance meetings to promote networking between Councils.	Attend all scheduled meetings		On Track	SSROC Compliance Group have meetings scheduled every quarter. These meetings are related amongst Councils in the SSROC group allowing a different host for each meeting. A representative for Burwood Council attends each quarterly meeting.
	Lead: Community and Library Services Secondary: Compliance	Crime & Safety	Implement recommendations from Council's Crime Prevention Plan and Graffiti Management Strategy.	Recommendations adopted by Council are implemented.		On Track	Council developed a Household Safety booklet which will be provided to local residents in the first quarter of the 2017-18 year. Council is also developing a campaign to educate primary aged children about personal safety and their environment. The results from the community graffiti survey have assisted with allocation of resources, including a 'Cleaning and Removing Graffiti' flyer and video explaining how local businesses and residents can remove graffiti from their property. A limited number of free removal kits are also offered to local businesses. The Safe and

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
1.2 - High quality activities, facilities and services							
1.2.1 - Engage the community in decision making processes about activities, facilities and services.							
	Lead: Community and Library Services	Community Development (Youth Services)	Co-ordinate and support Burwood Youth Advisory Group (BYAG) to plan and implement annual Youth Week	Youth Week event delivered by BYAG annually		On Track	Council ran two activities as part of Youth Week 2017. Council and the Burwood Youth Advisory Group ran the 2017 'Do It for Cancer' Pop-Up Hair Salon event on 7 April 2017. The event was a fundraising and awareness-raising initiative undertaken in partnership with Cancer Council NSW, Westfield Burwood and ManCave BarberShop and was held during Youth Week 2017. Over 300 community members attended on the day, pledging their support by wearing a wig, shaving or temporarily colouring their hair. Council also partnered with Burwood Community Welfare Services to deliver a six week self-esteem program for young people aged between 12-24. Planning has commenced for Youth Week 2018. Partnership has been formed with Burwood Police to deliver the Youth Week 2018 Off The Wall Youth Street Art Project.
			Consult and engage young people on their needs and issues, in conjunction with the Burwood Youth Advisory Group (BYAG)	Survey conducted in conjunction with Community Survey, every two years.		On Track	A total of 105 youth surveys were conducted to assist with the planning and implementation of Council's future youth projects and activities. The results have been analysed and a report drafted to assist in planning for the next two years.
1.2.2 - Pursue partnerships and opportunities to access additional funding to maintain, upgrade and develop new recreational facilities and meeting places for the community.							
	Lead: Community and Library Services Secondary: Landscape & Urban Design	Grant Funding	Actively apply for grants to provide community and recreational facilities.	Number and value of grants approved		On Track	Council has been successful in receiving funding of \$1,000,000 for the embellishment of Wangal Park. This funding has been initiated by the Federal Minister Mr. Craig Launder M.P. The timeline for the construction of the various park facilities has been determined and construction works have been staged as applicable. Council has applied for Federal Government funding of \$1,300,000 for the upgrade of facilities in Blair Park to include new sports field flood lighting. Once funding is approved the timeline for the construction of the various park upgrade facilities will be confirmed and construction works will be staged as applicable. The works are under way at Wangal Park for the \$354,962,50 grant under the Metropolitan Greenspace Program. This work includes the design and construction of the shared pedestrian and bicycle path (now completed) and solar lights which is under design at the moment. Council has been successful with a small grant of \$2,500 under the Department of Veterans' Affairs to assist with the replacement of a memorial plaque in Burwood Park and the CCTV monitoring of the memorial. The works for this grant are now completed. Council will apply for further grant funding for suitable projects as opportunities arise.

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
			Actively apply for grants to support and enhance delivery of community development and community services programs.	Number and value of grants approved.	●	On Track	A number of grant applications have been submitted seeking funds to support a range of projects. Applications sought from Family and Community Services, Club Grants and the Department of Social Services. Outcomes expected in the next quarter. Funding was successfully sought from the Regional GP Network (CESPHN) to run anxiety workshops for parents of children. \$3000.00 was offered and an additional \$3000 offered to run the same program for parents of teenagers.
1.2.4 - Support existing sport and recreation groups to provide services and facilities.							
	Lead Customer Service & Records	Community Facilities	Offer community facilities.	Community facilities available for use	●	On Track	The Community Hub, Fitzroy Centre, George Street Centre, Woodstock Community Centre and Burwood Park Community Centre were all available for hire during the quarter.
	Lead Parks		Offer parks for hire.	Parks available for hire.	●	On Track	Parks hired as per Council procedures and Adopted Fees and Charges.
1.2.5 - Upgrade existing playground areas and park structures to cater for wider community and provide pet friendly facilities.							
	Lead Landscape & Urban Design	Playgrounds & Pet Friendly Parks	Investigate opportunities for further pet friendly areas as requested by the community.	Incorporated into specific Plans of Management and Capital Works Program as necessary.	●	On Track	A tender for the design and construction of new play equipment in Henley Park and Russell Street Reserve has been finalised and a contractor has been commissioned. Construction is due to commence in July/August 2017 weather permitting. A landscape architectural firm has designed a new children's playground for Wargal Park. The tender for the construction of the playground has been posted. The tender closes on 18 July 2017. Staff have chosen a suitable location for the installation of an outdoor chess set in Henley Park. Construction works have commenced on site.
1.2.6 - Upgrade existing playground areas and park structures to cater for wider community							
	Lead Landscape & Urban Design Secondary Community Services	Park Equipment Upgrading	Ensure accurate assessment of park equipment and future requirements to provide a basis for capital works budget.	Replace play equipment according to Playground Replacement Schedule	●	On Track	A tender for the design and construction of new play equipment for two locations in Henley Park and for one in Russell Street Reserve is now finalised and a contractor has been commissioned to carry out the works. Construction works are due to commence in July/August 2017. A suitable location for the installation of an outdoor chess set in Henley Park has been found and the construction works on this project have commenced. The design for new sports field lighting in Blair Park is now completed. A tender will be posted to supply and install the new floodlighting when Council receives confirmation of the support funding from the Federal Government.

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
1.2.7 - Develop and encourage volunteer opportunities							
	Lead: Community and Library Services	Community Development (Volunteering)	Work with CHSP/CCSP and other agencies to support volunteering, including partnering with culturally specific organisations to increase the number of volunteers of CALD background.	Strategic partnerships established and CALD volunteer members increased.	●	On Track	Volunteer Network had 126 enquiries regarding volunteering, conducted 19 volunteer interviews and referred 113 volunteers to not for profit organisations in the Inner West Area Council received 64 enquiries regarding volunteering specifically in the Burwood LGA. Strategic partnerships were established and maintained during the quarter with IAFH NSW South Western Sydney Institute and Chinese Australian Services Society (CASS) to increase the number of volunteers from CALD backgrounds.
			Continue to provide a Volunteer Network Service for the CHSP/CCSP (Commonwealth Home Support Programme/Community Care Support Program) sector on behalf of the Ashfield, Burwood, Strathfield and Canada Bay LGAs.	Number of volunteers within the Burwood Local Government area increased annually.	●	On Track	Volunteer Network continued to promote volunteer opportunities through the CoVolunteer and Volunteer Network websites and advertised volunteering through the local media. Volunteer network received 126 enquiries regarding volunteering, 19 volunteer interviews and 113 volunteers were referred to not for profit organisations in the Inner West Area. There were also 64 enquiries regarding volunteering specifically in the Burwood LGA.
1.2.8 - Develop appropriate and relevant training in order to build CHSP/CCSP (Commonwealth Home Support Programme/Community Care Support Program) capacity across the Inner West area.							
	Lead: Community and Library Services	Home and Community Care (HACC) Services	Work with CHSP/CCSP funded service providers across the Inner West area on training and development.	Training sessions and CHSP/CCSP forums conducted monthly.	●	On Track	The Inner West Sector Support Development Office has been working in partnership with peak bodies and CHSP/CCSP service providers on a number of projects and matters. 1. Delivery of Australian Aged Care System Information sessions in Arabic, Sudanese, Vietnamese and Chinese 2. Marketing of new services in the area 3. Assisting service providers with implementing new services 4. Mentored service providers 5. Working with the ATSI community and looking for funding possibilities. 6. Provision of 12 calendar and 4 in-house training sessions to upskill CHSP/CCSP funded services
1.2.9 - Facilitate access to Podiatry Services							
	Lead: Community and Library Services	Community Development (Podiatry Services)	Facilitate Podiatry client assessments and re-assessments and access to clinic services.	Increase number of Podiatry clients, as per funding requirements (1,150 clients).	●	On Track	Referrals for the Inner West Home & Community Podiatry Service are being received through My Aged Care. The current client level at the end of June 2017 was 1206 and the service has capacity to register new frail aged clients aged 65 years and over.
1.2.10 - Improve online access to services at Council's key facilities.							
	Lead: Information Technology	Information Systems	Provide free Wi-Fi internet facilities to the Public at Council's Library.	Wi-Fi connectivity within Library building available every day during opening hours.	●	On Track	Wi-Fi connectivity within Library building was available every day during opening hours.
1.2.12 - Comply with NSW Health Regulations and Guidelines.							
	Lead: Enfield Aquatic Centre	Enfield Aquatic Centre	Maintain pool water quality.	Swimming Pool water tested every two hours during business hours, with levels kept within NSW Health Guidelines Standards.	●	On Track	The water testing is an ongoing procedure that the staff undertake every two hours. Test sheets are checked and signed by shift supervisors to ensure tests have not been missed. Staff submit samples for external testing every

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
<p>1.2.13 - Provide new learn-to-swim and lifesaving programs and encourage community participation.</p>							
	Lead: Enfield Aquatic Centre	Enfield Aquatic Centre	Introduce a new Squad Swimming Program.	Increase participation in the Squad Swimming Program by 5% per year.	●	On Track	Council continues to make improvements to the quality of the Squad swimming program and will continue to develop the squad and make further changes in the coming summer season. Planning has commenced to run a series of invitation events for our squad members to experience club racing and for Enfield Swimming Club members to experience squad training.
			Introduce new Life Saving initiatives aimed at teaching children basic lifesaving skills.	Increase participation in the Learn to Swim Program by 5% per year.	●	On Track	Enfield Aquatic Centre (EAC) staff have continued to deliver a quality Learn to Swim (LTS) Program to over 5200 students. This quarter the program was also delivered to nine schools who engaged our swim school to run their annual swimming program. The centre has maintained strong ties with Royal Lifesaving NSW and Alets swim and is an active partner in the Keep Watch program that focuses on preventing children drowning by educating parents in appropriate supervision levels required.
<p>1.2.14 - Implement best practice customer service at Enfield Aquatic Centre.</p>							
	Lead: Enfield Aquatic Centre	Enfield Aquatic Centre	Maintain standards of Customer Service.	Conduct regular Customer Feedback Surveys across all services and products with an Annual Report submitted to Council's Executive.	●	On Track	A customer survey was implemented in June 2017 to capture feedback about all areas of operations, including potential new programs users would like to see offered and improvements that could be made to the existing programs.
<p>1.2.15 - Implement five hectares of new open space facilities in Wangal Park.</p>							
	Lead: Landscape & Urban Design	Wangal Park	Commission and construct a skate park facility.	Works completed by 31 July 2016	●	On Track	EPA Closure Plan Status has been achieved. Moving onto the Park embellishment phase. Council has been successful in receiving a funding commitment of \$1,000,000 for the embellishment of Wangal Park. This funding was initiated by the Federal Minister Mr. Craig Launder MP. The timeline for the construction of the skate park facility will be during the next 6-12 months. A Request for Tender to design and construct the skate park is currently being prepared. Council will seek other grant funding opportunities for this project as they arise.
<p>1.3 - A well informed, supported and engaged community</p>							
<p>1.3.1 - Maintain up-to-date information on the community profile to support planning and program development.</p>							
	Lead: Community and Library Services	Community Development (Community Profile)	Review and update Community Profile for Burwood LGA in line with 2011 Census for use in support of planning and program development.	Community profile to be updated as new data becomes available.	●	On Track	The Community Profile has been updated with new 2016 data entered for comparison with previous years. Information can now be used to make recommendations and align services as needed.
<p>1.3.2 - Provide information to the community on Council's activities, facilities and services using communications that can be accessed by all people in the community.</p>							
	Lead: Media Communications & Events Secondary Information Technology	Council's Website	Ongoing maintenance of Council's Website.	Daily updates.	●	On Track	Council's website is maintained daily to provide current news and information on Council's services, policies, events and meetings. Key documents such as public exhibitions, minutes and agendas, Development Applications and employment opportunities at Council are routinely

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
			Improve interaction between Council and stakeholders through the web	Increase number of customer visits through the web and report monthly to Executive Team and six monthly to the Community.		On Track	The sections which can be accessed on Council's homepage under the Language Services tab include information on Community Services, Library Services, Regulations, Waste Management and Parking. Council's website had 122,356 views during the quarter. Council's social media audience continues to grow with a 11% increase across Facebook, Twitter, Instagram and LinkedIn this quarter. Council has also expanded its communication on YouTube publishing regular videos on events, projects and initiatives. Council has digitised its forms to make applications quicker and easier for residents and stakeholders. Forms on a range of Council's services including events, road safety, traffic and transport, and council meetings can now be accessed on Council's website with more forms to be digitised over the next quarter. The homepage has also been updated to improve accessibility and functionality with a new 'quick links' icon section making it easier for customers to find what they're after. This information is incorporated in a monthly report which is presented to the Executive Team and Councilors.
			Improve translation of accessibility and content functionality.	Provide translation of major sections of website and most important documents.		On Track	published on the website. In addition, Council's social media pages are monitored and updated daily. This quarter, Council improved accessibility and functionality on its homepage with the introduction of a quick links section with large icons directing customers to the most common used pages, forms and information. Council's Business page on its website features a section in Chinese in order to provide information to the diverse business community. Council had 186 views on translation service pages this quarter. "What does Burwood Council do?" guides are available online in Arabic, Chinese Korean and Italian. The documents include information all Council's key services and initiatives including waste, facilities, illegal dumping and events. Major sections of Council's website have been translated into Arabic, Chinese, Greek, Italian and Korean.
			Notify residents of important decisions via media, notice boards, newsletters and other communications tools.	As required.		On Track	Council disseminates news and information to residents through media releases, fortnightly Mayor's Columns, mail outs and advertisements in local papers. Information is made available on Council's website and social media pages which are updated daily. In particular, Council used these methods of communication extensively to raise awareness on Council's events and initiatives including Anzac Day 2017 Easter in the Park, Volunteer Speed Matching and Inaugural Burwood Art Prize.
			Prepare media releases for all major events and initiatives of Council.	Number of releases		On Track	Council prepared 11 media releases on key issues and initiatives including Anzac Day 2017, Heritage Week Memorial Tour, Burwood Volunteer Speed Matching, Inaugural Burwood Art Prize, Metro West Train Line and road safety. Media releases were uploaded onto the Council website after distribution.

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
1.3.3 - Preserving Information.	Lead Customer Service & Records	Records Maintenance (Library)	Identify records with historical significance and preserve hard copy records in accordance with legislative requirements.	As per Records Monitoring and Maintenance Program	●	On Track	Hard copy Building Application folders are being migrated into the Electronic Document Management system.
1.3.4 - Provide information to the community on Library services.	Lead Community and Library Services Secondary: Media, Communications & Events	Community Development (Library)	Distribute Library's services information via flyers, email database, website, local media, notice boards.	Increase delivery of information about Library services.	●	On Track	During the quarter, the Library Service increased its Twitter and Instagram followers and posts reaching a total of 642 Twitter followers and 103 Instagram followers as at the end of June.
1.3.5 - Promote Library services to the community.	Lead Community and Library Services Secondary: Media, Communications & Events	Community Development (Library)	Undertake actions to increase membership of the Library	Number of new members measured and reported every six months.	●	On Track	Between January and June 2017, a total of 1,555 patrons registered as new members, an increase of 15.6% over the same period last year. Total membership as at 30 June 2017 is 19,733.
1.3.7 - Provide a range of services for children and young people.	Lead Community and Library Services	Community Development (Children and Families Services)	Provide direct services including Mobile Playvan for parents with children from 0.6 years, and youth services 12 – 24yrs in Council facilities.	Mobile Playvan runs twice per week during school terms and one youth developmental project to be delivered per annum.	●	On Track	Mobile Play Van was held throughout term 2, 2017, with only one session cancelled due to wet weather. An average of 65 families attended each week due to the relatively dry weather. The largest day saw 110 people attend. Mobile Play Van continued to utilise a bi-cultural support worker to attend several sessions during the term to discuss the needs of the many Chinese-speaking attendees. This has led to some targeted new resources and referrals for Chinese grandparents.
1.4 - A community that celebrates diversity				Customer satisfaction measured annually and evaluation reports prepared	●	On Track	The survey has been rolled out during term 2, 2017. To increase the number of responses received it shall be continued during term 3 before results are analysed and a report generated.
1.4.1 - Celebrate the achievement of community leaders.	Lead Media, Communications & Events Secondary: Community Services	Community Leadership Achievements	Acknowledge and celebrate achievements of community leaders/groups.	Number of nominations received for community leader awards.	○	On Track	Council celebrated the achievements of local community organisations who were successful in receiving funding as part of Council's Community Grants program. These achievements were promoted through a media release and social media. Council also celebrated the achievements of local veterans and National Servicemen as part of the Anzac Centenary and Nasirios services and local businesses by supporting the Inner West Local Business Awards 2017.
			Promote community and community leaders' achievements through media articles and Council's publications.	In conjunction with Council's initiatives and awards programs.	●	On Track	Council celebrated the achievements of local community organisations who were successful in receiving funding as part of Council's Community Grants program. These achievements were promoted through a media release and social media. Council also celebrated the achievements

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1.4.2 - Improve access to information on government services.							
	Lead: Media Communications & Events	Government Information Services	Inform stakeholders about key services provided by Council.	Keep frequently accessed document list on website up to date.	●	On Track	of local veterans and National Servicemen as part of the Anzac Centenary and Natsios services and local businesses by supporting the Inner West Local Business Awards 2017.
1.4.3 - Develop strategic relationships with multicultural service providers.							
	Lead: Community and Library Services	Community Development (Library)	Identify government information sources and provide access through library information systems and databases.	Computer terminals available for access.	●	On Track	The Frequently Accessed Documents and Frequently Asked Questions page can be accessed from the quick links section on Council's homepage. The page includes information on the most common enquiries and provides a list in alphabetical order of the most popularly viewed and requested documents. This section is updated regularly to ensure content is up to date. The section of the website received 386 views. Council also enhanced its homepage to feature a new quick links section with large icons highlighting key services and initiatives for customers. The Library maintains 30 public access PC's and Wi-Fi access to the internet. In this quarter 8276 PC bookings were made and 16040 Wi-Fi logins. During May a purposely designated public access computer was installed at the library providing the community with the opportunity to view online Council's Development Applications and Plans.
1.4.4 - Promote healthy and active living.							
	Lead: Community and Library Services	Events	Facilitate the delivery of programs that promote healthy lifestyle, community wellbeing and active ageing.	Deliver a minimum of one initiative per annum.	●	On Track	During the quarter talks on legal and health issues were delivered in partnership with Chinese Australian Services Society and NSW Health. The talks attracted 109 participants. During Law Week in May, Seniors Rights information sessions in Cantonese and Mandarin were held with 109 people attending. The popular English Conversation Classes and Wrap With Love programs continued to operate during the quarter.
1.4.5 - Promote sporting activities and the arts to bring people together.							
	Lead: Media Communications & Events	Government Information Services	Invite and engage local artists, crafts groups, local schools' arts departments to join Council's events in the form of display or competitions.	At least one local sporting group at each Council event as relevant and appropriate.	●	On Track	Council commenced developing new programs and promotional strategy to encourage healthy lifestyles, creative and physical activities and community well-being across all age groups. An event was held for World Yoga Day in June, giving local residents information on how they can incorporate the benefits of yoga into their lives. 24 people attended the session. Burwood Council invites local sporting groups to participate in civic events where relevant and appropriate. During the fourth quarter Burwood Council hosted two Commemorative Services, the Anzac Day Commemorative March and Dawn Service and the National Servicemen's Commemorative Service and the Heritage Week Memorial Tours. All were deemed not suitable for local sporting groups to attend. However, the local community was still represented at these events in the form of local school groups and community groups, community leaders and youth group members.

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1.4.8 - Continue the publication of Council news in local media including local newspapers.							
	Lead: Media Communications & Events	Media	Provide information to the public through publications such as Mayoral columns, Burwood Update resident's newsletter and other publications.	Mayoral column published in the local newspapers a minimum of once a month	●	On Track	The Mayoral Column appears fortnightly in local publications (Inner West Courier) and includes the following information: <ul style="list-style-type: none"> • Mayor's Message • Latest news and information on events and initiatives • Development applications received and approved by Council • Times and dates of upcoming Council Meetings • Contact information • Council's values • Link to social media pages
				Burwood Update Residents Newsletter produced quarterly.	●	On Track	The column is also published on the Council website and social media pages. The Burwood Update Autumn Edition was distributed to 16,000 households and businesses across the LGA in April 2017. The Update included the latest news and information on Council's services and initiative. The Update was also made available online.
				Newsletter made available in electronic format.	●	On Track	The Autumn Burwood Update was made available online on Council's website.
			Produce timely and appropriate Media Releases.	Within one day.	●	On Track	Media releases are produced and distributed to media outlets within one day. An initial response to all media enquiries is made within the first two hours.
1.4.9 - Promote volunteering opportunities.							
	Lead: Community and Library Services	Community Development (Volunteering)	Advertise volunteering opportunities on multimedia formats.	The number of enquiries, interviews and recruitments increases annually.	●	On Track	The Volunteer Network continued to advertise volunteering opportunities across a diverse range of media including the CoVolunteer and Volunteer Network websites. As a result, during the quarter, Volunteer Network had 125 enquiries regarding volunteering, conducted 19 volunteer interviews and referred 113 volunteers to non for profit organisations in the Inner West Area.
			Initiate volunteering programs that embrace mentoring and skills development.	The number of enquiries, interviews and recruitments increases annually.	●	On Track	Volunteer Network offered training to volunteers and organisations within the Inner West and produced a six rounds training calendar. During the quarter, Volunteer Network had 120 enquiries regarding volunteering, conducted 19 volunteer interviews and referred 113 volunteers to non for profit organisations in the Inner West Area.
1.5 - A sense of community pride							
1.5.1 - Preserve Burwood's diverse heritage and provide more information on the history of the area.							
	Lead: Strategic Planning	Heritage	Provide comment/input on heritage-related Development Applications (DAs).	100% of DA referrals responded to within fifteen working days.	●	On Track	In total 23 heritage referrals for the quarter, 12 responded to within 10 working days, and 4 responded to within 10 -15 working days.
			Provide information on heritage of the Burwood area on Council's website and in Council's publications.	Up to date heritage information included on Council's website	●	On Track	Up to date heritage information has been included on Council's website. It is updated when new information becomes available.

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1.5.2 - Provide leadership on community values.							
	Lead: Media Communications & Events	Promotion of Values	Incorporate Council's Values in advertising material, publications and signage	Council's Values included in Council's fortnightly Mayoral Column, quarterly newsletter Burwood Update, Website and on selected advertisements.		On Track	Council's community values: Governance, Service, Sustainability and Respect feature on fortnightly Mayoral Column publications and in other forms of advertising and correspondence wherever possible. The meaning and importance of these values can be viewed on Council's website
1.5.4 - Identify ways to promote heritage and encourage the preservation of Burwood's historic buildings.							
	Lead: Media Communications & Events Secondary: Strategic Planning	Heritage	Promotion through Heritage Week	Participation in Heritage Week		On Track	Council took part in Heritage Week with a series of memorial tours in Burwood Park on Saturday, 22 April. The tours, conducted by Burwood Historical Society, highlighted the main memorials in Burwood Park and provided insights into their meaning and purpose. Council's Heritage Week Walks were promoted through a digital campaign and the distribution of a media release. The online campaign consisted of information on Council's homepage and on Facebook. Council's Facebook related activities yielded a reach of more than 2,700 users in the inner west region and included targeted advertisements and posts to those who have an interest in walks, history, culture, tours, design and architecture in order to maximise exposure.
1.5.5 - Develop campaigns designed to facilitate community and neighbour interaction.							
	Lead: Community and Library Services Secondary: Media Communications & Events	Events	Deliver Neighbourhood Week initiative.	One activity held per year.		On Track	The annual Neighbour Day event was successfully held this quarter. In addition to the BBQ and activities, this year's event also marked the launch of the Burwood Community Services Directory, developed in partnership with Burwood Community Welfare Services.
1.5.6 - Promote interaction between different groups in the community.							
	Lead: Media Communications & Events Secondary: Community Services	Events	Engage different cultural groups in civic events and commemorative services.	Promotional material sent to community groups in the lead up to each major Council event and commemorative service.		On Track	During the fourth quarter, Burwood Council delivered two Commemorative Services: the Anzac Day Commemorative March and Dawn Service and the National Servicemen's Commemorative Service. In the lead up to both of these Services, 17,000 promotional DL fliers were letter boxed dropped to local residents and businesses in the Burwood LGA. Personalised letters were also sent to local schools, day care centres, childcare centres and other local groups inviting them to participate in the service. Media releases about the two Services were also sent to the Inner West Courier and highlighted in the Mayoral Column appearing in the same newspaper. Material was also included in the Autumn Burwood Update which was letter boxed dropped to 17,000 residents and business in the Burwood LGA. Digitally, the Services were promoted on the Burwood Council website and via Council's social media channels, including Facebook, Twitter and Instagram. The website was also updated with images after each Service. An image of the promotional flier for each Service was also placed on the outdoor screen at Railway Square, and on the screens in Burwood Library and Community Hub and in the Council Chambers. A letter was also sent to residents and businesses around Burwood Park and along Burwood Road to notify them of possible disruptions due to the Anzac Day March, as well as a courtesy notice

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
			Promote awareness of Australian history through delivery of commemorative services such as Anzac Day Services, National Servicemen Service and Sandakan Remembrance Service.	Increase in attendance.	○	On Track	During the fourth quarter, Burwood Council delivered two Commemorative Services: the Anzac Day Commemorative March and Dawn Service and the National Servicemen's Commemorative Service. The Anzac Day Commemorative March and Dawn Service held on Tuesday, 23 April 2017 was attended by over 2,000 people with an increase in attendance from the prior service. The Service is also achieving its objective of educating the younger generation to continue honouring the Anzac Legend, as the majority of the crowd were younger families and couples. The National Servicemen's Commemorative Service also experienced an increase in patronage with a higher representation of youth taking part in the service.
1.6 - Improved interactions between young and older people							
1.6.1 - Establish regular interaction between young people and councillors e.g. Annual Youth Council, Youth advisory groups.							
	Lead: Community and Library Services	Events	Facilitate informal discussions between youth and Council.	Conduct one event per year for young people	●	On Track	This action has been completed. Activities in relation to this action were reported in the previous quarter. In addition to the events conducted this year, Civic Leadership and Event Management Training was delivered to members of Burwood Council's Youth Committee (BYAC) in the lead up to projects commencing in the 2017-18 financial year. Planning has commenced for Burwood Festival, October 8 2017 with youth having a key role in coordinating elements of Burwood Festival this year including the Burwood TV (BYV) live interview streams of festival attractions. Planning has also commenced for the 2017 Adolescent Anxiety project. The project event will be held during Mental Health Month (October).
1.6.2 - Provide access to online information services.							
	Lead: Media, Communications & Events	Online Services	Improve accessibility of Council's website.	Run a quarterly information session on Council's website at Seniors' Computer Club	●	On Track	A session has been scheduled for the start of the new term commencing 24 July.
1.6.4 - Provide opportunities that facilitate interaction between young and older people.							
	Lead: Community and Library Services	Events	Investigate opportunities for activities that support intergenerational engagement.	One intergenerational activity delivered per year	●	On Track	This activity was concluded successfully in the previous quarter with High Tea and Pampering Session held at Southern Cross Technical College for around 100 seniors on 9 March 2017. The students prepared the food and offered pampering sessions as a part of their training in catering, events management and hair and beauty. Planning for the 2018 Seniors Festival, including an intergenerational element, will commence in the next quarter.
2 - Leadership through Innovation							
2.1 - Community confidence in Council's decision making							
Operational Plan Quarterly Report – Quarter 4, 2016/17							

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
2.1.1 - Report decisions back to the community through open forums.							
	Lead: Executive Team	Executive Functions	Conduct workshops, special meetings and/or forums on major initiatives.	Conduct a minimum of four workshops, special meetings and/or forums per annum.	●	On Track	Council held the following workshops during the reporting period: 21 April – Animals Display Taronga Zoomobile 13 May – No dig Gardens In addition, Council's Environmental School program delivery covered the following subject areas: Better get it sorted (sorting your waste) The 3R's (discussing the waste hierarchy) Recycling, it won't cost the earth It's a wormy world Litter, litter everywhere
2.1.2 - Develop performance measures and provide status updates to the community on key Council projects and plans.							
	Lead: Executive Team Secondary: Executive Manager	Executive Functions	Council's commitments and responsibilities under the Delivery Program, Operational Plan, Budget are met and relevant Acts are complied with. Statutory Reporting Annual Report is completed in accordance with the requirements of the Local Government Act. Operational Plan is completed in accordance with the requirements of the Local Government Act and placed on Public Exhibition for a period of 28 days prior to formal endorsement.	Progress report on Delivery Program and Operational Plan presented to the Council and Community on a quarterly basis. Lodged by 30 November each year. Adopted by 30 June each year.	● ○ ●●	On Track On Track On Track	Regular quarterly reports are presented to Council and the community on the progress of Delivery Program 2013-17 and Operational Plan 2016-17. This document represents the quarterly report in relation to the period 1 May - 31 June 2017. The Annual Report for 2015/16 was adopted by Council at the October 2016 meeting, and referred to the Office of Local Government. It was also sent to the State Library for their record. The Operational Plan for 2016-17 was adopted by Council at its 27 June 2017 meeting.
2.1.3 - Audit and evaluate projects and plans when they fail to meet stated performance measures.							
	Lead: Executive Team	Executive Functions	Develop a work program covering the Burwood2030 Community Strategic Plan.	Preparing timetables for the delivery of the work program with exception reporting for the Executive.	●	On Track	In accordance with the Integrated Planning and Reporting framework, the delivery of the goals identified by the community in the Burwood2030 Community Strategic Plan is achieved through Council's four year Delivery Program and the annual Operational Plan. The Delivery Program lists the actions identified as necessary to achieve the community's priorities. The Operational Plan details Council's budget and identifies specific initiatives that are able to be funded each year, including a list of major capital works and their respective values.
2.1.4 - Provide community education on Council policies and regulations.							
	Lead: Governance	Community Education	All Council approved Policies are published on Council's website.	Published within two weeks of approval.	●	On Track	During the June Quarter the following documents were adopted by Council and were published on Council's website for members of the public: Code of Conduct Car Share Policy Disability Inclusion Plan
			Ensure that Agendas and Minutes from Council and Building and Development Committee Meetings are published on Council's website.	Published three days prior to each Meeting	●	On Track	During the June Quarter the following Council Meetings Agendas were published on the website: 18 April 2017, 23 May 2017, 27 June 2017. During the June Quarter no Building and Development Committee were held.
2.1.5 - Hold Council Meetings.							

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
2.1.6 - Develop appropriate programs and services to improve communications between different cultural groups and between cultural groups and the Council.	Lead: Governance	Council Meetings	Ensure Council Meetings are held in accordance with the requirements of the Local Government Act 1993.	Schedule 10 Council Meetings per year.	●	On Track	During the March Quarter the following Council Meetings were held: 18 April 2017, 23 May 2017, 27 June 2017
	Lead: Media Communications & Events	Communication with Cultural Groups	Engage cultural groups in Council's civic events.	Cultural groups included in performance program at each Council event.	●	On Track	Cultural groups are invited to participate in Council events where relevant and appropriate. Two major civic events took place during the fourth quarter, the Anzac Day Commemorative March and Dawn Service and the National Service's Commemorative Service with local schools and community groups participating in the services. Council also held Easter in the Park celebrations which was organised in conjunction with the local churches and Heritage Week Memorial Tours hosted by the Burwood Historical Society. Burwood Council also supported the Buddhist Vesak Day Celebration event in Burwood Park to celebrate Buddha's birthday. This event was organised by three community groups including the Chinese Buddhist Association of NSW Inc., the Born Korean Buddhist Society of NSW, and the Vinh Nghiem Pagoda Vietnamese Temple. The event featured traditional cultural practices including the bathing ceremony of the baby Buddha, food and information stalls, Dharma talks, ritual bows and parades, and traditional singing and dancing.
2.1.7 - Hold regular open forums for face to face discussions between Council and the Community.	Lead: Community and Library Services		Design library programs to bring together community cultural groups and improve communication between those groups and Council.	Minimum 300 activities conducted per year.	●	On Track	The April-June quarter saw the Library deliver 63 activities with a total of almost 1,467 participants enjoying programs such as the English Literacy group, Wrap With Love, Seniors Book Club and Film Club, Ukulele workshop, an Easter egg hunt and a storyteller bringing stories from all over the world to life. In total for the year 385 activities were conducted with a total of 8,820 participants.
	Lead: Governance Secondary: Governance	Open Forums	Conduct of Open Forum at Council Meetings.	An Open Forum is scheduled for each Council Meeting.	●	On Track	Open Forum was conducted at each Council Meeting
2.1.8 - Provide language aide services and translate key documents into main community languages.	Lead: Media Communications & Events		Promote Council's language aide service, and the available interpreter service.	Number of open forums and public attendance.	●	On Track	Three Council Meetings were held during the quarter on 18 April, 23 May and 27 June. All members of the public are welcome to attend. Mayoral Street Stalls were held at various locations across the LGA on the following dates: 1 April, 13 May, 20 May, 27 May, 3 June and 10 June.
	Lead: Media Communications & Events Secondary: Customer Service & Records	Translators	Promote Council's language aide service, and the available interpreter service.	Visible signage at key Council venues and reminders included in all Council publications in different languages.	●	On Track	Council uses various large screen displays at Railway Square on Burwood Road, Council Chambers and the Library and Community Hub to provide information and provide initiatives in a simple and visual format. Signage promoting Council's language aid services is on display at Council's Customer Services and Library and Community Hubs. In addition, contact details for Council's interpreter service feature in all Council publications including advertisements, residential newsletters and signage. This information is also available in all outgoing mail and newsletters in the following languages: Arabic, Chinese, Croatian, Greek, Italian, Korean, Spanish, Russian and Tamil.
2.1.9 - Maintain the currency, legislative compliance and clarity of Council's Policy Manual.							

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
2.1.10 - Comply with Local Government reforms promoted by the NSW State Government.	Lead: Governance	Policies, Procedures, Corporate Practices and Plans	Maintain Council's Policy/Procedures/ Corporate Practices/Plans of Management Register.	Register updated and reviewed in part at a minimum of three Policy, Corporate Practices and Procedures Panel meetings	●	On Track	The Register was updated for any policies, corporate practices and procedures approved during the June Quarter and also cleared for out-of-date documents. Two Panel meetings were conducted, on 4 May 2017 and 1 June 2017. Two Panel meetings were conducted during the quarter, on 4 May 2017 and 1 June 2017.
	Lead: Executive Manager	Policies, Procedures, Corporate Practices and Plans	Implement the recommendations from The Local Government Independent Review Panel Report.	As required subject to release of reports and guidelines by the NSW State Government.	●	On Track	Following completion of activities and submissions on the Fit for the Future and Boundary Change agendas, Council is currently waiting the outcome of the legal challenge promoted by Strathfield Council against the merger of Burwood, Canada Bay and Strathfield Councils. Preparatory work for a possible transition is being undertaken.
	Lead: Governance		Implement the recommendations from The Local Government Act Review.	As required subject to release of reports and guidelines by the NSW State Government.	●	On Track	The Office of Local Government has issued Circular No. 16-30, dated 2 September 2016 and 16-51 dated 21 December 2016 which deals with the Local Government Amendment (Governance Planning) Act. A report was provided to Council as an information item advising the Councilors of the amendments. Where amendments to the Act have been made they have been implemented. A Councilor's workshop will be held on 18 April 2017 to discuss the amendments in more detail.
2.1.11 - Implement best practice governance strategies.	Lead: Executive Team	Legislative Requirements	Ensure that new Division of Local Government Guidelines Practice Notices and Model Codes are complied with.	Processes and procedures implemented to comply with new Division of Local Government Guidelines Practice Notices and Model Codes.	●	On Track	Council continues to be briefed on the Local Government reform agenda implemented by the NSW Government. In particular, Councilors were informed of Section 23A Guidelines in relation to restrictions on expenditure, capital works and employment of senior staff released by the State Government.
	2.1.12 - Maintain an effective, open complaint handling processes.						
Lead: Executive Manager Secondary: Customer Service & Records	Complaint Handling	Ensure methodology to lodge a complaint is simple and clearly advertised to the public.	Complaint and feedback lodging system advertised on Council's website and at Customer Service counter.	●	On Track	All complaints received by Council and actions taken in relation to the complaints are recorded on Council's database system (TRIM) and allocated a log number to track progress of each matter. A further monthly review of the complaints received and outcomes is discussed and followed by the Executive Team. Date on Code of Conduct complaints and Public Interest Disclosures is regularly reported to Council, the public and external agencies (NSW Ombudsman and Office of Local Government) through annual reports and other frameworks.	
	Investigate complaints made	Complaints are investigated in accordance with Council's Policy/Procedure/Guidelines.	●	On Track	All complaints received by Council are acknowledged, assessed and responded to. All complaints are entered into Council's corporate database to allow for reporting and trend analysis. Council's Executive Team assess whether issues are systemic or recurring, and subsequently implement steps to improve processes and reduce further complaints.		
	Produce a report of all complaints received under the Complaints Management Policy to the Executive Team.	On a monthly basis.	●	On Track	A monthly report on complaints received is presented to the Executive Team. An assessment is undertaken and if necessary the Executive Team recommends steps to improve processes and reduce further complaints. The review of the		

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
			Maintain register of all complaints received and action taken.	In accordance with Council's Complaints Handling Policy.		On Track	All complaints received by Council and actions taken in relation to the complaints are recorded on Council's database system (TRIM) and allocated a log number to track progress of each matter. A further monthly review of the complaints received and outcomes is discussed and monitored by the Executive Team. Data on Code of Conduct complaints and Public Interest Disclosures is regularly reported to Council, the public and external agencies (NSW Ombudsman and Office of Local Government) through annual reports and other frameworks.
2.1.13 - Monitor and manage personal and private information.	Lead: Governance	Privacy & Personal Information and Government Information Public Access (GIPA)	Comply with statutory requirements under the Privacy & Personal Information Act and the Government Information Public Access (GIPA) Act.	Applications are responded to within the statutory time frame		On Track	No Privacy and Personal Information Applications were received for the June Quarter. During the June Quarter 1 Formal and 128 Informal Applications under the Government Information (Public Access) Act were received. A total of 322 hours were taken to determine these applications.
2.1.14 - Undertake records management in accordance with State Records Act legislative requirements.	Lead: Customer Service & Records	Records Maintenance	Create, scan and process new Development Applications for submission to Council's Building and Development Section for assessment. Receipt, scan and lodge Government Information Public Access (GIPA) Act applications and submit to Council's Governance Section for response. Provide required supporting documents in relation to Government Information Public Access (GIPA) Act applications to Council's Governance Section. Retention and disposal of records. Scan, process and distribute incoming daily mail.	Within one day. Within one day. Provide Council's Governance Section with relevant files within three days. Annually		On Track On Track On Track On Track	During the quarter 90 Development Applications, 66 Complying Development Applications and 6 Pre Development Applications were submitted to Building Development. 156 applications were delivered within the Service Standard. During the quarter one formal and 66 Informal GIPA Applications were scanned, registered and submitted to the Governance section within one day. Supporting documents and files related to Government Information Public Access (GIPA) Act applications were provided to Governance in accordance with the service standard. Records has closed, sentenced and appraised folders for disposal in accordance with the General Retention and Disposal Authority. Local Government Records Daily mail processed, scanned, registered and distributed.
2.1.15 - Provide an efficient Electronic Document Management System.	Lead: Customer Service & Records	Records Maintenance	Increase user uptake of Electronic Document Management System.	Monthly training and reporting		On Track	TRIM (Council's Electronic Document Management System) training has been provided to new and existing staff. TRIM Tips have been created via email to staff. Total Records created for the quarter were 27,988.
2.1.16 - Undertake efficient and transparent procurement and purchasing.							

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
	Lead: Governance	Procurement and Purchasing	To coordinate Council's Tender Process in accordance with: - Local Government Regulation 2005 - Local Government Act 1993 - Tendering Guidelines for NSW Local Government 2009 - Burwood Council Tendering Procedure	Number of Tenders successfully delivered.	●	On Track	During the June quarter there were no Tenders approved by the General Manager.
	Lead: Governance	Councillors' Training	Conduct training sessions.	Provide the necessary education resources and tools to Councillors and hold workshops within three months of major changes to legislation.	●	On Track	Changes to legislation were proclaimed in September 2016 and December 2016. Where amendments have been proclaimed Councillors have been provided with a Council Report and a Councillor workshop is being conducted on 18 April 2017.
2.2 - Strong partnerships to benefit the community							
2.2.1 - Improve dialogue with neighbouring councils to share resources and assets to improve provision of services.							
	Lead: Executive Team	Resource Sharing	Participation in the Southern Sydney Regional Organisation of Councils (SSROC)	Active participation in relevant SSROC activities.	●	On Track	Council management participates in the following SSROC working groups: - The GM at the delegates meeting in conjunction with the elected Councillors - General Managers Meeting which meets each month - Environmental Managers' Group - Waste Management Group - Human Resources Managers' Group - Public Works Management Group - Records Management Group - Regulatory Work Group - Supply Management Group - Shared Services Senior Managers' Group - Library Management Group
2.2.2 - Monitor State and Federal government policies that have the potential to impact Burwood Council.							
	Lead: Executive Team	Policies, Procedures, Corporate Practices and Plans	Prepare updates and regularly brief the Council on changes in relevant State and Federal policies.	Inform the Council as new relevant policies are circulated.	●	On Track	The following circulars have been issued that affect Council: - Induction and Ongoing Professional Development for Mayors and Councillors - Further Phase 1 amendments to the Local Government Act
2.3 - Responsible employer of choice							
2.3.1 - Attract, engage, develop and retain the best and most highly skilled staff to strengthen workforce capability.							
	Lead: Organisational Development Secondary: Governance	Staff Relations	Ensure that management induces staff appropriately.	Conduct four induction programs per calendar year	●	On Track	There have been no corporate induction held within this quarter as only one permanent employee have been appointed recently. During the reporting year eight permanent staff were inducted. However, there have been approximately 16 casuals and temporary staff provided with one on

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
2.3.2 - Implement best practice Human Resource policies and strategies.			Survey staff on employee relations and learning needs.	Conduct employee survey every two years and action top five areas for improvement.		No Activity	one mini workplace inductions within their first week of employment during this quarter. During the reporting year 68 temporary, casual and contract staff were inducted.
			Manage the employment relationship between Council, staff, employee associations and key stakeholders.	Maintain ongoing and professional relationships with all employee associations and key stakeholders through regular meetings.		On Track	Council's Employee Opinion survey is due to be conducted in November 2016 however has been put on hold as a consequence of the pending Council amalgamation with Canada Bay and Strathfield Councils. The situation will be reviewed during the first quarter of the new reporting period. During this quarter the both the Consultative Committee and Work Health and Safety Committee met on 2 occasions this quarter. Over the reporting year the Consultative Committee met on seven occasions and the Work Health and Safety Committee met on 5 occasions.
			Provide learning and development opportunities to equip staff to undertake their roles effectively.	Develop and implement an annual Organisational Development Learning and Development Plan.		On Track	Council maintains strong professional working relationships with all employee associations and industry stakeholders. The main focus this quarter has been maintaining informed dialogue with the parties on the progress of the State Governments Local Government Reform agenda. There have been over 10 training activities and programs coordinated and delivered for Council employees this quarter of which approximately 120 employees have attended. There was a particular focus on Mental Health Awareness training, how to use defibrillator and taxation and payroll changes. Throughout the full financial year, Council coordinated close to 95 different training sessions for employees internally and externally. The next quarter will see a continued focus on safety as well as other compliance training such as Code of Conduct and License renewals. Delivery and payment of wages and salaries is undertaken on a fortnightly basis as per the Local Government (State) Award 2014 requirements and Council's procedures in a timely and accurate manner.
		Manage payroll process.	Delivery of pays on a fortnightly basis.	Ensure that payroll reports meet operational needs and audit requirements by undertaking regular upgrades and reviews.		On Track	Delivery and payment of wages and salaries is undertaken on a fortnightly basis as per the Local Government (State) Award 2014 requirements and Council's procedures in a timely and accurate manner. All Managers were provided monthly with their staff's Annual and Sick Leave balances for monitoring purposes and all Executive members are to ensure that the Managers take steps to continue with reducing excessive annual leave balances and monitor and address any sick leave issues.

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
	Lead Organisational Development	Policies, Procedures, Corporate Practices and Plans	Implement, educate and communicate to staff and stakeholders on policy, procedure, entitlements and workplace change.	Coordinate the implementation of the Human Resources Strategy and Workforce Plan and the development of associated policies, guidelines and corporate practices.	●	Watch	The Consultative Committee continues to be the forum of communication to discuss any policy updates, developments and workplace change. Monthly meetings have been held each quarter to discuss any workplace changes and workforce strategies. There has been the development of a draft employee recognition corporate practice and guidelines for undertaking performance management assessments developed and consulted with during this quarter. The secondary employment corporate practice commenced review this quarter. All objectives and workplace responsibilities were set in the last quarter for the 2016/2017 Competency and Performance Management (CP) System. Employees were encouraged to monitor progress throughout this quarter. This quarter Organisation Development has held refresher training in undertaking self assessments and reviews and the annual CAP system has been opened for completion of assessments for 2016/17 financial year. A guideline was developed to assist employees and managers with undertaking an assessment and required evidence for reviews. A revised Employee Recognition program has been developed and consulted with staff and is being rolled out in the next quarter.
2.3.3 - Provide a safe work environment.							
	Lead Organisational Development	Risk Management	Manage Council's insurance portfolio including public liability, motor vehicle accidents and property claims.	Review insurance portfolios annually in consultation with Council's brokers for commercial, market and service delivery improvement.	○	On Track	The insurance portfolio is managed in accordance in consultation with the CwCRisk Mutual, brokers and insurer's advice and is reviewed on annually basis. CwCRisk Mutual's insurance portfolio was renewed on 31 October 2016. The risks brokers Willis Towers Watson have undertaken a review of the local and international market to ensure that members of CwCRisk Mutual obtain the best possible cover and premiums. Council has renewed the insurance cover for Workers Compensation Top-up and Community Support Liability Protection (formerly Casual Hier cover), which were due 30 June 2017. Throughout the reporting year the Manager Organisation Development provides fortnightly updates to the Executive Committee on any major risk management or significant insurance matters. The Executive was provided with a comprehensive half yearly Risk and Insurance report from the Risk Management Coordinator at the February 2017 Executive meeting. This next yearly report to the Executive will be

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
			Develop, promote and implement strategic risk management	Risk Management Committee to meet at least six times each year	●	On Track	submitted in August 2017. Council's positive performance in all areas of risk management and insurance claims management continues. Risk Management Action Plan for 2016/17 has been approved by the Risk Management Committee however it is dependent on any possible amalgamation outcomes. This quarter the Risk Management Coordinator commenced discussions with Harris Security Management in relation to the provision of Serious Security Incident (SSI) Awareness - E-Learning, that was discussed and recommended by the CivicRisk Mutual Risk Management Committee. For this current reporting quarter the Committee has met on one occasion. For the reporting year the Committee met on eight occasions addressing the following topics: Digital roads, kerb, footpath data collection, potential enterprise risk issues as a consequence of Council amalgamations; Compliance Train Electronic forms and Pad; Road Safety Audits; Weighbridge and Crane erection 1 Railway Parade; Enterprise Risk Management reviews of Customer Service and Enfield Aquatic Centre; implementation of Skype for Business telephony system; refurbishment program at Enfield Aquatic Centre; ongoing review of motor vehicle accident claims; Council's recycled waste contract and monitoring the progress of significant Public Liability and Professional Indemnity claims.
	Work, Health and Safety		Develop, implement and review Council's Work, Health and Safety system, policy, procedures and guidelines, to comply with relevant legislation.	Review and implement Work, Health and Safety policies, procedures and forms, every two years	●	On Track	Safe Work Method Statements have all been reviewed and staff are being inducted into relevant Safe Work Method Statements. Safe Operating Procedures have all been reviewed and staff are being inducted into Safe Operating Procedures All First Aid Kits at Chambers, Library, and Depot have been restocked. Dehliator Training was conducted this quarter and all Depot Outdoor Staff have been trained and have been given a Resuscitation pocket card. All Staff were inducted into a Tool Box Talk - Dealing with Aggressive Customers, a follow up on the training that was provided in the third quarter. One investigation was conducted this quarter, in regards to the rear step of the rubbish waste truck Number of incidents (including near misses) for the this quarter were: 0 - Lost Time 8 - Near Misses 12 - Notifications 0 - Medical Treatments
			Report risks, hazards, near miss and incidents to ensure appropriate remedial and corrective actions are undertaken by relevant sections of Council.		●	On Track	

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
			Effective management of Workers Compensation administration, Return-to-Work (RTW) programs and health and wellbeing initiatives.	Process workers compensation claims with insurer within prescribed timeframes including case management and monitoring of Return-to-Work (RTW) programs.	●	On Track	<p>Total number of incidents for the reporting year were:</p> <ul style="list-style-type: none"> 4 - Lost Time 4 - Medical Treatments 8 - Near Misses 35 Notifications <p>Total Number of Corrective Actions Completed for 2016/2017 were: 9</p> <p>All workers compensation claims continue to be effectively managed to ensure timely return to work of injured employees. All claims for workers compensation were processed and reported to Council's insurer StateCover within the prescribed statutory time frames.</p> <p>Council's Work Health and Safety Coordinator is responsible for ensuring that all Return to Work Programs (RTW) with injured workers, medical professionals and supervisors are monitored and reviewed to ensure suitable duties are provided to injured workers with a return to pre injury duties in a safe and timely manner.</p> <p>During this quarter there were 0 lost time injury claims lodged.</p> <p>For the reporting year, there was a total of 4 Lost Time injury claims and staff have returned to pre injury duties in a safe manner.</p> <p>During this quarter defibrillator training was conducted to all Depot, Outdoor Staff and staff were issued with a Resuscitation pocket card. Flu Vaccinations were administered to staff in May 2017.</p> <p>All First Aid Kits were restocked in June 2017.</p> <p>All Defibrillator Batteries were changed as old ones had expired in May 2017.</p> <p>Work Health and Safety Coordinator attended the Metro Group Meeting with StateCover this quarter in May 2017.</p> <p>Tool Box Talk was communicated to Depot, Enfield Aquatic Centre and Library Staff in Dealing with Aggressive Customers during May/June 2017.</p> <p>Lux readings for the lighting in the Clegg Room was conducted in May 2017, all readings comply with Australian Standards.</p> <p>During the reporting year the following activities were undertaken:</p> <p>All Team Leaders attended a one day First Aid Course in September 2016.</p> <p>Volunteer speaker delivered a lifesaving message about a stroke in September 2016.</p> <p>Manual Handling Course was conducted for staff at Enfield Aquatic Centre in September 2016.</p> <p>Tool Box Talks - Heat Stress and Working in Prolonged Hot Weather Conditions, communicated to outdoor staff in November 2016.</p> <p>The following information was posted on Bunwood Council FUSE:</p>

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
2.4 - Ensure Burwood Council is financially sustainable							
2.4.1 - Maintain an Investment Strategy and Policy.							
	Lead: Finance	Policies, Procedures, Corporate Practices and Plans	Prepare and submit monthly investment report.	Report on investments to Council for each month 100% compliant.		On Track	In accordance with Legislative requirements Investment Reports were tabled at each Council meeting held during the quarter.
		Financial Services	Investment Portfolio Management.	Investment rate of return of 0.15 basis point or greater above the RBA rate.		On Track	Council invests surplus funds with various Financial Institutions during the year. These invested funds have been receiving at least 0.15 basis points above the RBA official rate. Council ensures that funds are invested in secured instruments.
			Quarterly budget reviews completed and reported to Council in accordance with Local Government Regulations.	Quarterly budget review statements completed and presented to Council for September, December and March of each year.		On Track	The March 2017 Budget review was undertaken in April 2017 and submitted to the May 2017 Council meeting in accordance with the Office of Local Government's Quarterly Budget Reporting Guidelines.
			Audited annual financial reports lodged with DLG in accordance with Local Act 1993 (amended)	Annual financial reports to be lodged with DLG by November each year.		On Track	Annual Financial Statements for the year ended 30 June 2016 were completed by 31 August 2016 and externally audited by 10 September 2016. Council lodged the audited Financial Statements with the Office of Local Government on 6 September 2016 within the prescribed legislative time frame.
			Review financial aspects of the Delivery Program.	Undertake review of financial aspects of the Delivery Program, which will form basis for rolling forecasts under Best Practice principles.		On Track	The financial aspects of the Delivery Plan are monitored on a monthly basis via input from Council's Executive Committee.
			Address any management items identified as part of the external audit in a timely manner including consideration of cost benefit analysis on control process.	Appropriate strategies are implemented.		On Track	Council's Auditors performed an audit on Council's financials during March 2017 for the first six months of the financial year. During May 2017 Council received an Audit Management Letter. A response was formulated addressing the Auditor's concerns.

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
2.4.2 - Investigate opportunities to expand revenue from commercial operations, property portfolio and other income generating assets.							
	Lead Assets, Property & Building Services Secondary Finance	Property Portfolio	Participate in the investigation of opportunities to expand revenue from commercial operations, property portfolio and other income-generating assets.	Increase revenue through the maximisation of Council's property investments.	●	On Track	Achieving zero vacancy in all Council's leased properties and rent increases are in line with the market rate.
2.5 - Efficient, effective, customer focused services							
2.5.1 - Monitor and review Council's customer service performance against other Councils.							
	Lead Customer Service & Records	Customer Service Improvement	Participate in an external benchmarking program.	Program conducted annually and completed by December.	○	On Track	The National Local Government Customer Service Network Benchmarking survey was completed in June.
2.5.2 - Provide 'One Stop Shop' Customer Service.							
	Lead Customer Service & Records	Customer Service Improvement	Answer Council's incoming telephone calls in line with Customer Service standards.	80% of external telephone calls answered in less than forty seconds.	●	On Track	Of the 8923 calls received during the quarter 83.32% were answered in less than forty seconds.
			Enter Customer Request into CRM System and forward to appropriate team for action.	100% daily.	●	On Track	Of the 2,271 Customer Requests received, 100% were entered into the system on the same day.
			Produce Section 140 Zoning Certificates and refer to Council's Building and Development Section for issuing.	Non-urgent requests within three days. Urgent requests within one day.	●	On Track	During the quarter 97% of the 293 non-urgent and urgent Section 140 certificates received and generated for Building and Development were provided within three days and one day respectively.
			Receipt and lodge Residential and 2P Prime Parking Permit applications in Council's records systems.	Within one day.	●	On Track	During the quarter 945 Residential Parking Permits and 28 Prime Parking Permits were processed and issued on the same day.
			Attend to Customers arriving at Council in line with Customer Service Standards.	80% within five minutes of arrival.	●	On Track	A total of 2,842 customers were served at the counter and 82% were served within five minutes.
2.5.4 - Conduct a comprehensive biannual customer survey regarding satisfaction with Council's performance and service provision.							
	Lead Customer Service & Records Secondary Media Communications & Events	Customer Satisfaction survey	Design, implement and report on biannual customer survey.	Survey to be undertaken in 2015 and 2017.	●	No Activity	The biannual survey has been deferred due to pending Council amalgamations.
3 - A Sustainable Natural Environment							
3.1 - Maintain and enhance open green spaces and streetscapes							
3.1.1 - Implement strong planning controls to protect open green space.							
	Lead Landscape & Urban Design Secondary Strategic Planning	Planning Instruments	Review planning provisions and/or development controls, in accordance with Council resolutions, in relation to open space provision.	Planning Policies enhance and protect open and green space where appropriate.	●	On Track	Council's development control plan (DCP) requires the provision of green open space within new development. Current version of the Burwood DCP includes provisions regarding rooftop gardens.
3.1.2 - Provide adequate funding to maintain open space areas.							
	Lead Strategic Planning Secondary Strategic Planning	Section 94 Contribution Plans	Review Contributions Plans Schedule to be in line with Council's Capital Works Program	Contribution Plan provides for open space capital works.	●	On Track	Council's Contributions Plans provide for capital works. The capital works program is reviewed annually in view of the contribution plans.

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
	Lead: Landscape & Urban Design Secondary: Strategic Planning	Grant Funding	Apply for Grant funding for open space.	Number and value of grant received.	●	On Track	Council has been successful in receiving funding of \$1,000,000 for the embellishment of Wangal Park. This funding has been initiated by the Federal Minister Mr. Craig Launder MP. The timeline for the construction of the various park facilities has been determined and construction works will be staged as applicable. The construction of the half basketball court has commenced. Council has applied for Federal Government funding of \$1,300,000 for the upgrade of facilities in Blair Park to include new sports field flood lighting. Once funding is approved the timeline for the construction of the various park upgrade facilities will be confirmed and construction works will be staged as applicable.
							The works for the construction of the main shared path and other ancillary paths are now completed at Wangal Park under the \$354,982.50 grant from the Metropolitan Greenspace Program. Design options for the solar lights around the pathway network are currently being investigated. Council has been successful with a small grant of \$2500 to repair and monitor the Sandakan Memorial in Burwood Park. The works for this grant are now completed. Council will apply for further grant funding for suitable projects as opportunities arise.
3.1.3 - Pursue partnerships and opportunities to create new open spaces.							
	Lead: Building & Development Secondary: Strategic Planning	Open Space	Negotiate with developers upon redevelopment of sites for additional open space.	Number of planning agreements and/or conditions of consent that provide additional public open space.	●	On Track	There were no VPA's entered into last quarter that related to open space.
3.1.4 - Ensure all public parks and open spaces are accessible, maintained and well managed to meet the current and future recreation needs of the community.							
	Lead: Parks Secondary: Parks	Park Maintenance	Maintenance of parks, including litter collection, cleaning of paths, toilets maintenance, BBQ plates cleaning, tables & benches.	Parks cleaned weekly.	●	On Track	Parks and reserves serviced daily/weekly depending on location and usage. Service activities include rubbish/litter removal, toilet and BBQ cleaning, paths sweeping, dog litter bin cleaning, playground inspections.
			Maintenance of flower bed displays in Burwood Park.	Annual flower beds will have three to four displays per year that coincide with Council Events.	●	On Track	Burwood, Henley and Woodstock Parks retrofitted with new hotplates and coin free operating systems.
			Turning Maintenance including sprinkler system.	Comprehensive inspections completed one month prior to relevant sporting seasons commencement.	○	On Track	Annual flowering displays coincided with special events at Burwood Park which were ANZAC Service and National Servicemen's Association Service.
				Line marking of sporting fields maintained at minimum of 4 weeks cycles.	●	On Track	Fields remarked as required, generally on a more frequent 1-2 week cycles as the season progresses and fields begin to wear and not hold markings as well.
				Sporting fields fertilised during March-April period.	●	On Track	Fertilising of fields at Henley and Blair Park carried out to promote healthy more durable turf growth during the winter season.

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Lead: Landscape & Urban Design Secondary: Parks	Open Space	Identify actions from Disability Discrimination Action Plan that are relevant to open spaces.	Soil analysis test for turf nutrient requirements undertaken annually in July and August.	○	On Track	No action required this quarter. Samples to be taken in August for analysis.	
			Fields aerated and fertilised where required annually in September-October.	○	On Track	No action this quarter. Aeration is carried out during Spring renovation works.	
			Worn down turfed areas re-turfed where required during the September-December period.	○	On Track	Rye grass seed spread on worn areas during this quarter to try and maintain some growth on heavily used areas.	
			Fields are sprayed for broad leaf weeds during August-October period and as required for cross-stood infestations.	○	On Track	Turfing requirements assessed at end of season, No action this quarter. Major weed spraying carried out in Spring.	
			Cricket pitches line marked on regular basis.	●	On Track	Cricket pitches line marked as required for winter cricket competitions.	
			Sporting fields oversowed for high traffic areas where required during March-April period.	●	On Track	Some over-sowing of heavily used worn areas carried out during this quarter.	
			Fields mown on a 1-4 weeks cycle subject to season and sporting activities.	●	On Track	Playing fields mown on average of 1-2 week cycles this quarter.	
			Fields set up for soccer season and during March-April period.	●	On Track	No further field set ups required this quarter. Possible fields set ups for school gala days may be required next quarter.	
			Herbicide/Insecticide spraying.	●	On Track	Spot spraying of some areas this quarter carried out.	
			Pruning of park trees and Phoenix palms.	●	On Track	Some further palm pruning carried out this quarter for dead fronds in Burwood Park.	
Mowing of parks and playing fields.	●	On Track	Passive areas of parks and reserves mown on average of three week cycles this quarter.				
Provide playground equipment that comply with the relevant Australian Standards and undertake regular inspections.	●	On Track	Slower grass growth during this quarter provides the team with the opportunity to undertake other parks and reserves maintenance tasks.				
Equipment maintained in accordance with relevant standards and carry out minimum weekly inspections and repairs as required, and comprehensive inspection carried out quarterly.	●	On Track	Routine visual inspections carried out by Council staff on daily or weekly basis dependent on park location and usage.				
Capital Works Plan to consider the actions of the Plan.	●	On Track	Quarterly inspections carried out by consultant contractors.				
			New playground upgrades for Russell St Reserve and both Henley Park due in July-August 2017				
			The scheduled replacement of play equipment in Henley Park and Russell Street Reserve has been designed to include some equal access play equipment. Access to the play equipment will be via the path network in the parks which are graded for equal access.				
			The design for the new playground at Wangal Park is now completed to include equal access and installation of picnic shelters at Wangal Park has				

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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
	Lead: Community and Library Services Secondary: Parks		Identify recreation trends/issues in the population	ABS Census data and SSRQC data analysed and trends identified every two years.	●	On Track	Other park's capital works will be considered according to the DDA Plan. ABS census data has been released and is now available. New trends are currently being analysed to programs and services can be targeted accordingly. The Mangal Park Masterplan has provisions for equal access throughout the Park. The recently completed path network throughout the park has been designed and constructed to provide equal access.
3.2 - Improve waste management							
3.2.1 - Better promote existing recycling services.							
	Lead: Environment & Health Secondary: Media, Communications & Events	Education	Provide education and information about Council's recycling services.	Produce website updates, media releases and multi-lingual pamphlets to targeted problem multi-unit dwellings.	●	On Track	Recycling information such as a bin bay signage, bin stickers and multi lingual pamphlets were provided to residents in Multi Unit Dwellings (MUDs) as requested by Strata Managers, Body Corporates or tenants/residents during the reporting period
			Undertake bin contamination audits for recycling.	Offer free environmental workshops for schools on waste and sustainability.	●	On Track	The 'Providing the Links' program continued during the reporting period and provided free presentations to primary schools and childcare centres throughout the Burwood LGA. Presentation topics included recycling, litter, composting and worm farming
			Facilitate diversion of e-waste from waste stream through promotion of e-waste drop off centres and e-waste collection events.	Conducted twice per year	●	On Track	Regular e-waste drop off days occurred during the January - March reporting period. There were six drop off days held at Council's Depot in Croydon Park. Bin audit not due this quarter
			Give awards to most improved recyclers for each bin audit program.	Provide report from each audit as to trend in levels of contamination found.	●	On Track	Currently undertaking joint project with SSRQC to identify options for reducing recycling contamination through education and infrastructure
				Award presentation organised twice per year.	●	Not Due	There were no award presentations in the reporting quarter
3.2.2 - Encourage a reduction in waste generation through community education.							
	Lead: Environment & Health Secondary: Media, Communications & Events	Education	Promote waste reduction through programs such as home composting and worm farming.	Media release produced twice per year and advertisement flyer available at Customer Service and distributed at Council's initiatives and events.	●	On Track	Information pamphlets on a range of topics to assist residents to reduce waste and improve diversion are available on Council's website and at Customer Services Centre. Council's involvement in the Compost Revolution program was heavily promoted. The program focuses on the diversion of organic matter from landfill through activities such as home composting and worm farming. Worm farms and compost bins are available to Burwood residents at a 50% discount through the Compost Revolution program.







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THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
3.3 - Educate the community on sustainable practices							
3.3.1 - Hold a program of workshops to encourage more sustainable practices around the home and provide these in different languages, as required.							
Lead: Environment & Health Secondary: Media Communications & Events	Workshops	Conduct eco living workshops to promote sustainable practices.	Conduct a minimum of four workshops per year in Chinese & English.	●	On Track	Two workshops were held in the quarter. 21 April 2017 - Australian animals display 13 May 2017 - No dig gardens.	
3.3.2 - Promote public transport and more active forms of transport such as cycling and walking.							
Lead: Traffic & Transport Secondary: Environment & Health	Cycleways	Ensure new developments provide bicycle facilities in line with Council's Development Control Plan (DCP)	New major development within the Burwood Town Centre will be required to have bicycle facilities.	●	On Track	During this Quarter, 12 referrals for major developments within the Burwood Local Government Area were received and assessed by the Traffic and Transport Team with bicycle parking facilities required as a condition of consent.	
3.3.3 - Encourage residents to reduce the amount of hard surfaces at their properties (e.g. Concrete yards).							
Lead: Building & Development Secondary: Strategic Planning	Planning Instruments	Provide information to residents on the impact of impervious surfaces on the Environment	Relevant information provided in Council's Development Application Starter Kits	●	On Track	This information has been included in a Fact Sheet for Residential Development that is on Council's web site.	
3.3.4 - Focus planning on environmentally sustainable development to reduce impacts on the environment.							
Lead: Building & Development Secondary: Strategic Planning	Planning Instruments	Encourage four to five star building designs.	Number of four to five star building designs received for major developments.	●	On Track	Council received 5 major development applications this quarter for designs with a 4 to 5 star rating.	
3.4 - Leadership in environmental sustainability							
3.4.2 - Develop programs that encourage the community to take pride in the cleanliness and maintenance of the Local Government Area.							
Lead: Environment & Health Secondary: Media Communications & Events	Environmental education	Encourage Community ownership of our Council.	Participate in annual 'Clean up Australia Day'	●	Not Due	Next Annual Clean up Australia day is to be held in March 2018	
		Implement Council's Litter and Illegal Dumping Strategy	Run regular campaigns to raise awareness and promote DoB in a Dumper phone number.	●	On Track	The DoB in a Dumper program is promoted through letterbox drops in identified problem areas, media releases in local newspaper, featured in the residential newsletter and signage on depot vehicles and machinery.	
			Trial use of CCTV cameras as a deterrent for illegal dumping.	●	On Track	Council has now appointed a waste investigations officer as part of the illegal dumping strategy. Two additional CCTV cameras have been purchased. Anecdotal evidence is that when combined with suitable signage they are effective in deterring illegal dumping	

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
3.4.3 - Invest in green technology and seek opportunities to be a leader in this area.							
	Lead: Information Technology	Green technologies & Alternative Energy Sources	Implement strategies to reduce power consumption from Council's equipment.	Report on reduction in power consumption on an annual basis.		On Track	During the reporting period there were 147 reports of dumped materials on both Council and Public property.
3.4.4 - Promote greater use of more efficient green technologies and alternative energy sources.							
	Lead: Environment & Health Secondary: Assets, Property & Building Services	Green technologies & Alternative Energy Sources	Support and promote Federal and State Government initiatives in the rollout of green technology grants and rebate schemes. Promote to the community and participate in the annual Earth Hour event.	Report take up of rebates by the community and recorded participation in schemes available through Government information services. Participate in Earth Hour.		No Activity Not Due	Currently there are no rebate schemes available to residents of a sustainable or resource recovery nature. Therefore no data available on rebate uptake in the Burwood Local Government Area Next earth hour will be in March 2018
3.4.5 - Develop management plans that improve the performance of Council operations to address global warming.							
	Lead: Environment & Health	Develop Management Plans	Monitor actions from: - Green Action Plan - Sustainability Action Plan - Water Savings Action Plan - Cities for Climate Protection program - Local Action Plan - Strategic Waste Action Plan - Litter and Illegal Dumping Plan	Annual report to Council		Not Due	The next annual report is due February 2018
4 - Accessible Services and Facilities							
4.1 - Effective traffic management and adequate parking provision							
4.1.1 - Investigate an increase in bus priority lanes along local roads.							
	Lead: Traffic & Transport	Bus Priority Lanes	Investigate opportunities for bus priority lanes to improve public transport efficiency.	Work with RMS and Transport NSW to identify location for improved bus access.		On Track	Consultation has been finalised by TNSW regarding a possible relocation of the Bus Stop on Burwood Road Enfield, just north of Mitchell Street. Council is now awaiting correspondence from TNSW on the final outcome.
4.1.2 - Investigate options for effective traffic management and increased public parking.							
	Lead: Building & Development Secondary: Traffic & Transport	Additional parking and traffic management	Encourage opportunities for additional traffic management measures and provision of public parking within developments.	Number of developments where traffic management measures and additional parking are provided.		On Track	There were 28 DAs referred to Council's Traffic & Transport Section for comment during this quarter with 1 DA being referred to Roads & Maritime Services for comment.
4.1.3 - Develop a whole of LGA parking strategy.							
	Lead: Traffic & Transport Secondary: Compliance	Parking Strategy	Implement and review Burwood Public Parking Strategy.	Roll out Parking Strategy and undertake a review every 18-24 months to identify areas requiring improvement.		On Track	A review of the Burwood Public Parking Strategy is currently under way, with consultation having been undertaken with residents of Wilbury Street with regards to on-street parking. Streets on the periphery of the Parking Strategy have all had parking occupancy audits undertaken to identify additional streets for possible inclusion into the Parking Strategy.

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
4.1.4 - Consult pedestrians as key stakeholders in traffic management planning.							
	Lead: Traffic & Transport	Traffic Management Planning	Design of traffic facilities such as pedestrian refuges, roundabouts, cycle ways to be produced on time.	Investigate all requests for traffic facilities and design them in accordance with Australian Standards and RMS Guidelines.	●	On Track	All of Council's traffic facilities are designed to relevant Australian Standards and the Roads and Maritime Services (RMS) Guidelines and Technical Directions.
4.1.5 - Work with RMS and Transport NSW in the development of integrated transport plans.							
	Lead: Traffic & Transport Secondary: Strategic Planning	Integrated Transport Plans	Work with RMS, STA, NSW Police, Local State Member, Chambers of Commerce and major stakeholders, as part of the Local Traffic Committee to develop and review new traffic and parking initiatives.	Local Traffic Committee to meet monthly.	●	On Track	The May 2017 Burwood Local Traffic Committee meetings was held successfully with a total of four items for consideration by committee members.
4.1.6 - Expand the Burwood bike plan.							
	Lead: Traffic & Transport	Cycleways	Apply for grant funding for cycling facilities from external sources	Number and value of grants received.	●	On Track	Burwood Council's cycleway network is currently being assessed with a view to include some additional cycle links as part of the state government's Urban Amenity Improvement Project. No grants have been applied for in this Quarter.
4.2 - Accessible services and facilities that are well utilised							
4.2.1 - Explore options for funding new spaces and upgrading old facilities.							
	Lead: Assets, Property & Building Services	Grant Funding	Identify appropriate spaces for expansion to include leisure activities.	Submit grant applications.	●	On Track	Council secured grant funding to install 50kwh solar power system at Enfield Aquatic Centre.
4.2.2 - Install ramps and lifts to improve accessibility of the town centre for seniors, people with a disability and parents with prams.							
	Lead: Assets, Landscape, Architecture, Urban Design & Contacts Secondary: Community Services	Accessible Infrastructure and Services	Identify appropriate location and build access ramps for prams and wheelchairs.	Capital Works Plan to consider the actions of the Plan.	●	On Track	During this quarter Council has upgraded twenty (20) new pram ramps across the LGA. It should be noted that pram ramps are constructed/upgraded in conjunction with capital and maintenance works projects.
4.2.3 - Support the development of increased safe cycleways and collaborate with adjacent councils to improve connections throughout the Inner West.							
	Lead: Traffic & Transport Secondary: Community Services	Cycleways	Improve access and connections between recreational facilities, open space and linkages to neighbouring Councils' cycleways.	Regularly meet with local bicycle groups and neighbouring Councils to identify opportunities for new cycleway linkages.	●	On Track	Burwood Council's cycleway network is currently being assessed with a view to include some additional cycle links as part of the state government's Urban Amenity Improvement Project. Consultation with neighbouring Councils will be undertaken as required.
4.2.4 - Develop and implement road safety programs to achieve Council's road safety objectives.							
	Lead: Traffic & Transport	Road safety	Apply for funding and run targeted programs such as Kiss and Ride area safety around schools, cyclists safety, child restraints, senior citizens safety, pedestrians safety, speeding, learners drivers.	Run a minimum of three programs per year, subject to funding.	●	On Track	Council has successfully obtained grant funding for "Watch Our Cars About", "Slow Down", and "Buckle Up Bubs and Kids" programs from the Roads and Maritime Services (RMS). These programs were run throughout the 2016/17 financial year. The "Look out before you step out" pedestrian safety stencils were rolled out along the Burwood Rd Shopping Centre during this quarter.
4.2.7 - Deliver programs targeted to families and children aged 0-12 years.							

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
	Lead: Community and Library Services	Community Development (Children and Families Services)	Facilitate and deliver inter-agency network meetings for providers of services to Families and Children. Deliver Families and Children events.	Six inter-agency network meetings held per annum. One event held per annum.	 	On Track On Track	The Child and Family Interagency meetings were held bi-monthly during the quarter, providing a key source of planning and coordination support to local services that work with families and children in the local area. Parenting workshops including Building Parenting Capacity and Circle of Security held between April to May at Burwood Library and Community Hub and at a local primary school. Both sessions had maximum capacity of parents/carers with 25-30 at each session. These sessions aimed to educate parents and provide them with strategies and tips to increase capacity to manage difficult child behaviours in a nurturing and positive way. Community Soccer has been delivered weekly, every Wednesday afternoon at Burwood Park, during the school term. There has been a number of new registrations in term 2 (April-June) where between 30-35 children attend weekly. The Child and Family Directory and Services Brochure is continually updated, with the online version available via Council's website. The information is distributed by the Children, Families and Cultural Development Officer to those contacting Council to find out about Child and Family services, including early childhood and primary school details in the local area.
	Lead: Community and Library Services Secondary Assets, Landscape Architecture, Urban Design & Contracts	Accessible Infrastructure and Services	Implement actions from Disability Action Plan including actions that are relevant to community facilities.	Annual progress report presented to Council by 30 June each year.	 	On Track	The Disability Inclusion Action Plan 2017-2021 was adopted by Council at the 27 June 2017 meeting. This copy was subsequently sent to the Disability Council of NSW.
4.3 - Safe facilities and services							
4.3.1 - Design footpaths to increase pedestrian only spaces for improved pedestrian access and safety.							
	Lead: Assets, Landscape, Architecture, Urban Design & Contracts	Civil Footpath Design	To delineate between pedestrian only and shared footpaths.	Clearly identify shared paths.		On Track	Construction of any future shared paths will be designed in accordance with all relevant guidelines & standards such as RMS, Ausroads and Council.
4.3.2 - Improve street lighting and lighting in public places.							
	Lead: Assets, Landscape, Architecture, Urban Design & Contracts Secondary: Community Services	Street Lighting	Review Council's Street Lighting Program with a view to balancing safety, environmental and sustainability aspects.	Undertake regular night audits.		On Track	Following several successful public lighting trials of new LED technology, Ausgrid has now included a number of LED lights in their default list of approved lanterns for pedestrian (P) category lighting. This LED lighting has been found to improve reliability, increase energy efficiency and lower overall costs for Council. As of 30 June 2017, 283 LED lights have been installed within the Burwood LGA. Ausgrid is now in the process of developing LED lighting for vehicle (V) category lighting and an accelerated replacement program which will further assist in reducing costs for Council but more importantly will create lighting consistency and contribute to decreasing greenhouse gas emissions.
4.4 - Encourage active and healthy lives							

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4.4.1 - Support and implement programs for seniors, people with disabilities and their carers.							
	Lead: Community and Library Services	Community Development (Ageing)	Provide a range of activities to support health and well being for seniors, people with disabilities and their carers, as per Council's Ageing Strategy.	Agreed number of programs and activities delivered.	●	On Track	Two activities for seniors were held this quarter. "Estate Planning including will preparation, guardianship and enduring power of attorney". The lecture discussion had 20 seniors attending. The other event was a bus trip to The Gardens on Forest, a heritage building located in Peakhurst. The group had a tour led by the current owner followed by lunch. The bus trip had 41 in attendance. Council continues to support independent providers of health and wellness activities through free use of Council owned venues provided the providers will only charge \$5.50 per person per session. These activities include line dancing, Chinese painting, gentle exercises and which are open to the community including seniors.
4.5 - Vibrant and clean streetscape							
4.5.1 - Undertake programs that aim to reduce graffiti and littering in local neighbourhoods and the town centre.							
	Lead: Compliance Secondary Media, Communications & Events	Education	Promote Council's "Dob in a Dumper" program targeting littering in the LGA.	Leaflets to be distributed on known offending streets highlighting littering trend increases.	●	On Track	Council produce educational articles in local papers as well as target locations identified as developing rubbish dumping issues with leaflets placed in letter boxes seeking assistance and making the local area aware of the issue and council's involvement.
	Lead: Community and Library Services Secondary Media Communications & Events		Promote information and phone numbers for the Graffiti Line.	Two articles per year to be posted in local media papers educating the community of the program.	●	On Track	Council produce educational articles throughout the period focusing on key issues such as illegal dumping and Council's Dob in a Dumper" program. This approach aims at educating the broader community to participation in reporting crime and identifying offenders.
				Graffiti Line number maintained in Council's website, newsletters and publications.	●	On Track	The reporting of graffiti continued to be promoted to the community through Council's web page. Council has developed resources to be sent to residents and businesses to encourage residents and businesses to report graffiti.
4.5.2 - Activate streetscapes through local events.							
	Lead: Media Communications & Events	Events	Produce and promote an annual program of civic events.	Number of events delivered and increase in attendance.	●	On Track	During the fourth quarter, Burwood Council delivered two major civic events: the Arzac Day Commemorative March and Dawn Service and the National Servicemen's Commemorative Service. Both services experienced an increase in attendance. Council also held Easter in the Park celebrations and the Heritage Week Memorial Tours. In addition, Council supported the Buddha Vesak Day celebrations in Burwood Park.
4.5.3 - Encourage architectural integrity and aesthetically appealing buildings.							
	Lead: Strategic Planning Secondary Strategic Planning	Planning Instruments	Review planning provisions and/or development controls, in accordance with Council resolutions, in relation to architectural integrity and aesthetically appealing buildings.	Planning Policies to enhance and promote architectural integrity and aesthetically appealing buildings.	●	On Track	Council has prepared a planning proposal, part of which is to introduce a design excellence provision to enhance and promote aesthetically appealing buildings.

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
4.5.4 - Invest in upgrading the public area south of Burwood railway station.	Lead: Building & Development Secondary: Strategic Planning	Development Assessment	Assessment of Development Applications to ensure substantial compliance with State Environmental Planning Policy (SEPP) 65 & NSW Residential Flat Design Code (RFDC).	Number of Development Applications assessments.	●	On Track	During this quarter Council applied the residential design quality planning controls to the assessment & determination of 4 major DA proposals and also referred a further 5 Major DAs to Specialist Urban Design Architects to assist in providing high quality urban design outcomes.
	Lead: Assets, Landscape Architecture, Urban Design & Contracts	Capital Works	Investigate the upgrade of the area south of Burwood railway station.	Include in the future Capital Works Program.	●	On Track	During this Quarter capital improvement works undertaken in the CBD area south of Burwood Railway Station is stormwater drainage, kerb and gutter and footpath upgrade works at Sharnesbury Rd intersection with Brooklyn St.
4.5.5 - Provide Development Application assessment as per Environment and Planning Assessment Act.	Lead: Building & Development	Development Assessment	Assess development applications in a timely and professional manner.	Development applications assessment time not to exceed the median and mean assessment time for NSW Department of Local Government Group 2 Councils.	●	On Track	The mean and median turnover figures for the last quarter were 109 & 86 days respectively compared to the Group 2 performance monitoring figures of 66 & 51 days. This included the determination of 4 Major DAs within that period. Council has engaged additional town planning resources to assist with the processing of development applications.
				Number of requests for review of determination of Development Applications pursuant to Section 82A of the Environment and Planning Assessment Act.	●	On Track	There was one request to review a determination pursuant to Section 82A of the Environmental Planning & Assessment Act 1979 and this matter has not been determined at this time.
4.6 - Minimise risk and ensure continuity of critical business functions							
4.6.1 - Implement best practice records and risk management strategies.							
	Lead: Customer Service & Secondary: Information Technology	Management of Council's records systems in accordance with the State Records Act	Monitor Records Management Plan.	Required records are available.	●	On Track	Required records were available within service level time frames.
	Lead: Information Technology/ Information Technology	Policies, Procedures, Corporate Practices and Plans	Manage an Information Business Continuity & Disaster Recovery Plan in relation to Information Communication Technology (ICT).	Test ICT Business Continuity & Disaster Recovery Procedures annually.	●●	On Track	Council has the continued support of an off-site disaster recovery site through a major disaster recovery company. Council are currently reviewing disaster recovery procedures and systems.
4.6.2 - Facilitate training and education awareness programs regarding risk management.							
	Lead: Organisational Development	Risk Management	Develop training and education program in strategic risk management.	All staff are informed and understand risk as it relates to their position and responsibilities.	●	On Track	Each year CivicRisk Mutual provides members with a range of sessions dealing with different topics within the Risk Management environment so the Council staff from various departments can attend and acquire/expand their a knowledge, raise their awareness on their roles, obligations and responsibilities in relation to risk management within their areas of expertise. In October 2016 Council staff attended a Incidents/Claims Investigation & Litigation workshop organised by the CivicRisk Mutual. Over the reporting year staff also attend sessions on Property Protection Seminar - Floods, Fires & All In Between conducted by CivicRisk Mutual.
Review and updating the Enterprise Risk Register with relevant staff and Managers is currently							

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
4.6.3 - Maintain an appropriate insurance program.							
	Lead: Organisational Development	Insurance	Manage Council's insurance portfolio	Review insurance portfolios annually in consultation with Council's brokers for commercial, market and service delivery improvements.	○	On Track	The insurance portfolio is managed in accordance with Council's Insurance Policy. The insurance portfolio is reviewed annually in consultation with the CwvCrisk Mutual brokers' and Insurer's advice and is reviewed on annually basis. CwvCrisk Mutual's insurance portfolio was renewed on 31 October 2016. The pools brokers Willis Towers Watson have undertaken a review of the local and international market to ensure that members of CwvCrisk Mutual obtain the best possible cover and premiums. Council has renewed the insurance cover for Workers Compensation Top-up and Community Support Liability Protection (formerly Casualty cover), which were due 30 June 2017.
4.6.4 - Provide suitable reliable information technology hardware and software across the organisation.							
	Lead: Information Technology	Hardware Infrastructure	Develop, implement, manage and support Council's Information Technology Hardware	Provide management and support to Council's desktops, laptops, servers and network infrastructure to agreed service level	●	On Track	No major outages were reported for the quarter.
		Information Systems	Develop, implement, manage and support Council's Information Communications Technology (ICT) Information Systems.	Provide management and support to Council's Information Systems and Software Applications to agreed service levels.	●	On Track	During quarter four there were no reportable outages of Council's Information Systems.
5 - A Vibrant Economic Community							
5.1 - Support and manage Burwood's major centre status							
5.1.1 - Implement economic development strategies.							
	Lead: Media Communications & Events	Economic Development	Cooperate and identify partnership opportunities with all local Chambers of Commerce.	Engage local Chambers of Commerce on major Council projects and promote a minimum of two meetings per year between Council management and Chambers' Presidents.	●	On Track	Council made preliminary contact with local Chambers groups with the intention of conducting a meeting in the upcoming quarters.
	Lead: Traffic & Transport	Grant Funding	Apply for grant funding for transport facilities.	Number and value of successful grants.	●	On Track	Submissions for 2018/19 National Black Spot Program are currently being considered.
5.1.3 - Encourage mixed use buildings – commercial and residential to maximise use of buildings in the town centre.							
	Lead: Strategic Planning	Planning Instruments	Review planning provisions and/or development controls, in accordance with Council resolutions, in relation to mixed use.	Planning Policies to enhance and promote mix use.	●	On Track	Mixed use in town centres is permitted under the Burwood Local Environmental Plan 2012.
5.2 - Support small business							
5.2.1 - Develop programs to strengthen and sustain small businesses.							

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
5.2.2 - Support and facilitate opportunities for home based businesses to grow and prosper, develop skills and enhance community capacity.	Lead: Strategic Planning	Public Health	Regulate and enforce the process in accordance with Food Act and Council's Enforcement Policy	Monitor and record number of Improvement Notices, Prohibition Orders, Penalty Notices and Prosecutions issued by Council's Environmental Health Officers.	●	On Track	Enforcement action has been taken where appropriate.
			Provide enforcement action information to NSW Food Authority to enable timely updating of Name and Shame Register for Food Shops.	Submit Annual Food Activity report to the NSW Food Authority by end of July each year.	○	On Track	There were three Improvement Notice and 6 Penalty Infringement notices issued during the reporting period. Report due in July 2017
			Conduct two food handling, hygiene and safety workshops for food shop operators.	Conduct two workshops per year. One of the workshops is to be in a language other than English.	●	On Track	There was one food safety workshop conducted on 20 June 2017
			Provide advice and factsheets to shop keepers in their preferred language about food safety and other health issues.	Environment and Health Officers to maintain supply of fact sheets in other languages for distribution at time of inspection and make them available on Council's website.	●	On Track	Environment Health officers maintain a supply of a range of fact sheets in multiple languages and distribute to premises as considered necessary.
			Provide environmental and health advice and conditions on submitted Development Applications to ensure compliance with standards and legislation as necessary.	Examine and condition development applications as necessary.	●	On Track	There was a total of thirty two (32) development applications that required consideration and conditioning by the Environment and Health Team during the reporting quarter.
			Respond to and investigate public health complaints.	Report number of complaints investigated and actioned as part of quarterly reporting process.	●	On Track	There were seventeen (17) public health complaints received and investigated by the Environment and Health Team during the reporting quarter.
			Review of Comprehensive Local Environment Plan (LEP) in response to emerging issues.	As required	●	On Track	Burwood Local Environmental Plan 2012 is reviewed with amendments made from time to time in response to emerging issues.
			Investigate opportunity to hold markets in conjunction with other civic events.	Inclusion of market-type sections at Council's major civic events.	●	On Track	Burwood Council incorporates market-type sections in its major civic events where relevant and appropriate. The two major civic events held during the fourth quarter were Commemorative Services and due to the nature of these events, they were not suitable for the inclusion of market-type sections. Easter in the Park featured a range of food and market-type stalls and activities. Council did support the externally organised Buddha's Vesak Day Celebration event which took place this quarter and included a market-type section with stalls offering a range of food, arts and crafts and information. The next event to include market-type sections will be Council's biggest civic event, Burwood Festival to be held in October 2017.
			Develop civic events on weekends.	Majority of civic events held on weekends.	●	On Track	Major civic events organised by Burwood Council are held on weekends or relevant public holidays whenever possible to encourage attendance and participation by the local community. The following events were held during the
			Investigate opportunity to hold markets in conjunction with other civic events.	Inclusion of market-type sections at Council's major civic events.	●	On Track	Burwood Council incorporates market-type sections in its major civic events where relevant and appropriate. The two major civic events held during the fourth quarter were Commemorative Services and due to the nature of these events, they were not suitable for the inclusion of market-type sections. Easter in the Park featured a range of food and market-type stalls and activities. Council did support the externally organised Buddha's Vesak Day Celebration event which took place this quarter and included a market-type section with stalls offering a range of food, arts and crafts and information. The next event to include market-type sections will be Council's biggest civic event, Burwood Festival to be held in October 2017.

ATTACHMENT 1

**ITEM /17 Delivery Program 2013/17 - Quarterly Report for the period ending 30 June 2017.DOC
Operational Plan Report - 2014 QTR 4**

THEMES AND STRATEGIC GOALS	RESPONSIBILITY	SERVICE	ACTION	SERVICE STANDARD (PERFORMANCE MEASURE)	TARGET	STATUS	COMMENT
5.3 - Increase employment and training opportunities							
5.3.1 - Build links and partnerships with educational institutions for the development of diverse local skills and to increase local provision of employment and training for the community.							
	Lead: Organisational Development		Identify Opportunities Provide opportunities within Council service provision for youth employment, student placements and traineeships where appropriate.	Continue to promote and support local learning institutions with work experience, traineeships and student placements opportunities.		On Track	Council hosted three students from Southern Cross Vocational College during this quarter in administration and events. The administration student worked in various teams within the administration, records and organisation development areas of Council. In the reporting year Council hosted nine students. Council continues to engage an apprentice in landscaping construction through a group training company while also employing one Student/ Graduate Engineer as well as another on Work Placement during this quarter. Council has been again recruited local youth into the positions of Casual Library Shleaving roles with the local high schools to encourage youth employment in the area. The Emerald Aquatic Centre also employs a number of young people from the local area.
5.4 - Economic centre growth and preserved residential areas							
5.4.1 - Preserve local heritage through relevant planning strategies.							
	Lead: Strategic Planning Secondary Building & Development		Heritage Protection Ensure that all development applications relating to heritage items or Heritage Conservation Areas are referred to the Senior Strategic Planner – Heritage Adviser for comment.	80% of DA's relating to heritage items or Heritage Conservation Areas referred to Strategic Planning for comment to be answered within 10 days - 100% of DA's to be answered within fifteen days.		On Track	23 heritage referrals for the quarter were received, 52% were responded to within 10 working days and 70% responded to within 15 working days.

(ITEM 48/17) REFERRAL OF THE ANNUAL FINANCIAL REPORTS FOR 2016-2017 TO COUNCIL'S AUDITOR

File No: 17/30431

REPORT BY CHIEF FINANCE OFFICER

Summary

Council's financial reports must be in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), the Australian Accounting Standards, the Local Government Code of Accounting Practice and Financial Reporting and the Local Government Asset Accounting Manual. This is to ensure that the financial reports for each year fairly present the Council's operating result and financial position for the year.

In accordance with Section 413 of the Act, Council's Annual Financial Reports must be authorised for referral to the Auditor for audit.

Background

Sections 413, 415 and 416 of the Act require Council's Annual Financial Reports for 2016-2017 to be prepared, referred to audit and audited by 31 October 2017.

In relation to this process, Council is required to authorise the referral of the Annual Financial Reports to Council's External Auditor.

Section 413 of the Act states that the Annual Financial Reports must be accompanied by a Statement of Council's opinion on the general purpose financial report (Attachment 1) made pursuant to a resolution of Council and Signed by the:

- Mayor
- Deputy Mayor
- General Manager
- Responsible Accounting Officer (Chief Finance Officer)

The Annual Financial Reports for 2016-2017 are subject to review by the External Auditor before they can be finalised.

Proposal

The 2016-2017 Annual Financial Reports are due for Audit Referral by 31 August 2017. Due to the Local Government Election occurring in September 2017 and that there not being a Council meeting in August 2017, the General Manager in consultation with the Chief Finance Officer agree Council should adopt the recommendation that the Mayor, Deputy Mayor, General Manager and Chief Finance Officer (Responsible Accounting Officer) to sign the "Statements by Councillors and Management for the General Purpose Financial Reports and the Special Purpose Financial Reports for the year ended 30 June 2017" once the reports are ready for audit.

Consultation

The audited Annual Financial Reports will be presented to the Audit Committee during September 2017 prior to completion of the external audit process. The Audit Committee's comments will be included as part of the report to Council for the Presentation of Council's Audited Annual Financial Reports for 2016-2017.

Conclusion

The Annual Financial Reports provide a snapshot of Council's operating performance and its

financial position at a point in time and their completion and presentation is a statutory requirement under the Act and the Regulation.

Recommendation(s)

That in accordance with Section 413(2)(c) of the *Local Government Act 1993* and Clause 215 of the *Local Government (General) Regulation 2005*, Council resolve the following:

1. That authority is granted to the Mayor, the Deputy Mayor, the General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management for the General Purpose Financial Reports and the Special Purpose Financial Reports for the year ended 30 June 2017.
2. That the signed statements be attached to the 2016-2017 Unaudited Annual Financial Reports and presented to Council's Auditor for the completion of the audit.
3. That the Auditor be invited to attend the Audit Committee Meeting in September 2017 that will review the Annual Financial Reports and also to attend the Council Meeting that is to adopt the audited Annual Financial Reports.

Attachments

- 1 Statement by Councillors and Management 1 Page

Burwood Council

General Purpose Financial Statements
for the year ended 30 June 2017

Statement by Councillors and Management
made pursuant to Section 413(2)(c) of the *Local Government Act 1993 (NSW)* (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- the *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and professional pronouncements, and
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these financial statements:

- present fairly the Council's operating result and financial position for the year, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 25 July 2017.

Councillor Faker
Mayor

Councillor Mannah
Councillor

Michael McMahon
General manager

Wayne Armitage
Responsible accounting officer

(ITEM 49/17) EXTENSION OF COLLECTION CONTRACT FOR MIXED SOLID WASTE, RECOVERABLE ORGANICS AND RECYCLABLES

File No: 17/30834

REPORT BY DEPUTY GENERAL MANAGER LAND, INSTRUCTURE & ENVIORNMENT

Summary

This report seeks Council approval to extend the existing waste and recycling collection contracts until 30 June 2019 to allow sufficient time for the development of a proper and considered tender process taking into consideration the potential for Council amalgamations.

Background

Council, at its meeting of 23 May 2017 resolved to accept an offer from Cleanaway for the ongoing collection of recyclable material, following the withdrawal of Strathfield Council from the joint collection contract that Burwood Council and Strathfield Council had with JJ Richards and Sons. Cleanaway has a contract with Burwood Council for the collection of all domestic solid waste and recoverable organic material (green waste). This contract expires in September 2017.

Proposal

It is proposed that in light of the current uncertainty around proposed amalgamations that the current collection contract with Cleanaway be extended until 30 June 2019 to include solid mixed waste, green waste and recyclables.

Consultation

Cleanaway has been consulted and asked if they would be receptive to extending the contract pursuant to the current terms and conditions. They have advised they are willing and able to extend the contract to 30 June 2019.

Council's Solicitor, Matthews Folbigg has been consulted and has provided advice to the effect that the contract can be extended without the calling of tenders as proposed, due to the extenuating circumstances.

Planning or Policy Implications

There are no Planning or Policy implications.

Financial Implications

The waste collection contract is provided for as annual recurring expenditure in the annual budget. There are no additional financial implications for Council.

Options

The extension of the contract to 2019 will allow for the considered preparation of a tender to achieve the best possible outcome for the community.

Conclusion

The extension of the contract will bring into line all Council's collections services, into one agreement with the same contract finishing time. It is envisaged that any Council amalgamation issues should be resolved by the new end date. Council will then either alone, or as an amalgamated Council, be able to prepare a tender for all collection services with a view to achieving the best possible outcome for the community.

Recommendation(s)

1. That Council, pursuant to section 55(3) of the *Local Government Act 1993 (NSW)*, enters into the proposed agreement with Cleanaway Pty Limited without the calling of tenders, as a satisfactory result to the invitation of tenders is unlikely, due to the extenuating circumstances outlined in part C of this resolution.
2. That Council vary its waste Collection Contract with Cleanaway as follows:
 - a. The term of the Contract be extended to 30 June 2019 with no option to extend.
 - b. The terms of the Service Specification in the Contract incorporate in general respects (but harmonised with the existing Service Specification) the current EPA Model Recycling Specification.
 - c. The financial provisions of the varied Contract incorporate the pricing in the letter from Cleanaway dated 12 May 2017.
3. That Council not call for tenders for the variation of the Contract as specified in part A of this resolution, because of the following extenuating circumstances:
 - The possibility for the amalgamation of Burwood Council with other Councils, which is currently being litigated, makes it inappropriate to engage in a tender process for Council's collection services at this time, as a better outcome for ratepayers is likely to be achieved with a combined tender with the merged Councils, should the amalgamation occur.
 - The period of time to undertake a tender process is insufficient to enable a meaningful tender process to be carried out.
4. That Council authorise the General Manager to sign the necessary Contract variation document and any related documentation under his Power of Attorney.

Attachments

There are no attachments for this report.

(ITEM 50/17) INVESTMENT REPORT AS AT 30 JUNE 2017

File No: 17/32132

REPORT BY CHIEF FINANCE OFFICER

Summary

In accordance with Clause 212 of the *Local Government (General) Regulation 2005*, this report details all money that Council has invested under Section 625 of the *Local Government Act 1993*.

Background

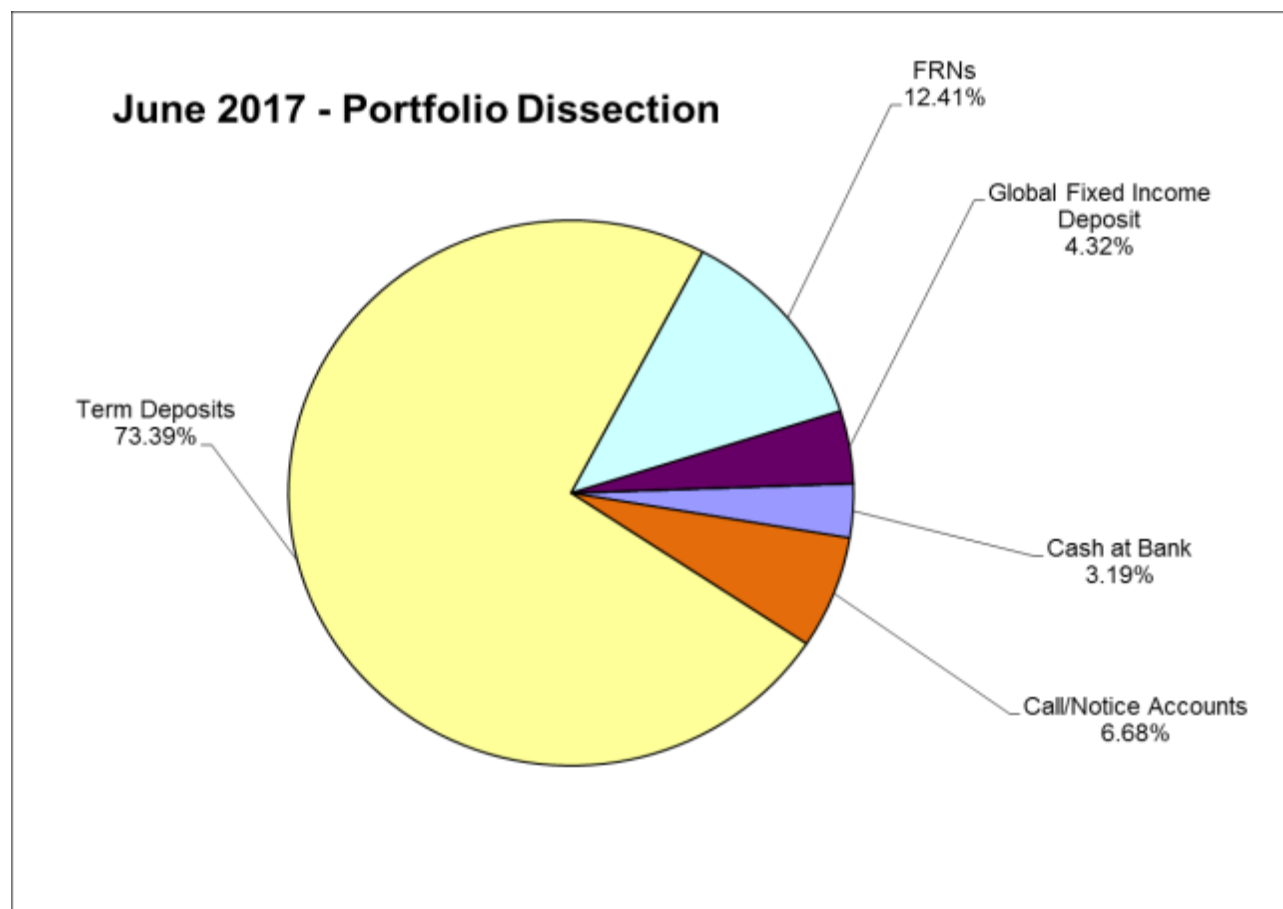
As provided for in Clause 212 of the *Local Government (General) Regulation 2005*, a report listing Council's investments must be presented to Council.

Council's investments are made up of a number of direct investments, some of which are managed or advised by external agencies.

In accordance with Council's adopted Investment Policy and in line with Office of Local Government Investment Guidelines the portfolio contains investments which are covered by "grandfather" clauses, i.e. investments in Floating Rate Notes (FRN).

Investment Portfolio

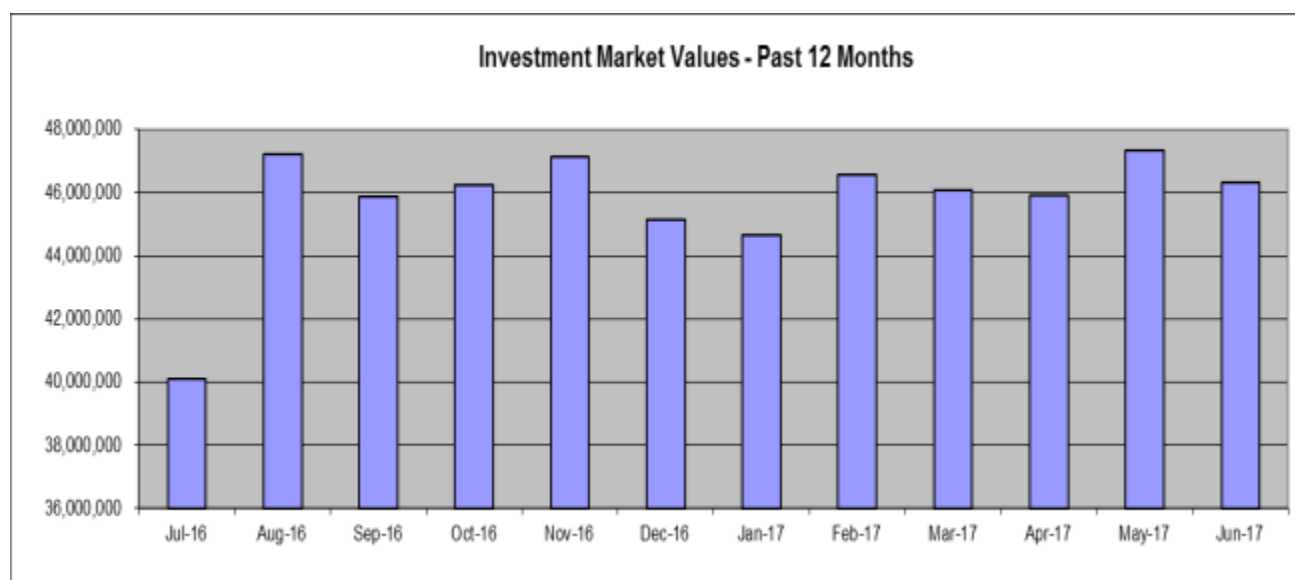
Council has a diversified investment portfolio and has a number of direct investments in term deposits. The investment portfolio as at 30 June 2017 is:



As at 30 June 2017 Council held the following term deposits:

Purchase Date	Financial Institution	Principal Investment Amount	Interest Rate	Investment Days	Maturity Date
11-Apr-17	National Australia Bank	2,000,000	2.57%	90	10-Jul-2017
12-Jan-17	Bank of Queensland	2,000,000	2.80%	180	11-Jul-2017
27-Jan-17	Bank of Queensland	3,000,000	2.75%	180	26-Jul-2017
27-Feb-17	Bankwest	3,000,000	2.60%	182	28-Aug-2017
28-Feb-17	ME Bank (Curve)	2,000,000	2.62%	181	28-Aug-2017
03-Mar-17	ING Bank	2,000,000	2.70%	180	30-Aug-2017
06-Mar-17	AMP Bank (Curve)	3,000,000	2.75%	182	04-Sep-2017
24-Mar-17	Bankwest	3,000,000	2.60%	180	20-Sep-2017
24-Mar-17	AMP Bank (Curve)	2,000,000	2.75%	180	20-Sep-2017
03-Apr-17	Suncorp Bank	4,000,000	2.60%	183	03-Oct-2017
20-Apr-17	Bank of Queensland	2,000,000	2.65%	180	17-Oct-2017
26-Apr-17	ING Bank	3,000,000	2.69%	180	23-Oct-2017
03-Jan-18	ING Bank (Curve)	3,000,000	2.63%	210	03-Jan-2018
Total		34,000,000			

The following graph highlights Council's investment balances for the past 12 months:



Council's investment portfolio is recognised at market value and some of its investments are based on the midpoint valuations of the underlying assets and are subject to market conditions that occur over the month.

Council's investment balances as at reporting date and for the previous two months are detailed in Attachment 1. Definitions on the types of investments are detailed in Attachment 2.

Investment Performance and Market Commentary

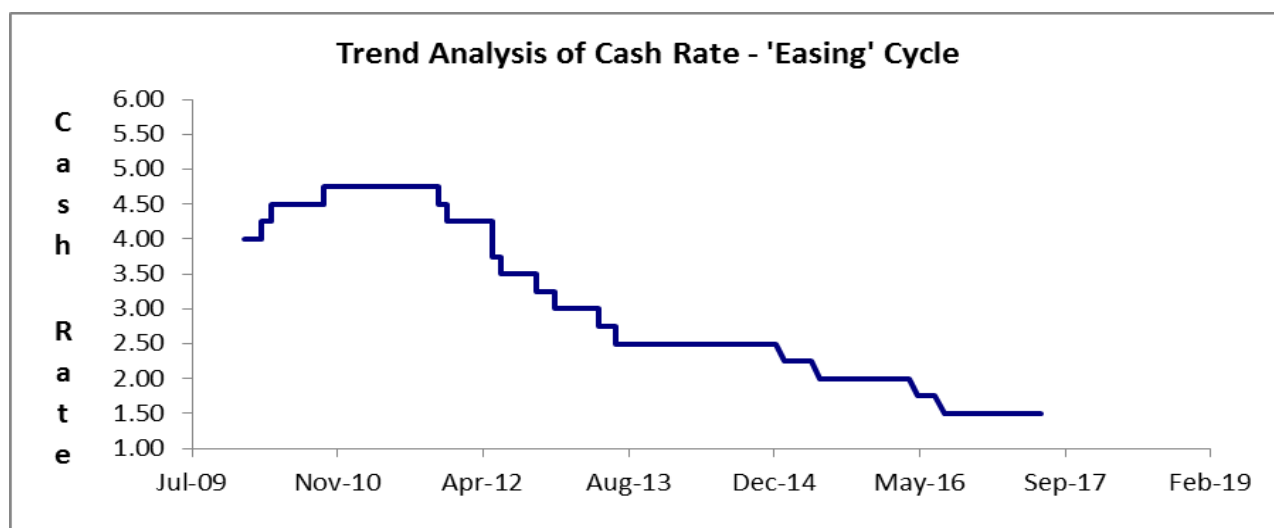
The Reserve Bank of Australia (RBA) at its 4 July 2017 Board Meeting kept the official cash rate at 1.50% per annum. "... The broad-based pick-up in the global economy is continuing, Labour markets have tightened further in many countries and forecasts for global growth have been revised up since last year. Above-trend growth is expected in a number of advanced economies although uncertainties remain. The improvement in the global economy has contributed to higher commodity prices, which are providing a significant boost to Australia's national income.

Domestically, as was expected GDP growth slowed in the March quarter, partly reflecting the quarter-to-quarter variation in growth figures. The Australian economy is expected to strengthen gradually, with the transition to lower levels of mining investment following the mining investment boom being almost complete. Business investment has picked up in those parts of the country not

directly affected by the decline in mining investment. At the same time, consumption growth remains subdued, reflecting slow growth in real wages and high levels of household debt. Looking forward, economic growth is still expected to increase gradually over the next couple of years to a little above 3 per cent.

The Board has judged that holding the stance of monetary policy unchanged at this meeting would be consistent with sustainable growth in the economy and achieving the inflation target over time....“ Statement by Philip Lowe, Governor: Monetary Policy Decision – 4 July 2017

The following graph provides information on the current RBA monetary policy:



Recommendation(s)

1. That the Investment Report for 30 June 2017 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- 1 Investment Register - June 2017 1 Page
- 2 Types of Investments - June 2017 1 Page

ATTACHMENT 1

ITEM /17 Investment Report as at 30 June 2017.DOC
Investment Register - June 2017

BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 30 June 2017

Investment Adviser	Issuer	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 30 April	Market Value as at 31 May	Market Value as at Reporting Date	% of Total Invested	ADI or N-ADI
Cash & Deposits at Call										
Council	Commonwealth Bank	Operating Account	Cash	AA-	1,471,504	673,787	1,478,450	1,471,504	3.18	ADI
Council	Commonwealth Bank	Online Saver	At Call	AA-	3,038,919	1,991,028	7,003,548	3,038,919	6.56	ADI
Council	AAP Bank	AAP Business Saver & Notice Account	At Call / Notice 30 days	A	58,086	57,883	57,983	58,086	0.13	ADI
Term Deposits - Term (90-180 days)										
Council	AAP Bank (Curve)	AAP Bank	Term Deposit	A	3,000,000	3,000,000	3,000,000	3,000,000	6.48	ADI
Council	AAP Bank (Curve)	AAP Bank	Term Deposit	A	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	Bank of Queensland	Bank of Queensland	Term Deposit	BBB+	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	Bank of Queensland	Bank of Queensland	Term Deposit	BBB+	3,000,000	3,000,000	3,000,000	3,000,000	6.48	ADI
Council	Bank of Queensland	Bank of Queensland	Term Deposit	BBB+	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	BankWest	Bank of Western Australia	Term Deposit	AA-	3,000,000	3,000,000	3,000,000	3,000,000	6.48	ADI
Council	BankWest	Bank of Western Australia	Term Deposit	AA-	3,000,000	3,000,000	3,000,000	3,000,000	6.48	ADI
Council	ING Bank	ING	Term Deposit	A-	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	ING Bank	ING	Term Deposit	A-	3,000,000	3,000,000	3,000,000	3,000,000	6.48	ADI
Council	ME Bank (Curve)	ME Bank	Term Deposit	BBB	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	National Australia Bank	National Australia Bank	Term Deposit	AA-	2,500,000	2,500,000	2,500,000	2,500,000	5.40	ADI
Council	National Australia Bank	National Australia Bank	Term Deposit	AA-	-	-	-	-	-	ADI
Council	National Australia Bank	National Australia Bank	Term Deposit	AA-	-	2,000,000	-	-	-	ADI
Council	National Australia Bank	National Australia Bank	Term Deposit	AA-	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	National Australia Bank	National Australia Bank	Term Deposit	AA-	4,000,000	4,000,000	4,000,000	4,000,000	8.64	ADI
Council	Suncorp-Metway Limited	Suncorp	Term Deposit	A+	4,000,000	4,000,000	4,000,000	4,000,000	8.64	ADI
Council	ING Bank (Curve)	ING	Term Deposit	A-	3,000,000	-	-	3,000,000	6.48	ADI
Short - Medium Term (1-2 Years)										
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Medium Term (2-5 Years)										
Council	Suncorp-Metway Limited	Suncorp-Metway Limited	Floating Rate Notes (90 day BBSW mid +94 bps)	A+	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
Council	Bank of Queensland	Bank of Queensland	Floating Rate Notes (90 day BBSW +105 bps)	A-	1,000,000	1,000,000	1,000,000	1,000,000	2.16	ADI
Council	Bendigo-Adelaide	Bendigo Bank & Adelaide Bank	Floating Rate Medium Term Notes (90 day BBSW +110 bps)	BBB+	1,000,000	1,000,000	1,000,000	1,000,000	2.16	ADI
Council	Commonwealth Bank	Commonwealth Bank	Floating Rate Notes (90 day BBSW +78 bps)	AA-	1,000,000	1,000,000	1,000,000	1,000,000	2.16	ADI
Council	AAP Bank Limited	AAP Bank Limited	Floating Rate Notes (90 day BBSW +10 bps)	A	750,000	750,000	750,000	750,000	1.62	ADI
Council	Commonwealth Bank	Commonwealth Bank	Global Fixed Income Deposit	AA-	2,000,000	2,000,000	2,000,000	2,000,000	4.32	ADI
					46,318,210	45,912,706	47,317,982	46,318,210	100	

Credit Ratings	Extremely strong capacity to meet financial commitments
AAA	Extremely strong capacity to meet financial commitments
AA	Highest Rating
AA	Very strong capacity to meet financial commitments.
A	Strong capacity to meet financial commitments but somewhat susceptible to adverse economic conditions and changes in circumstances.
BBB	Adequate capacity to meet financial commitments, but more subject to adverse economic conditions.
CCC	Currently vulnerable and dependent on favourable business, financial and economic conditions to meet financial commitments
D	Payment default on financial commitments
+	Means that a rating may be raised
-	Means that a rating may be lowered

Certificate of Responsible Accounting Officer
I hereby certify that the investments listed have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policies at the time of their placement.

W. Armitage

Wayne Armitage
Chief Finance Officer

Types of Investments

Council's investment portfolio consists of the following types of investment:

1. **Cash and Deposits at Call** – Cash and Deposits at Call accounts are a flexible savings facility providing a competitive rate of interest for funds which are at call (available within 24hours). These accounts enable us to control Council's cashflows along with council's General Fund Bank account. Interest rates are updated in accordance with movements in market rates.

The following investments are classified as Cash and Deposits at Call:

- Commonwealth Bank of Australia – Online Saver AA-
- AMP Business Saver and Notice – At Call/Notice AA-
- Macquarie Treasury – At Call account A
- UBS Bank – At Call High Yield account A

2. **Floating Rate Notes (FRN)** - FRNs are a contractual obligation whereby the issuer has an obligation to pay the investor an interest coupon payment which is based on a margin above bank bill. The risk to the investor is the ability of the issuer to meet the obligation.

FRNs are either sub-debt or senior-debt which means that they are guaranteed by the bank that issues them with sub-debt notes rated a notch lower than the bank itself. The reason for this is that the hierarchy for payments of debt in event of default is:

- a. Term Deposits
- b. Global Fixed Income Deposits
- c. Senior Debt
- d. Subordinated Debt
- e. Hybrids
- f. Preference shares
- g. Equity holders

In the case of default, the purchaser of subordinated debt is not paid until the senior debt holders are paid in full. Subordinated debt is therefore more risky than senior debt.

(ITEM 51/17) LOCAL APPROVALS POLICY FOR MANAGING WASTE IN PUBLIC PLACES - ADOPTION OF AMENDED POLICY

File No: 17/32543

REPORT BY DEPUTY GENERAL MANAGER LAND, INSTRUCTURE & ENVIORNMENT

Summary

This report seeks Council's adoption of the amended Local Approvals Policy for Managing Waste in Public Places.

Background

Council adopted the *Local Approvals Policy for Managing Waste in Public Places* on 25 May 2015. The Policy has been in force for approximately two and half years and it is now evident that some minor changes are required to make the Policy more effective.

Proposal

It is proposed that Council adopt the amended Policy, which includes the below changes/additions to the previous document:

1. Definition inclusion on page 5 for *Waste Collection Schedule*
2. Part 2 B (1) on page 9 to include "*during the waste collection schedule period*"
3. Part 2 B (3) on page 9 to include "*Council suggests that a lock system be applied to the commercial waste bin to prevent unlawful waste being added to the bin. Failure to implement a measure may result in the waste belonging to the commercial waste bin owner*".
4. Part 2 B (15) on page 10 to include "*time range stated in the waste collection schedule. The waste collection schedule must be defined by the commercial waste contractor in writing with documentation provided to Council by the commercial waste generator upon request. The commercial waste bin must not be placed on a public place until the start time of the waste collection schedule and must be immediately removed by the final time period stated in the commercial waste schedule. Failure to provide a waste collection schedule in writing upon request by Council may be deemed that no arrangement has been made and the commercial bin placed on the public place unlawfully.*"
5. Part 2 B (15) page 11 to include "*outside the waste collection schedule*"
6. Part 3 A on page 11 to include "*The approved permanent placement of bins on public places will incur an annual fee. It is important to note that approvals may be withdrawn if the placement causes the site becoming a dumping rubbish location.*"
7. Appendix 1 in Application on page 14 to include "*However an annual fee will be imposed on all approved permanent placements of waste bins*"
8. Appendix 1 in Approval on page 15 to include "*Pay the annual fee based on the size of the area required*"

Consultation

The amended Policy has been endorsed by the General Manger and the Policy, Corporate Practices and Procedures Panel.

Planning or Policy Implications

The amended Policy will supersede the Local Approvals Policy for Managing Waste in Public Places.

Financial Implications

There are no financial implications.

Conclusion

The amendments to the Policy will enable more effective enforcement and ensure that the amenity and public health aspects of waste management are properly regulated in the Burwood Council area.

Recommendation(s)

1. That the amended Local Approvals Policy for Managing Waste in Public Places be adopted by Council.
2. That the amended Local Approvals Policy be communicated to the community through Council communications platforms.

Attachments

- 1 Local Approvals Policy for Managing Waste in Public Places

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Local Approvals Policy for Managing Waste in Public Places



Burwood Council

heritage ▪ progress ▪ pride

DRAFT - WASTE POLICY

Local Approvals Policy for Managing Waste in Public Places

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Ownership: Environment and Health

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Local Approvals Policy for Managing Waste in Public Places

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Local Approvals Policy for Managing Waste in Public Places

Purpose

Burwood Council (Council) is committed to responsible management practices for waste storage and collection. This policy covers:

- The Council's responsibilities for managing and collecting domestic waste
- Residents' responsibilities for using waste services
- Businesses' responsibilities for managing and collecting commercial waste
- Conditions for the safe and lawful use of public places for managing waste
- Criteria for approving waste management activities in public places
- The implications of not complying with this policy, the *Local Government Act 1993* and other laws related to the management of waste in public places.

Council is located in the inner west of the Greater Sydney metropolitan area and is home to approximately 33,000 people. The residential population of Burwood is expected to grow to approximately 47,000 by 2030. Burwood is characterised by highly urbanised residential areas and a strong and vibrant commercial sector.

Best practice waste management services are vital to achieving a clean and healthy environment by minimising waste, maximising resource recovery and reducing greenhouse gas emissions.

Policy Statement

Activities related to waste management can impact the community in a number of ways. The uncontrolled presence and collection of waste and recycling in public places can negatively impact the environmental amenity of the Council's streets, lanes and footpaths. These activities have the potential to obstruct, interrupt and endanger pedestrian and traffic movement and create noise and environmental pollution that impacts residents' quality of life. This policy addresses these impacts in a sensitive, sustainable and practical way.

This policy:

- provides residents and businesses with clear and concise information about the Council's waste services and how they are charged for these services
- ensures residents have clearly defined responsibilities for using the Council's waste services
- ensures businesses have clearly defined responsibilities for managing and presenting commercial waste for collection
- sets out conditions for the safe and lawful use of public places for managing waste
- establishes criteria for the approval of waste management activities in public places
- details the implications of not complying with this policy, the *Local Government Act 1993* and other laws on the management of waste in public places.

Scope

This policy applies to Council, Council's Contractors, residents, commercial waste generators, commercial waste collection contractors and any other waste generators in the Local Government Area (LGA).

Legal Status of this Policy

- A. This waste policy (*Local Approvals Policy for Managing Waste in Public Places*) is a local approvals policy, dealing with the management of waste in accordance section 68 of the

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Local Government Act 1993, and applies to:

- Part C (1) – Transporting waste over or under a public place for fee or reward
- Part C (2) – Placing waste in a public place
- Part C (3) – Placing a bin in a public place

B. This policy is prepared in accordance with *Part 3 s.158 of the Local Government Act* and supplements the *Local Government Act* and the *Local Government (General) Regulation 2005* by:

- Part 1 (Section 3)– Specifying the circumstances in which a person is not required to obtain a particular approval from the Council
- Part 2 (Section 3) – Specifying criteria which the Council must consider when determining whether or not to grant approval to a particular activity
- Part 3 (Section 3) – Specifying other matters relating to approvals not dealt with by the Act or regulations.

Note: Chapter 7 – s.68 of the *Local Government Act* details activities that require the approval of the Council.

Definitions

This policy uses the following terms.

Term	Meaning
Authorised Council officer	An employee of the Council generally or specially authorised by the Council to deal with, or to act in regard to, any Acts or related matters. It has the same meaning as Authorised Person in the dictionary to the <i>Local Government Act 1993</i> .
Bin	A container for the storage of waste including recyclables and putrescible (food and organic waste). This definition includes mobile garbage bins with close-fitting lids. It does not include plastic bags, boxes, cartons or crates.
Clean-up action	Has the same meaning as in the dictionary for the <i>Protection of the Environment Operations Act 1997</i> . A ‘Clean-up Action’ for a pollution incident, includes: <ul style="list-style-type: none"> a) action to prevent, minimise, remove, disperse, destroy or mitigate any pollution resulting, or likely to result from, the incident b) ascertaining the nature and extent of the pollution incident and of the actual or likely resulting pollution c) preparing and carrying out a remedial plan of action. It also includes (without limitation) action to remove or store waste that has been disposed of on land unlawfully.

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Term	Meaning
Commercial waste	Business or commercial refuse (including recyclable materials) generated as part of ordinary business activities. It does not include construction and demolition waste or the following types of waste defined by the NSW EPA <i>Waste Classification Guidelines 2009</i> for special waste (such as clinical and related waste including pharmaceutical, sharps, asbestos and tyres), liquid waste and restricted solid waste such as contaminated soil).
Commercial waste contractor	A company or person engaged by a Commercial Waste Generator to manage the containerisation, collection and transport of waste, typically from commercial or industrial premises, to recyclers and/or lawful waste processing facilities. They provide their customers with reports on the contents, dates, volumes and/or weights of waste collected, the waste processing facility destinations, and registration numbers of the vehicles transporting waste from their premises to processing facility. Also referred to as Waste Collectors.
Commercial waste generator	Any owner or tenant, or their respective agent that generates, produces, or is in part or whole, responsible for an activity that results in Commercial Waste.
Domestic waste	All waste generated by the ordinary use of residential premises and collected by the Council or its agents.
Domestic waste collectors	The Council or agents acting on the Council's behalf that collect and deliver waste to a processing facility.
Public place	Has the same meaning as in the dictionary for the <i>Local Government Act 1993</i> . 'Public Place' means one of the following: <ul style="list-style-type: none"> a) a public reserve, public bathing reserve, public baths or public swimming pool b) a public road, public bridge, public wharf or public road-ferry c) a Crown reserve comprising land reserved for future public requirements d) public land or Crown land that is not: <ul style="list-style-type: none"> (i) a Crown reserve (other than a Crown reserve that is a Public Place because of paragraph (a), (b) or (c)), or (ii) a common, or (iii) land subject to the <i>Trustees of Schools of Arts Enabling Act 1902</i>, or (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or e) land declared by the regulations to be a Public Place.
The Council	Burwood Council
Waste	All refuse other than trade waste and effluent, defined as 'Waste' in the <i>Local Government Act 1993</i> . It also includes any other substance defined as waste under the <i>Protection of the Environment Operations Act 1997</i> . A substance that is not precluded from being waste merely because it can be refined or recycled.

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Term	Meaning
Waste Collection Schedule	Refers to the time range schedule provided by the commercial waste contractor on a given day to collect and empty the commercial waste bin. The time range schedule will be defined in hours by providing an initial and final time range when the commercial waste contractor will attend to collect the commercial waste

Section 1 – Domestic Waste Collection Services

This section applies to residential premises in the Council local government area. It covers the waste and recycling services which the Council provides.

The Council’s responsibilities for providing domestic waste collection services

The Council aims to provide residents with a domestic waste service which is high quality, customer-focused and excellent value for money. Waste services are provided to single dwellings (houses) and multi-unit dwellings (apartments). Below is a summary of the services that the Council provides.

For more information on these services, see www.Burwood.nsw.gov.au/live/waste-and-recycling or call the Council’s Customer Service Centre on 9911 9911.

Domestic waste collection - houses

Household garbage is collected once a week from all houses in the Council area. A recycling and garden organics collection service is provided to all residences on an alternating fortnightly cycle.

All residences are provided with 2 annual Clean-up services per year for bulky household items. One clean-up is a scheduled area Clean-up and residents can telephone for an on call Clean-up booking through the Council’s Customer Service Centre.

Domestic waste collection - apartments

Most apartments in the Council have a shared waste service with communal garbage and recycling bins. However, some apartments have their own individual bins that typically receive the same collections as houses. Apartments have a variety of waste collection frequencies. Those that opt for the garden organics service receive this collection fortnightly. Clean-ups for bulky household items are provided as per the single dwelling collection service.

Domestic waste collection

Garbage

The Council provides a garbage service to all residential properties using red lid bins for houses and a variety of different sized bins for apartments. This service collects all household garbage including food waste, nappies, meat trays, foam packaging, plastic wrappers and crockery.

Recycling

The Council provides a recycling service to all residential properties using yellow lid bins. This service collects all recyclables, including paper, cardboard, aerosol cans, metal cans and tins,

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glass containers and plastic containers.

Garden organics

The Council provides a garden organics collection service using green lid bins. This service collects grass clippings, flowers and weeds, leaves, tree and shrub prunings, and sticks and branches under 10cm thick.

Food scraps, compostable nappies, building materials, rocks and soil, tree stumps and big branches must not be placed in green lidded bins.

Residents may occasionally have garden waste that is too big to fit in their green lid bin or do not have a green bin but need to dispose of green waste. The Council offers one annual free booked-in collection service for bulk garden waste. All garden waste for collection must be bundled, boxed or bagged. Loose piles of garden waste will not be collected.

Bulky household waste

The Council provides 2 annual free collection services for bulky household items such as furniture, mattresses and whitegoods. These items can also be disposed of at a waste facility. Bookings can be made by calling the Council's Customer Service Centre.

Whitegoods must be placed separately to other items and no more than one and half (1.5) cubic metres (a small trailer load in size) of waste may be disposed of per booking.

Hazardous household items will not be collected.

Building and renovation waste

The Council will only collect household items, not building waste or renovation materials such as asbestos, rubble, soil, timber, fencing, or wooden pallets.

Residents are responsible for disposing of building waste or renovation materials properly. These materials must be disposed of at an appropriate waste facility or by hiring a waste contractor to collect them.

Residents can refer to Council's Rubbish Skips Policy which outlines the requirements in relation to placement and management of waste skip bins.

Hazardous household items

Hazardous household items must not be placed in Council-issued bins. These items include:

- flammable liquids, gas bottles, oil, poisons or other chemicals, paints and solvents, batteries, energy-saving/fluorescent light globes
- e-waste such as computer equipment, TVs and mobile phones
- clinical waste including sharps (needles)

Visit the Council's website or call the Council's Customer Service Centre for details about locations where these items may be disposed.

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Bins

All bins supplied by the Council must comply with the requirements of the Australian Standards and must have a permanently fixed close-fitting lid, be free of stains, leaks, odours and debris, be in full working order with no cracks, missing wheels, lids or pins. Bins must be kept as clean as practicably possible. It is the responsibility of the resident to clean their bins. The Council will not replace bins simply because they are dirty. In cases where bins remain odorous Council can direct the resident to clean their bins.

The Council may remove bins left in a public place that cannot be easily identified as belonging to specific premises.

Damaged, lost or stolen bins must be reported to the Council to arrange repair or replacement.

Requests for or additional services and bins should be submitted to Council using a Residential Waste Service Application Form.

A copy of this form can be obtained from the Council's website or the Council's Customer Service Centre.

How the Council charges residents for waste services

The Council is required by the Local Government Act to levy an annual charge for providing domestic waste management services to each parcel of rateable residential land where the service is available. This is the Domestic Waste Management Charge (DWMC). The charge is levied through rates notices to residential properties and includes administration, collection, processing, treatment, community education and other activities associated with domestic waste services.

The DWMC is calculated after determining all the costs associated with the delivery of the service including collection costs, bin supply, waste disposal costs, education and promotion. A charge is then determined for each residential property.

See the Council website www.Burwood.nsw.gov.au/council/our-responsibilities/fees-and-charges for a list of Domestic Waste Charges.

Section 2 – Commercial Waste Collection Services

The Council's responsibilities for providing commercial waste services

Businesses are responsible for arranging their own waste collection services. This is typically done by engaging a commercial waste contractor.

Council does offer a comprehensive range of collection services for businesses on a commercial basis. Details of Council's waste and recycling services can be obtained from Council's website or by contacting Council's Customer Service Centre.

Section 3 – Management of Waste in Public Places

Part 1: Schedule of approvals granted

The following activities may be carried out without the prior approval of the Council if they comply with Part 2 of this section. This covers:

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- a. Domestic waste in a public place
- b. Commercial waste in a public place

Part 2: Criteria for approval exemption

A. Placing domestic waste in a public place

This section applies to residential premises in the Council's local government area. It outlines the responsibilities of residents using the Council's waste services and domestic waste collectors.

Residents are exempt from having to obtain approval from the Council for the placement of domestic waste in a public place provided the following requirements are met:

1. Domestic waste may only be put in a public place for the purposes of collection by the Council or agents acting on their behalf.
2. A person shall place domestic waste generated at their premises in the domestic waste bins issued to their premises, not in commercial waste bins, street litter bins, or domestic waste bins from another property.
3. All waste must be placed completely within a bin, except waste that has been booked for a clean-up service. Waste not contained in a bin must not be placed next to, or on top of, bins in a public place. This includes plastic bags, loose cardboard boxes, and other bulky household wastes. The Council considers this to be illegal dumping.
4. Any material booked for a clean-up service by the Council must be placed out the evening before the collection is scheduled.
5. Clean-up material must be stored immediately adjacent to the property making the booking and be placed on or immediately beside the nature strip, or where waste is usually placed for collection. It must not exceed one and a half cubic metres (a small trailer load in size), be stored in a neat pile, not block any road, pavement or footway, and must not endanger pedestrian, bicycle or vehicle traffic or the environment.
6. A person must not keep or allow a bin to remain in a public place longer than the day of collection. Bins must be kept on the resident's premises at all other times and not in a public place unless prior written approval has been obtained from the Council. Part 3A of this policy contains information on permanently placing a bin in a public place.
7. If there is a service disruption, bins must be stored on the owner or occupier's premises until a service can be provided. Bins left in a public place for longer than the calendar day of the bin's collection may be removed and enforcement action may be taken.
8. Bins must be placed immediately in front, rear or immediately adjacent to the resident's property and no closer than 10 metres from the boundary of the cross street of the corner property. If the bin is placed beyond the user's property, prior consent is required from the owner or occupier of the premises adjacent to where the bin is placed.

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B. Placing commercial waste in a public place

This section applies to commercial premises in the Council's local government area. It outlines the responsibilities of all commercial waste generators and commercial waste contractors engaged in collecting and disposing of commercial waste.

Commercial waste generators are exempt from having to obtain approval for the placement of commercial waste in a public place provided the following requirements are met:

1. Commercial waste may only be put in a public place for collection and disposal by a commercial waste contractor during the waste collection schedule period.
2. Waste must not be removed from the commercial waste generator's premises to be disposed of in a street litter bin or a domestic waste bin.
3. All waste must be placed completely within a complying bin. Any waste not contained in a bin, for example plastic bags and loose cardboard boxes, must not be placed next to, or on top of, bins in a public place. The Council considers this to be illegal dumping. Council suggests that a lock system be applied to the commercial waste bin to prevent unlawful waste being added to the bin. Failure to implement a measure may result in the waste belonging to the commercial waste bin owner.
4. All bins must have a permanently fixed close-fitting lid, have smooth internal washable surface, be free of stains, leaks, odours and debris, and be in full working order with no cracks, missing wheels, lids or pins.
5. Bins exceeding 240 litres must have fitted and working brakes, be lockable, and have reflectors on the outer corners.
6. All bins must be permanently labelled so that an authorised Council officer can easily identify the premises to which it was issued. The commercial waste generator must ensure their bins are clearly labelled, and that the information on the label is current and contains the name, address, and contact phone number of the occupier of the premises.
7. All commercial bins must clearly display the name, address and 24-hour contact telephone number of the commercial waste contractor and be marked with a unique identification number that can be traced to the premises to which it was issued.
8. Bins left in a public place that do not clearly identify the premises to which they were issued may be removed and impounded by the Council under the Impounding Act 1993. This also applies if the owner of the bin has been given notice to remove the bin but has not removed it promptly.
9. Empty bread and milk crates left on the footway or in lanes deemed by an authorised Council officer to be abandoned articles may be seized and or sold by the Council in accordance with the *Impounding Act 1993*.
10. Waste oil drums are not permitted to be stored or placed in a public place at any time. Waste oil drums must be collected by a commercial waste contractor from within the subject premises.
11. Bins must be placed immediately in the front, rear or immediately adjacent to the premises,

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from which the waste is generated. If the bin is placed beyond the user's property, prior consent must be obtained from the owner or occupier of the premises adjacent to where the bin is placed.

12. The placement of bins must not:
 - disturb traffic flow or parking
 - impede or endanger pedestrian or bicycle movement
 - scratch, stain, or damage any public property
 - restrict driver sight lines or vehicle access
 - block access to emergency exits or equipment
 - be placed in close proximity to any ventilation inlet
 - block any type of door
 - be placed in front of or in close proximity to any opening window or window providing ventilation or visual amenity to the premises or a neighbouring premises
 - be visible from a public place with the exception of the collection time
13. Collecting, placing or removing bins must not damage the roadway, footpath or utility services under the ground, or cause damage or obstruct access to adjacent premises.
14. The area where the bin is placed for collection must be kept tidy at all times. It should be regularly cleaned by the commercial waste generator, and on any occasion when directed to do so by an authorised Council Officer.
15. A person must not keep or allow a bin to remain in or on a public place for more than the time range stated in the waste collection schedule. The waste collection schedule must be defined by the commercial waste contractor in writing with documentation provided to Council by the commercial waste generator upon request. The commercial waste bin must not be placed on a public place until the start time of the waste collection schedule and must be immediately removed by the final time period stated in the commercial waste schedule. Failure to provide a waste collection schedule in writing upon request by Council may be deemed that no arrangement has been made and the commercial bin placed on the public place unlawfully. Bins must be stored on the owner or occupier's premises at all other times and not in a public place outside the waste collection schedule unless prior written approval from the Council has been obtained authorising such action. If it is stored visible from a public place an approved screen must be erected to hide the bin(s).
16. Refer to Part 3A of this policy for information on approval conditions for permanent bin placement in a public place. If there is a service disruption, bins must be stored on the owner or occupier's premises until service can be provided. Bins left in a public place after collection may be impounded and penalty notices served to the owner or occupier of the premises.
17. The commercial waste generator must produce evidence of a valid contract or similar arrangement for waste collection detailing the method, timing and the disposal of the collection to a licensed waste facility if requested to do so by an authorised Council officer.

Notes:

- *The above applies only to bins for commercial waste generated by the particular use of the premises. It does not relate to skip bins collecting building waste.*

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- *Commercial waste generators are responsible for handling and storing waste generated on their premises. They must ensure these actions meet Development Application approval conditions and public health, safety and environmental requirements.*
- *Commercial waste generators are responsible for all costs, as well as the safe, efficient and lawful collection and disposal of their waste.*
- *Bins must not be used to store hazardous, liquid or clinical waste. Bins must be vermin-proof and cleaned regularly, or as directed by an authorised Council officer, without causing stormwater pollution.*

Part 3: Other matters relating to approvals

A. Permanent placement of bins in a public place

There are circumstances where it may be impossible for a resident, business or organisation to store bins on their own premises. The Council only will consider the permanent placement of bins in a public place case-by-case, when a thorough examination of the options is provided by the owner to Council and no screening is available. The approved permanent placement of bins on public places will incur an annual fee. It is important to note that approvals may be withdrawn if the placement causes the site becoming a dumping rubbish location.

Appendix 1- Special Approvals sets out the criteria and conditions for such approvals.

B. Implications for non-compliance

Council Rangers or other authorised Council officers may issue penalty notices, orders, Clean-up notices, prevention notices or court attendance notices for non-compliance with relevant legislation identified in this policy. Serious incidents of pollution may be prosecuted by state agencies such as the NSW Environment Protection Authority.

If a person puts waste or a bin in a public place in contravention of this policy or any approval issued by the Council, the Council may take action under sections s626(3) and 627(3) of the *Local Government Act 1993*. The maximum penalty for an offence under each of these sections is currently 20 Penalty Units.

The Council may also act under the *Protection of the Environment Operations Act 1997* for noise, waste disposal (harm to the environment) and litter offences.

Food premises must comply with the *Food Act 2003* and the Food Standards Code and ensure they have adequate facilities for storing garbage and recyclable matter.

Any parties not acting in accordance with this policy may be given up to seven days notice in writing to comply before any penalties are issued. The Council does, however, reserve the right to take immediate action if circumstances warrant.

If waste is causing or is likely to cause a threat to public health, the Council may order the owner or occupier of the land or premises to remove the waste. If the owner or occupier fails to comply, then the Council may remove the waste at the owner or occupier's expense under section 128A of the *Local Government Act 1993*.

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This policy should be read in together with Council's Compliance and Enforcement Policy and does not override:

- State or federal legislation on the management of waste in public places, including noise pollution associated with collecting waste from public places
- Conditions imposed on Development Consents issued under the *Environmental Planning and Assessment Act 1979*.

References

Laws and standards

- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Food Act 2003*
- *Impounding Act 1993*
- *Roads Act 1993*

Policies and procedures

- *Compliance and Enforcement Policy 2015*
- *Rubbish Skips Policy 2011*
- *Charity Clothing Bins Policy 2012*

Review

The Policy will be reviewed every four years in September.

Contact

Manager Environment and Health on 9911 9851

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Appendix 1 – Special approvals

Conditions for permanent bin placement in a public place

There may be circumstances a resident, business or organisation cannot comply with the requirement that their bins are:

- (a) removed from a public place following scheduled collections or
- (b) stored on their own premises

In this situation a resident, business or organisation can apply to the Council for special approval for the permanent placement of bins in a public place.

The following steps and conditions guide owners and occupiers of premises seeking permanent bin placement approval from the Council.

Application

The owner or occupier of a premises may apply free of charge to the Council for a permanent bin placement assessment. An application form can be obtained from the Council's Customer Service Centres or the Council's website. However an annual fee will be imposed on all approved permanent placements of waste bins.

Ineligible applicants

The following buildings or developments are ineligible to apply for a permanent bin placement assessment:

- Any building or development (including single and multi-unit dwellings) that has some form of storage space in which their bin(s) can be kept on their premises, irrespective of whether that space is currently used for a different purpose
- Any building or development occupied after Council's endorsement of this policy
- Any building or development with a development application lodged at the time of Council's endorsement of this policy.

Assessment

An authorised Council officer must assess each premises and consider its circumstances individually. The following issues will be considered:

- All avenues for bin storage on the premises have been explored and exhausted
- Compliance with any development consent conditions for the premises (such as requirements for waste storage, and the development's waste management plan)
- Location of the premises and alternative waste storage options, with special consideration to impacts on:
 - visual amenity
 - neighbouring properties
 - footpath obstruction
 - pedestrian, cyclist and traffic movement
 - attracting illegal dumping
 - vandalism of bins

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- The Council's Streets Design Code requirements
- Capacity of premises owner or occupier to cover potential costs associated with the Council's preferred solution.

Approval

The authorised Council officer will recommend the approval or refusal of each application to the General Manager and Manager Environment and Health, who holds the delegation to grant or refuse an approval.

Conditions of permanent bin placement approval

Applicants must comply with the terms of the permanent bin placement approval. The terms of an approval may vary between premises according to circumstances unique to their location. The Council reserves the right to alter the terms of an approval if circumstances relating to bin placement change. The following conditions generally apply to all approvals.

Permanently placed bins must:

- be clearly labelled and identifiable to the Council, with the contact details of the premises it was issued to
- have lids and be completely closed and locked at all times
- be clean on all external surfaces, including being free from visible food matter and other debris
- be clean on the inside, all general waste must be bagged before placing it in the bin (bins should not smell)
- not leak
- not block access to emergency exits or equipment
- not block any type of door, including front, rear, side, or roller doors
- not impede vehicle access to the premises or neighbouring premises
- not be placed in front of or in close proximity to any opening window or window providing ventilation or visual amenity to the premises or a neighbouring premises. (The authorised Council officer conducting the assessment may use their discretion to evaluate the ventilation and amenity properties of a window.)
- be stored in the location prescribed by the approval (these locations may be marked out in white paint on the road surface or be behind a bin screen or similar)
- not impede or endanger pedestrian movement.
- Pay the annual fee based on the size of the area required

If the Council's preferred solution for the bin is a secure enclosed storage area, this must also:

- meet approval conditions under s 138 of the *Roads Act 1993* (where applicable)
- be lockable and constructed in a way to prevent unauthorised persons from accessing or depositing waste inside the bins in the enclosure or inside the enclosure itself
- have washable and easy to clean surfaces
- be designed and built to prevent or deter dumping of waste, such as bags or boxes, on top of or around the enclosure
- prevent leachate runoff from entering stormwater drains
- comply with all required planning approvals

The Authorised Council Officer conducting the assessment will work with applicants on appropriate permanent bin placement solutions for their premises.

(ITEM 52/17) INCREASE OF COMMUNITY GRANTS FUNDING FOR 2017-2018

File No: 17/32323

REPORT BY DEPUTY GENERAL MANAGER CORPORATE, GOVERNANCE & COMMUNITY

Summary

Council, at its 23 May 2017 meeting, approved a mayoral minute requesting an assessment of funding for Council's annual Community Grants program, with a view of increasing the amount allocated to the program. Following a review, it is proposed that Council approve a 33% increase to the Community Grants program funding for the 2017-2018 financial year, equaling \$10,000 and bringing the total amount to \$40,000.

Background

Burwood Council has a long standing commitment to delivering a Community Grants program for local community services and not-for-profit community organisations. Past applications have included programs for children and families, seniors activities, respite care for people with disabilities and their carers, programs to celebrate our multicultural communities and many others.

All potential applicants must complete Councils Community Grants application form and meet all eligibility requirements in order to have their grant application considered. Grants are then assessed by the Community Development team and recommendations forwarded to Council for adoption.

For the past ten years Burwood Council has allocated \$30,000 from the annual budget for its Community Grants program. Council, at its 23 May 2017 meeting, approved a mayoral minute requesting an assessment of funding for Council's annual Community Grants program, with a view of increasing the amount allocated to the program.

The assessment revealed that in recent years the increased costs of developing and running a program or activity has meant that by necessity local organisations have had to request larger sums in their grant applications. These amounts are required to cover all project elements including the hiring of presenters or facilitators, venue hire, catering and promotional campaigns. In the 2016-2017 year the average grant application was for approximately \$7000 and the total amount requested was over \$94,000.

In order to fund as many valid projects as possible the majority of applicants were only offered a percentage of the total amount they requested, often meaning they scaled back on the program or activity offered, usually offering fewer sessions or opening up the activity to a smaller number of participants.

It is therefore recommended that Council increase the funding by \$10,000, equalling 33%, starting in the 2017/18 financial year. This will allow for more grants to be fully funded, allowing for both a larger number of activities in total but also that those activities fully funded can provide higher quality services and activities for our community, generating more effective outcomes.

Proposal

That the annual Community Grants budget be increased from \$30,000 to \$40,000 from the 2017-2018 funding round.

Planning or Policy Implications

No policies or planning documents require adjustment, the amendment is financial only.

Financial Implications

The financial increase of \$10,000 can be accommodated as part of the 2017-2018 Budget and will be recorded in the September 2017 Quarterly Budget review report.

Conclusion

An increase of \$10,000 on the annual Community Grants Program funding will allow for a greater diversity of grant applications to be considered for full funding, generating better outcomes for local communities especially the most vulnerable and needy groups.

Recommendation(s)

That Council adopt the proposed increase to the annual Community Grants budget from \$30,000 per annum to \$40,000 per annum commencing with the 2017-2018 financial year.

Attachments

There are no attachments for this report.

(ITEM 53/17) ADOPTION - RELATED PARTY DISCLOSURES POLICY

File No: 17/32042

REPORT BY DEPUTY GENERAL MANAGER CORPORATE, GOVERNANCE & COMMUNITY

Summary

The Related Party Disclosures Policy has been revised to include forms and information from the NSW Treasury Circular dated 21 December 2016. The forms now include yes/no questions for the Related Party Certificate to be completed by Key Management Personnel (KMPs), thereby simplifying reporting for KMPs with no related party transactions and a new consent form for Close Family Members.

Background

Council adopted the Related Party Disclosures Policy on 6 December 2016 and the objective of the Policy is to ensure that Burwood Council's financial statements contain the necessary related party disclosures, thereby ensuring transparency in dealings and their effect on Council's financial reports. These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

This Policy assists in:

- a. identifying related parties and relevant transactions; Related Party Transactions, and ordinary citizen transactions concerning Key Management Personnel, their close family members and entities controlled or jointly controlled by any of them
- b. identifying outstanding balances, including commitments, between Council and its related parties
- c. establishing systems to capture and record the Related Party Transactions and information about those transactions
- d. identifying the circumstances in which disclosure of the items in (a) and (b) are required
- e. determining the disclosures to be made about those items in the general purpose financial statements for the purpose of complying with the AASB 124

Proposal

The revised Policy has been reviewed to include forms and information from the NSW Treasury Circular dated 21 December 2016. The additional information and forms will provide yes/no questions for the Related Party Certificate by KMPs, thereby simplifying reporting for KMPs with no related party transactions and a new consent form for Close Family Members.

The amendments and additions are as follows:

- additional definitions – Entity that is controlled or jointly controlled and Senior Position
- addition to related information/glossary
- amendment - Appendix A – Related Party Certificate by KMPs - yes/no questions
- amendment - Appendix B – Related Party Transaction Disclosure by Key Management Personnel – Table of Completeness including examples of Related Party Transactions
- addition – Close Family Members – Consent Form

All amendments and inclusions are highlighted in red.

The revised Related Party Disclosures Party Policy is now submitted to Council for adoption.

Consultation

The General Manager and Policy, Corporate Practice and Procedures Panel have endorsed the Policy.

Planning or Policy Implications

Once approved, the Policy will be published on Council's website and communicated to all stakeholders.

Financial Implications

Where transactions have occurred these may be reported in Council's Annual Financial Statements.

Conclusion

It is now in order for Council to adopt the Policy as it complies with all requirements of Accounting Standard AASB 124 and the NSW Treasury Circular dated 21 December 2016.

Recommendation(s)

That Council adopt the revised – Related Party Disclosure Policy in line with the requirements of Accounting Standard AASB 124.

Attachments

1 Draft - Related Party Disclosures Policy 19 Pages



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DRAFT - RELATED PARTY DISCLOSURES POLICY

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Public Document
Adopted by Council: 6 December 2016
Trim No.: 17/31626
Version No.: 1
Ownership: Finance and Governance

ATTACHMENT 1

ITEM /17 Adoption - Related Party Disclosures Policy.DOC
Draft - Related Party Disclosures Policy

Related Party Disclosures Policy

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Introduction

From 1 July 2016, Council is required to disclose Related Party Relationships and Transactions; as well as Key Management Personnel (KMP) compensation in its Annual Financial Statements in accordance with the Accounting Standard AASB 124.

The objective of this policy is to ensure that Burwood Council's financial statements contain the necessary related party disclosures, thereby ensuring transparency in dealings and their effect on Council's financial reports. These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

Purpose

The purpose of this policy is to:

1. define the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124
2. ensure that Council's Related Party Relationships are disclosed, irrespective of whether there have been transactions between them

Scope

This Policy assists in:

- a. identifying related parties and relevant transactions; Related Party Transactions, and ordinary citizen transactions concerning Key Management Personnel, their close family members and entities controlled or jointly controlled by any of them
- b. identifying outstanding balances, including commitments, between Council and its related parties
- c. establishing systems to capture and record the Related Party Transactions and information about those transactions
- d. identifying the circumstances in which disclosure of the items in (a) and (b) are required
- e. determining the disclosures to be made about those items in the general purpose financial statements for the purpose of complying with the AASB 124

Definitions

AASB 10 – the Australian Accounting Standards Board - Consolidated Financial Statements – details the criteria for determining whether Council has significant influence over an entity

AASB 11 – the Australian Accounting Standards Board - Joint Arrangements - details the criteria for determining whether Council has significant influence over an entity

AASB 124 - the Australian Accounting Standards Board - Related Party Disclosures Standard under Section 334 of the *Corporations Act 2001*

AASB 128 – the Australian Accounting Standards Board - Investments in Associates and Joint Ventures - details the criteria for determining whether Council has significant influence over an entity

Entity that is controlled or jointly controlled - typically when you and/or any close family members exercise effective control (whether singularly or combined) through the shareholding and/or voting power in the entity.

Examples of entities controlled or jointly controlled by you and/or any close family members could be:

- A company where you and/or close family members control more than 50% of the voting power
- A company where you have a 30% shareholding and your spouse has a 30% shareholding
- A company where you have a 40% shareholding and the remaining shareholding is widely dispersed
- A partnership of two people where your spouse is one of the partners
- A superannuation fund self-managed by you or your spouse (including through a corporate trustee)

Examples of entities not controlled or jointly controlled by you and/or any close family members could be:

- A company where you have a 25% shareholding and your spouse has a 5% shareholding
- A partnership of three people where your spouse is one of the partners
- A large consultancy practice with multiple partners where your son is a partner
- Blind trusts

Guarantee - is a legally binding promise whereby one party assumes responsibility for the debt or performance obligation of another party should that party default in some way.

Executory Contract - is a contract under which neither party has performed any of its obligations nor both parties have partially performed their obligations to an equal extent.

Key Management Personnel - are those persons having the authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of the entity.

Material (materiality) - means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

Ordinary Citizen Transaction - means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council.

Related Party - any person or entity that is related to the entity that is preparing its financial statements (referred to in this standard as the 'reporting entity').

Related Party Transaction - is a transfer of resources, services or obligations between a Council and a related party, regardless of whether a price is charged.

Remuneration - means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a Related Party Transaction.

Senior Position – is any person employed (permanent or temporary) as 'manager' anytime during the financial year.

Related Party Disclosures Policy

Significant (significance) - means likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/taxpayer relationship.

The Act - *the Local Government Act 1993*

The Regulation - *the Local Government (General) Regulation 2005*

Policy Statement

Council is committed to responsible corporate governance, including compliance with laws and regulations governing Related Party Transactions.

Related Party Relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A Related Party Relationship could influence the normal business operations of Council even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions and outstanding balances, including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between Council and a related party of Council. In addition, the transaction must be material in nature or size when considered individually or collectively.

When assessing whether such transactions are significant the following factors will be taken into consideration:

- significance in terms of size
- was it carried out on non-market terms
- is it outside normal day-to-day Council operations
- was it subject to Council approval
- did it provide a financial benefit not available to the general public
- was the transaction likely to influence decisions of users of the Annual Financial Statements

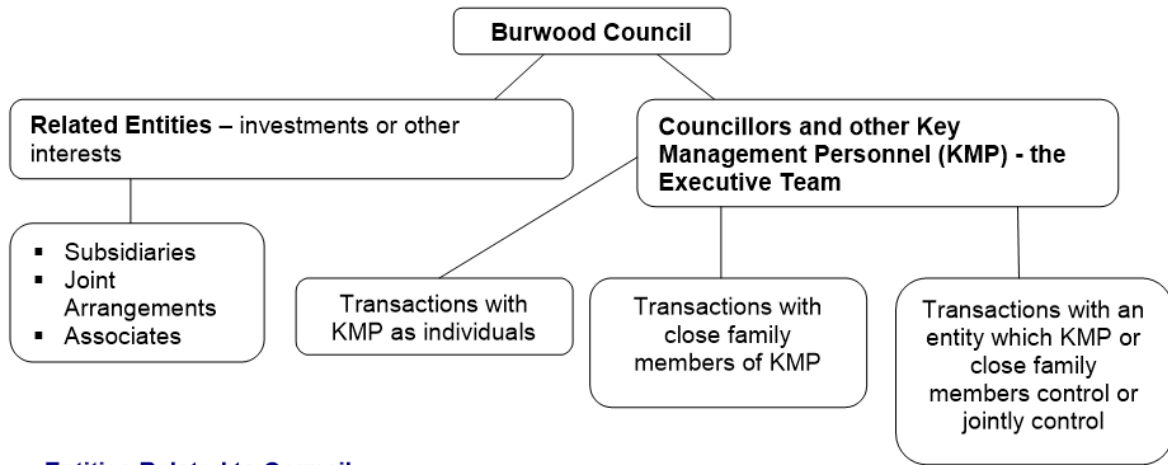
Regard must also be given to transactions that are collectively but not individually significant.

To enable Council to comply with AASB 124, Council's KMP are required to declare full details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

Related Parties

Related Parties of Council are as follows:

- Entities Related to Council
- Key Management Personnel (KMP) of Council
- Close Family Members of KMP
- entities that are controlled or jointly controlled by KMP, or their close family members



Entities Related to Council

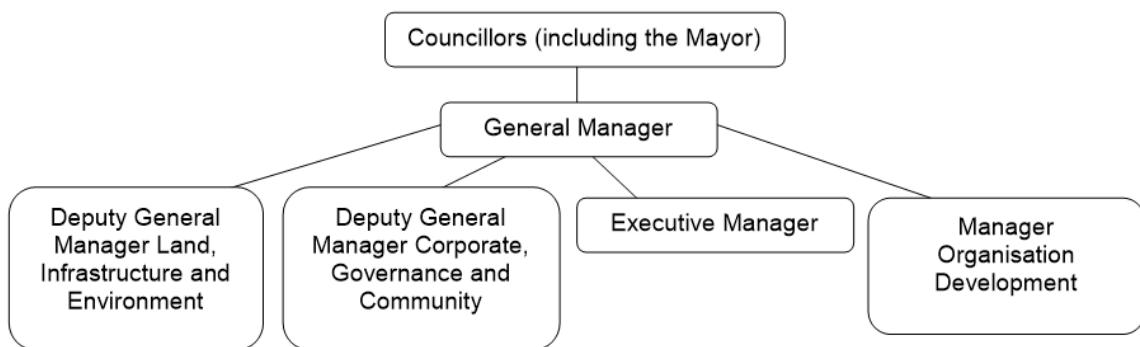
Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council. Council will need to identify transactions with these entities and may need to make extra disclosure about them in Council’s financial statements. When assessing whether Council has control or joint control over an entity Council must consider AASB 10 and AASB 11. AASB 128 details the criteria for determining whether Council has significant influence over an entity.

Council’s Contracts Register, Leases and License Register and the Schedule of Debts Written Off will be reviewed to identify Related Party Transactions/Parties. This information will be included in the Related Party Register which will include all joint arrangements and updated on a quarterly basis.

Key Management Personnel (KMP)

KMP are persons having the authority and responsibility for planning, directing and controlling the activities of the entity (voting powers), directly or indirectly, including any director (whether executive or otherwise) of the entity.¹

The following chart identifies KMP of Burwood Council:



Close Family Members of KMP

Those close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council.

¹ AASB 124

The definition of close members of the family of a person for the purpose of the AASB 124 is broader than the definition of “related” in relation to a person for the purpose of a register of interests under the *Local Government (General) Regulation 2005* (the Regulation). For the AASB 124, close family members could include extended members of a family such as, without limitation, a parent, grandparent, siblings, etc (see table below).

Entities that are Controlled or Jointly Controlled by KMP or their Close Family Members

Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

The following table will assist in identifying close family members:

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council

Disclosure

Council Disclosure

AASB 124 provides that Council must disclose all material and significant Related Party Transactions in its Annual Financial Statements by aggregate or general description and include the following details:

- the nature of the Related Party Relationship
- relevant information about the transactions including:
 - the amount of the transaction
 - the amount of outstanding balances, including commitments
 - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement
 - details of any guarantee given or received
 - provision for doubtful debts related to the amount of outstanding balances
 - the expense recognised during the period in respect of bad or doubtful debts due from related parties

All transactions involving Related Parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions, and to determine the significance of each of the transactions.

Related Party Disclosures Policy

Generally, transactions with amounts receivable from and payable to KMP or their related parties which:

- occur within normal employee, customer or supplier relationships and at arm's length
- are not material or significant

These shall be excluded from detailed disclosures; they will be disclosed in the financial statements by general description. Disclosures that Related Party Transactions were made on terms equivalent to an arms-length transaction can only be made if such terms can be substantiated.

Related Party and KMP Disclosure

The types of disclosure that are required are as follows:

1. Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them.
2. KMP Compensation (remuneration) relate to all forms of consideration paid, payable, or provided in exchange for services provided in total and for each of the following categories:
 - Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees
 - Post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care
 - Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation
 - Termination benefits
3. Where Related Party Transactions have occurred:
 - The nature of the Related Party Relationship
 - Information about the transactions, outstanding balances and commitments, including terms and conditions
4. Separate disclosure for each category of the Related Party.
5. For the types of transactions to be disclosed refer to Related Party Transactions Section.

KMP Declarations must be made annually after 30 June by using the Related Party Transaction Disclosure by KMP form (see Appendix A).

Note: these Related Party Transaction Notification requirements are in addition to the notifications KMP are required to make to comply with, such as:

- for Councillors and KMP, the pecuniary interests and conflicts of interest obligations in the *Local Government Act 1993* and Code of Conduct

Related Party Disclosures Policy

A Related Party Transaction, as opposed to the Register of Pecuniary Interests, the related party and relationship must be disclosed for both the KMP and their close family member even if the same related party entity is held jointly or in common by them.

The New South Wales Auditor General Office may audit related party information as part of the annual external audit.

Notifications by Key Management Personnel

In order to comply with the AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Governance Co-ordinator of any existing or potential Related Party Transactions between Council and any of their related parties during a financial year, and any changes to previously notified Related Party Relationships and transactions relevant to the subject financial year.

KMPs must complete the Related Party Relationships Notification by Key Management Personnel Form (see Appendix C), notifying any existing or potential Related Party Relationships between Council and any related parties of the KMP, to the Governance Co-ordinator by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy
- 30 days after a KMP commences their term or employment with Council

During the financial year, a KMP must proactively notify of any new or potential Related Party Relationships that the person knows of, or any changes to previously notified Related Party Relationships to the Governance Co-ordinator by no later than 30 days after the person knows of the transaction or change.

Related Party Transactions

Related Party Transactions are required to be disclosed, regardless of whether a price is charged. Such transactions may include:

- purchase or sale of goods (finished or unfinished)
- purchase or sale of property and other assets
- rendering or receiving services
- leases
- transfers of research and development
- transfers under licence agreements
- transfers under finance arrangements (including loans and equity contributions in cash or in kind)
- provision of guarantees or collateral
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised)
- quotations and/or tenders
- settlements of liabilities on behalf of Council or by Council on behalf of the related party
- Expense recognised during the period in respect of bad debts
- Provision for doubtful debts relating to outstanding balances

Procedures

The method for identifying the close members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for KMPs to provide details of Related Parties and Related Party Transactions to the Governance Co-ordinator.

Related Party Disclosures Policy

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register (Appendix F) held within the Governance Area.

Should a KMP have any uncertainty as to whether a transaction may constitute a Related Party Transaction they should contact the Governance Co-ordinator who will, in consultation with the Chief Finance Officer, make a determination.

Privacy and Access to Government Information (Public Access) Act 2009 (GIPA Act)

Information provided by KMPs and other related parties shall be held for the purpose of compliance with Council's legal obligation and shall be disclosed where required for compliance or legal reasons only.

Disclosures, Notifications and the Register are not available for public access under the GIPA Act.

Related Information/Glossary

- AASB 124 – Related Party Disclosures (July 2015)
- Australian Accounting Standards
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Government Information (Public Access) Act 2009*
- *Corporations Act 2001*
- Code of Conduct
- [NSW Treasury](#)
- [The Audit Office of New South Wales](#)
- [Office of Local Government](#)

Review

A review of KMP's and their related parties will be completed on adoption of this policy and then at intervals not exceeding six months.

This policy will also be reviewed when any of the following occur:

- corporate restructure
- the related legislation/documents are amended or replaced
- as a result of changes to the Office of Local Government Local Government Code of Accounting Practice and Financial Reporting
- changes to AASB 124

Contact

Chief Finance Officer – 9911 9830
Governance Co-ordinator – 9911 9910

Appendix A – Related Party Certificate by Key Management Personnel



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RELATED PARTY CERTIFICATE BY KEY MANAGEMENT PERSONNEL²

PRIVATE AND CONFIDENTIAL

Name of Key Management Person:

Position of Key Management Person:

Please complete the following table to the best of your knowledge. If you are unsure whether a close family member or a controlled/jointly controlled entity had transactions with Burwood Council, we strongly recommend you include their details for completeness.

Question	Question Response		Guidance	KMP Sign-off
	Yes	No		
1 Were any of your close family members employed in a senior position? During the stated period, in respect of Burwood Council:			If you have answered 'yes', please complete Appendix B.	

² NSW Treasury

ATTACHMENT 1

**ITEM /17 Adoption - Related Party Disclosures Policy.DOC
Draft - Related Party Disclosures Policy**

Question	Question Response		Guidance	KMP Sign-off
	Yes	No		
During the stated period, in respect of Burwood Council:				
2 Did you/a close family member/any entity controlled/jointly controlled by you and/or a close family member have any transaction or arrangement on terms or conditions that were more favourable than those entered into at an arm's length?			If you have answered 'yes', please complete Appendix B.	
3 Did you/a close family member/any entity controlled or jointly controlled by you and/or a close family member receive any grants, subsidies, ex-gratia payments or loans?			If you have answered 'yes', please complete Appendix B.	
4 Did you/a close family member/any entity controlled or jointly controlled by you and/or a close family member have any debts forgiven or partially forgiven?			If you have answered 'yes', please complete Appendix B.	
5 Did you/a close family member/any entity controlled or jointly controlled by you and/or a close family member provide or receive any collateral, guarantee, indemnity or commitment (including executory contract)?			If you have answered 'yes', please complete Appendix B.	
6 Did you/a close family member/any entity controlled or jointly controlled by you and/or a close family member enter into any contractual arrangements to purchase, sell, lease or transfer assets and licenses; or to provide, purchase or transfer goods and services with a total contract value greater than			If you have answered 'yes', please complete Appendix B.	
7 Are there any outstanding balances above \$100,000 (excl. GST) brought forward from a transaction or arrangement entered into prior to 1 July _____, between you/a close family member/any entity controlled/jointly controlled by you and/or a close family member and Council?			If you have answered 'yes', please complete Appendix B.	

KMP Compensation (remuneration) in total and for each of the following categories:

Type of Remuneration	Short-term Employee Benefits	Post-Employment Benefits	Other long-term Benefits	Termination benefits

KMP SIGN-OFF AND DECLARATION: I have made inquiries of my close family members and to the best of my knowledge; the information provided in this Certificate is complete and accurate for the financial year 1 July _____ to 30 June _____. I understand this information is collected for the purpose of preparing note disclosures for inclusion in the financial statements of Council.

Signature of named Key Management Person: Dated:

Appendix B – Related Party Transactions Notification



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RELATED PARTY TRANSACTION DISCLOSURE BY KEY MANAGEMENT PERSONNEL

PRIVATE AND CONFIDENTIAL

Name of Key Management Person:

Position of Key Management Person:

Please read the Related Party Disclosures Policy provided with this notification, which explains what is a Related Party Transaction and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

Please complete the table below for each Related Party Transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

1. has previously entered into **and** which will continue in the financial year
2. has entered into, or is reasonably likely to enter into, in the financial year

ATTACHMENT 1

**ITEM /17 Adoption - Related Party Disclosures Policy.DOC
Draft - Related Party Disclosures Policy**

If you are unsure of a transaction it is best that you include them in the table for completeness. Where you are unsure please state that you are unsure. If additional space is required, please insert additional pages refer to the examples on page 18 and 19.

Type of transaction <i>Please provide details and nature of the transaction.</i>	Transaction 1	Transaction 2	Transaction 3
Is the transaction/outstanding balance directly between you and Burwood Council? Yes/No			
If not, please provide details of the related party, their relationship with you, and Burwood Council involved. Please provide details of: person's name, entity name and ABN/VACN (if applicable), relationship with person and/or entity.			
Transaction Amount (relating to the stated period) excl. GST			
Total Agreed/Contracted Amount (if it extends beyond stated period) excl. GST			

Terms and Conditions of the Transaction <i>Please provide details of the significant terms and conditions including whether it is secured, and the nature of the consideration to be provided in settlement.</i>	Transaction 1	Transaction 2	Transaction 3

Disclosure

I
 (Full name)
 (Position)

notify that, to the best of my knowledge, information and belief, as at the date of this disclosure, the above information includes all existing and potential Related Party Transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the financial year.

I make this disclosure after reading the Related Party Disclosures Policy provided by Burwood Council, which details the meaning of the words "related party", "Related Party Transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Governance Co-ordinator and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests in relation to me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person: Dated:

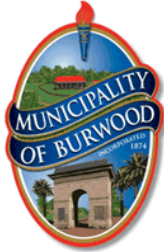
EXAMPLES RELATED PARTY TRANSACTIONS³

	Example Transaction 1	Example Transaction 2	Example Transaction 3
<p>Type of transaction Please provide details and nature of the transaction. Example of types of transactions:</p> <ul style="list-style-type: none"> ▪ Employment ▪ Provision of goods (finished or unfinished) or services ▪ Purchase, sale or transfer of property, other assets or licenses ▪ Leasing arrangement ▪ Provision of guarantee or collateral ▪ Settlement of liabilities ▪ Outstanding balance brought forward from prior financial period relating to transactions in a prior financial period 	e.g. Provision of cleaning services	e.g. Received personal loan in August 2016.	e.g. Employment.
<p>Is the transaction/outstanding balance directly between you and Burwood Council? Yes/No</p>	e.g. No	e.g. Yes	e.g. No
<p>If not, please provide details of the related party, their relationship with you, and Burwood Council involved Please provide details of: person's name, entity name and ABN/ACN (if applicable), relationship with person and/or entity.</p>	<ul style="list-style-type: none"> ▪ John Smith – spouse, ▪ ABC Ltd – cleaning company owned by my spouse ▪ ABN: 12 345 345 345 	e.g. N/A	e.g. My spouse is a General Manager, Operations
<p>Transaction Amount (relating to the stated period) excl. GST</p>	e.g. \$100,000	e.g. Received \$20,000 loan. Paid \$1,000 of interest repayments	e.g. General Manager salary with standard employment benefits.

³ NSW Treasury

Total Agreed/Contracted Amount (if it extends beyond stated period) excl. GST	Example Transaction 1	Example Transaction 2	Example Transaction 3
<p>Terms and Conditions of the Transaction Please provide details of the significant terms and conditions including whether it is secured, and the nature of the consideration to be provided in settlement.</p>	<p>e.g.</p> <ul style="list-style-type: none"> ▪ Won through open tender ▪ Standard terms ▪ Unsecured ▪ Settlement by bank transfer 	<p>e.g.</p> <ul style="list-style-type: none"> ▪ Application assessed against loan eligibility criteria (standard terms) ▪ Variable interest rate & unsecured ▪ Settlement by bank transfers ▪ Option to refinance 	<p>e.g. Recurring contract with CPI and performance-based adjustments each year.</p>

Appendix C – Related Party Relationships Notification by Key Management Personnel



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RELATED PARTY RELATIONSHIPS NOTIFICATION BY KEY MANAGEMENT PERSONNEL

PRIVATE AND CONFIDENTIAL

Name of Key Management Person:

Position of Key Management Person:

If a transaction has occurred since your last declaration, list details of known close family members, entities that are controlled/jointly controlled by KMP and entities that are controlled/joint controlled by close family members of KMP.

Details of Person or Entity	Relationship

Disclosure

I
(Full name) *(Position)*

notify that, to the best of my knowledge, information and belief, as at the date of this disclosure, the above information includes all existing and potential Related Party Transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the financial year.

I make this disclosure after reading the Related Party Disclosures Policy provided by Burwood Council, which details the meaning of the words "related party", "Related Party Transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Governance Co-ordinator and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of in relation to me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person:

Dated:

Appendix D – Examples of Related Parties

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EXAMPLES – RELATED PARTIES AND TRANSACTIONS

Some specific examples⁴ of related party transactions may include:

- paying rates and utility charges in accordance with Council's Schedule of Fees and Charges
- using council's public facilities after paying the corresponding fees:
 - using the Council's public swimming pool after paying the normal fee
 - parking fees at rates available to the general public
 - attending Council functions that are open to the public
 - fines on normal terms and conditions
- entering into leases with Council or Council owned properties
- entering into contracts to provide/receive goods/services to/from Council
- use of Council assets free of charge (e.g. office space (for personal reasons))
- writing off debts due to/by related parties

Company that is a Related Party of Council – Example 1

Burwood Council (BC) owns 90% of the shares in Burwood Regional Development Pty Ltd (the Company).

BC has assessed that it has control over the company. The company is therefore a Related Party of BC because BC controls it.

BC produces consolidated financial statements which include both a parent entity column and consolidated entity column. In the statements all individually significant transactions between BC and the company will need to be disclosed. For other transactions that are collectively, but not individually, significant BC will need to disclose a qualitative and quantitative indication of their extent.

BC must also disclose the nature of its relationship with the company.

Key Management Personnel – Close Family Members – Example 2

BC has recently employed Greg's son (Richard) in the Council's Works and Service area. Greg is Council's Chief Finance Officer but was not involved in hiring Richard. This process was managed by the Manager Organisation Development and included an independent assessment process. Greg did not have any influence in Richard securing the job.

Greg has been identified as a KMP of Council, which makes him a Related Party.

⁴ Provided by Hill Rogers

Richard will also be a Related Party of Council because he is a close family member of Greg. The recruitment process that was undertaken for Richard's position is irrelevant when assessing whether Richard is a Related Party.

Key Management Personnel – Close Family Members – Example 3

The Mayor of Burwood Council (Matilda) has lived in the municipality her whole life. In fact her family has been in the area for over three generations.

Matilda's cousin Sally, owns and operates a local newsagent through a company Today's News Pty Ltd, of which she is 100% owner. Matilda and Sally have always been close and regularly socialise.

Matilda has been identified as a KMP of the Council. Sally is classified as a Close Family Member of Matilda because she would be able to influence, or be influenced by, that person with her dealings with Council.

Both Sally and the Company she controls, Today's New Pty Ltd would both be Related Parties of the Council. Any transactions that the Council makes with the newsagent would need to be separately identified and need to be disclosed.

Entities that are Controlled or Jointly Controlled by KMP or their Close Family Members – Example 4

The Mayor of Burwood Council (Matilda) is the President of Croydon Football League Inc, the local soccer club. The club is overseen by a committee which comprises the President and five other committee members. Each member has a single vote when making decision at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 850 members that each have a vote in electing the committee members at the club's annual general meeting.

The Mayor does not control or jointly control the football club so it will not be a Related Party of Council just because the Mayor is the President of the club.

However, an entity where Matilda has a Close Family Member who has a voting right they would be considered as a Related Party.

Different Party Transactions that may occur between Related Parties - Example 5

The Council's functions include raising revenue to fund its functions and activities, and planning for and providing services and facilities (including infrastructure) for the local community. In carrying out its functions, the Council undertakes a wide range of activities including the imposition of rates and charges upon constituents, and the provision without charge of services such as parks and roads.

Councillor Paul is a ratepayer residing within the Council's constituency. As such, Councillor Paul takes advantage of the availability of free public access to local parks and libraries. Councillor Paul also used the swimming pool at the Council's Recreation Centre twice during the financial year, paying the casual entry fee applicable to the general public each time. The recreation centre has approximately 20,000 visitors each financial year.

All of the transactions described above between the Council and Councillor Paul are related party transactions of the Council considered for disclosure in the Council's general purpose financial statements. Based on the facts and circumstances described, the Council may determine that these transactions are unlikely to influence the decisions that users of the Council's financial statements make having regard to both the extent of the transactions, and that the transactions have occurred between the Council and Councillor Paul within a public service provider/taxpayer relationship.

Contentious Issues

Note: where there are contentious issues in the determination of Related Party Disclosures Council should seek advice from [The Audit Office of New South Wales](#).

When assessing whether a KMP or Close Family Member controls, or jointly controls, an entity Council will need to refer to ASSB 10 and ASSB 11.

Appendix E – Close Family Members – Consent Form



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CLOSE FAMILY MEMBERS – CONSENT FORM⁵

[To be completed by each family member whose information is disclosed in this certificate. If additional copies of the form are required, please make copies for each close family member].

I authorise _____ [insert KMP's name] to provide personal information about me in respect of transactions between me, or entities controlled/jointly controlled by me, and Burwood Council.

For the purposes of s26(2) of the *Privacy and Personal Information Protection Act 1998*, I hereby consent to Burwood Council collecting, using and disclosing my personal information for the purposes of meeting its financial reporting obligations.

Full Name (print): _____

Signature: _____

Date: _____

PRIVACY AND PERSONAL INFORMATION STATEMENT

If you are applying for consent as an individual, you may be providing Council with personal information (such as your name and address) within the meaning of the *Privacy and Personal Information Protection Act 1998*.

You are obliged by law to provide your name and address. If you do not provide the personal information requested Council may be unable to process your application.

Council is collecting this personal information from you in order to identify and process your application.

You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from being made publicly available. Council will consider any such application in accordance with the relevant legislation.

Enquiries concerning this matter can be addressed to Council's Public Officer.

⁵ NSW Treasury

Appendix F – Related Party Register

Related Party Disclosures Policy



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RELATED PARTY REGISTER

Name	Relationship	Nature of Transactions	Terms and Conditions	Reference - Supporting Evidence

(ITEM 54/17) END OF TERM REPORT 2012-2017

File No: 17/32205

REPORT BY GENERAL MANAGER

Summary

The outgoing Council is required under Section 428(2) of the *Local Government Act 1993* to report on Council's progress in implementing the Community Strategic Plan during the 2012-2017 term.

The report outlines how the Council is progressing towards achieving the social, environmental, economic and civic leadership objectives of the Burwood2030 Community Strategic Plan.

Background

In 2010, following extensive community consultation, Burwood Council adopted its Burwood2030 Community Strategic Plan, a 20 year blueprint of all residents' and stakeholders' aspirations and needs for the area they live and operate in.

Cascading from the long term community plan is the four-year Delivery Program, listing the strategic actions Council has identified as necessary to achieve the community's priorities.

The Delivery Program is then supported by an annual Operational Plan, which details Council's budget and identifies the specific initiatives that are able to be funded each year.

Under the Integrated Planning and Reporting legislation, Council is required to present an End of Term Report at its final Council meeting prior to an election. The report summarises the achievements and challenges Council has experienced in the delivery of the strategic objectives agreed with the community, since the adoption of its Community Strategic Plan and in relation to the term of office.

The current 2012-2016 term was extended until 9 September 2017 due to the pending legal action against the NSW Government's merger proposals. As a result, the End of Term Report incorporates actions included in the Operational Plan 2016-17.

Summary of Achievements

The report is based on a Quadruple Bottom Line (QBL) assessment, developed by analysing the strategic goals and related progress under the following areas:

- Social
- Environmental
- Economic
- Civic leadership

While the details of the specific actions and targets is included in Council's Quarterly Reports (the final Quarterly Review for the financial year is a separate agenda item), the purpose of the End of Term Report is to highlight the major achievements in relation to the QBL categories.

In order to ensure consistency between plans and reports, where possible a direct reference to the numbering of the Community Strategic Plan and Delivery Program has been included.

Proposal

That Council approve the End of Term Report and authorise the General Manager to advertise the End of Term Report to the community via Council's website, mayoral column and by making hard

copies of the Report available at the Council Chambers and at the Burwood Library and Community Hub.

Planning or Policy Implications

Section 428(2) of the *Local Government Act 1993* requires the outgoing Council to report on Council's progress in implementing the Community Strategic Plan during its term. The End of Term Report is to be presented at the final meeting of an outgoing council (IP&R Guidelines, Essential Element 1.10).

Financial Implications

The End of Term Report will be made available to the community through the established channels of communications, namely Council website, mayoral column and hard copies at all Council venues. Costs will be covered by Council's advertising budget.

Conclusion

The report outlines how the Council is progressing towards achieving the social, environmental, economic and civic leadership objectives of the Burwood2030 Community Strategic Plan.

Recommendation(s)

1. That Council approve the End of Term Report 2012-2017.
2. That Council authorise the General Manager to advertise the Report to the community via Council's website, Mayoral Column and by making hard copies of the Report available at the Council Chambers and at Burwood Library and Community Hub.

Attachments

- 1 End of Term 2012-2017



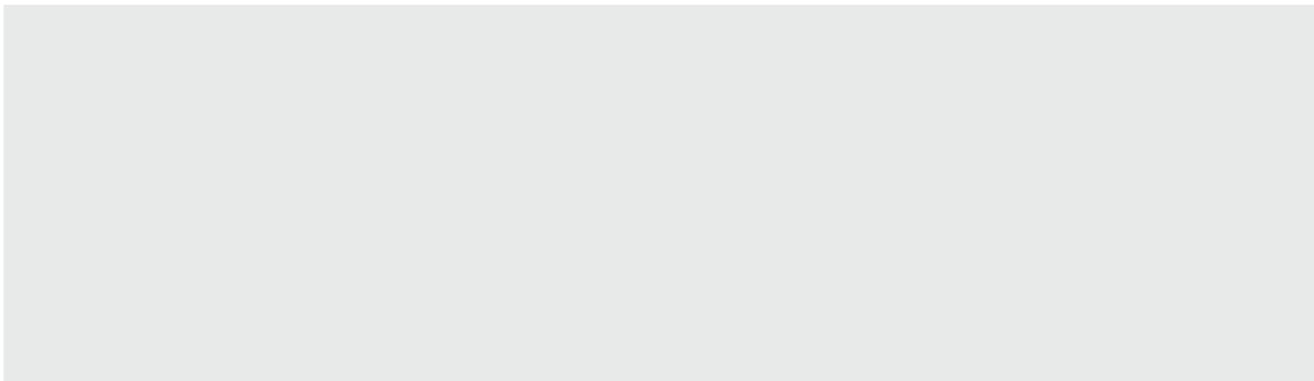
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BURWOOD COUNCIL
END OF TERM REPORT 2012-2017

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Message from the Mayor



Cr John Faker
Mayor

I am extremely proud of the many great achievements we have made as a Council over the past term and it has been an honour to serve our community as your Mayor during this time.

We have accomplished many great things as a Council over the past four years including opening the Burwood Library & Community Hub, Fitzroy Centre, Burwood Park Pavilion, George Street Centre, Water Play Park at Enfield Aquatic Centre, Railway Square and wetlands at Wangal Park.

In addition to providing new amenities and facilities to the community, we have continued to deliver an extensive range of services and initiatives for residents including our capital works program, ongoing community services, environmental initiatives and support for local business and community groups.

This report provides a snapshot of the many achievements we have made from 2012-2017 and outlines the objectives that have been completed in line with our *Burwood2030* Community Strategic Plan.

The Council has taken advantage of many opportunities and challenges faced during this term including Local Government reforms, Sydney-wide infrastructure projects and regional planning controls to solidify Burwood's position as the hub of the inner west while remaining focussed on delivering on the priorities identified by our community.

I would like to thank the General Manager and Council staff for the dedication and enthusiasm they have shown in helping to turn our vision into reality.

John Faker
Mayor of Burwood

Message from the General Manager



Michael McMahon
General Manager

I would like to thank the Councillors for the leadership and support they have given the organisation during this term.

With their vision, we have been able to continue to provide a high level of service to the community while delivering a range of new projects and initiatives.

This great achievement is reflected through the feedback from our community with a 90 per cent satisfaction rating for the level of service and initiatives Council provides in two consecutive community surveys in 2013 and 2015.

Throughout this term, Council has placed a strong focus on ensuring financial sustainability while maintaining existing service levels.

In particular, I am proud that Burwood Council was named as one of only five Councils in NSW with a positive financial outlook.

These actions, outlined in this report, have enabled Burwood to build on its image within the local community and become leaders in the Local Government sector.

On behalf of the Executive and staff, I would like to thank all the Councillors and Mayor for their direction and support during this term.

Michael McMahon
General Manager

Councillors



Cr John Faker
Mayor



Cr George Mannah
Deputy Mayor



Cr Sally Deans



Cr Tony Doueih



Cr Lesley Furneaux-Cook



Cr Justin Taunton

Introduction

The End of Term report outlines how the Council is progressing towards achieving social, environmental, economic and civic leadership objectives.

Located between Sydney and Parramatta cities, Burwood Council is in a strong strategic and financial position to build on the NSW Government's vision for growing Sydney; taking advantage of its role as the strategic centre of the inner west, as identified in the NSW

Government's *A Plan for Growing Sydney* 2014 report, by accommodating ongoing job growth in its business precincts and higher density housing along the Parramatta Road corridor while continuing to provide a high level of services to its established residents and businesses.

Over the past few years, Council has addressed the challenges facing the Local Government sector by implementing various strategies and initiatives to improve financial sustainability.

The outgoing Council is required under s 428(2) of the *Local Government Act 1993* (NSW) to report on Council's progress in implementing the Community Strategic Plan during the 2012-2017 term.

The report outlines how the Council is progressing towards achieving the social, environmental, economic and civic leadership objectives of the *Burwood2030* Community Strategic Plan (CSP).

In 2010, following extensive community consultation, Burwood Council adopted *Burwood2030*, a 20 year blueprint of all residents' and stakeholders' aspirations and needs for the area they live and operate in.

Cascading from the long term community plan is the four-year Delivery Program, listing the strategic actions Council has identified as necessary to achieve the community's priorities.

The Delivery Program is then supported by an annual Operational Plan, which details Council's budget and identifies the specific initiatives that are able to be funded each year.

This report summarises the achievements and challenges Council has experienced in the delivery of the strategic objectives agreed with the community, since the adoption of *Burwood2030* and in relation to the term of office.

The report is based on a Quadruple Bottom Line assessment, developed by analysing the strategic goals and related progress under the following themes:

- Social
- Environmental
- Economic
- Civic leadership

The End of Term Report incorporates the 2016-2017 financial year due to the postponement of the Local Government Elections until 2017 as a result of the NSW Government's Local Government reforms.

Social

This theme relates to supporting the community to create a feeling of belonging, inclusiveness and wellbeing amongst Burwood's culturally and linguistically diverse population. In addition, it includes supporting our community through infrastructure including roads, public transport, health facilities and educational providers.

It's about people being proud of where they live, feeling safe and engaged in the community and having equitable access to facilities and services that ensure they can lead a healthy and satisfying lifestyle.

Burwood Library & Community Hub

The Burwood Library & Community Hub was officially opened on **12 March 2014** with local students and community groups helping to bury a time capsule.

The state of the art facility features a 200 seat auditorium, private study rooms, cafe, Wi-Fi and a comprehensive catalogue of books, DVDs and other resources.



1.2 million
books and resources
borrowed



2.67 million
visits to the Burwood
Library & Community Hub



Wangal Park

Sydney has a new oasis in the heart of the inner west with the wetlands at Wangal Park officially opened to the community on **2 October 2015**.

Wangal Park, located in Croydon, is a 4.2 hectare green space which features three wetlands surrounded by boardwalks, an observation deck, exercise track and other facilities.

The final stage of embellishment works are currently being undertaken.



Woodstock & Fitzroy Centres

The Fitzroy Centre was opened on **12 December 2014** and adjoins the Woodstock Centre providing a modern new space for the community.

The Woodstock Centre was restored to its original Victorian charm in June 2016.



Railway Square

Railway Square, located on the corner of Burwood Road and Railway Parade, was opened on **3 March 2015**.

The new open space features a café inside the old Railway Parcels Office to cure coffee and chocolate cravings, free public Wi-Fi to check emails and social media and a large screen television to watch the latest news or sporting events, while improving pedestrian flow to Burwood Station.



Burwood Park

The Burwood Park Pavilion was officially opened on **12 May 2016** with live performances from Platinum Vocal Studios and MLC Sydney.

At the heart of Burwood's town centre, Burwood Park continues to provide residents and visitors with a tranquil place to unwind with new additions including The Bugler from Burwood, Burwood Park Cafe and amenities, playground and paving upgrades.



Enfield Aquatic Centre

The Water Play Park and Henley Park Cafe officially opened on **10 February 2013**.

The Enfield Aquatic Centre implemented a new 'scan and go' system and undertook upgrades to the indoor and outdoor pools.
















Further enhancement works have commenced as part of the Enfield Aquatic Centre Master Plan which was launched in October 2016.


Community

Council hosts a range of civic events and memorials throughout the year which help attract 350,000 visitors to the area.

These events include Burwood Festival, Anzac Day, Sandakan Remembrance Service, Carols in the Park, Australia Day, Seniors and Youth Week and more.



<p>Safety</p> <p> 50% reduction in crime across Burwood LGA achieved through joint initiatives with Burwood LAC</p> <p> 100,000+ parking patrols and compliance inspections in the Burwood LGA</p> <p> 150+ CCTV footage applications from Police and implementation of new mobile CCTV cameras</p>	<p></p> <p>Burwood LEP Implemented November 2012 following extensive community consultation</p>	<p>Infrastructure</p> <p> 47.8km of road resheeted</p> <p> 15,500sqm of footpath reconstructed</p> <p> 5,900m of kerb and gutter works</p> <p> 66 pram ramps installed</p>
<p> Road and Safety campaigns including Watch Out Cars About, Safer Walkways and Choose Right Buckle Tight reducing motorist and pedestrian incidents</p>	<p>White Ribbon Days</p> <p> i swear never to commit, excuse or remain silent about violence against women this is my oath</p>	<p></p> <p>3,500+ Volunteers recruited by the Volunteer Network</p>
<p> Burwood Safer Taxis Project 3 new taxi ranks installed across Burwood and Strathfield with CCTV cameras and improved visibility</p> <p> Community Safety & Crime Prevention plan reviewed</p>	<p></p> <p>1,508% Increase in social media audience</p>	<p></p> <p>1,060 Development Applications assessed</p>



Youth

The Burwood Youth Advisory Group (BYAG) continues to provide leadership opportunities for youth across the inner west. Council celebrates Youth Week annually.



Seniors

Council provides a range of services and activities to senior residents including Home and Community Care and an annual program of activities and events.



Culturally and Linguistically Diverse

A range of language services are on offer to community members including Speakers' Corner for those who speak English as a second language and other classes.



People living with a disability

Council continued hosting the Groovability Festival in Burwood Park and provides inclusive activities through its Have a Go Programs.

In addition, Council ensures infrastructure upgrades are equitable and accessibility to all residents including ambulatory restrooms in all news facilities.




Council produced residents guides in Arabic, Chinese, Greek, Korean and Italian. The kits provide information on Council's key services, initiatives and events.


Council also provides a translation service.



All Historical Rates and Valuation Books were digitised



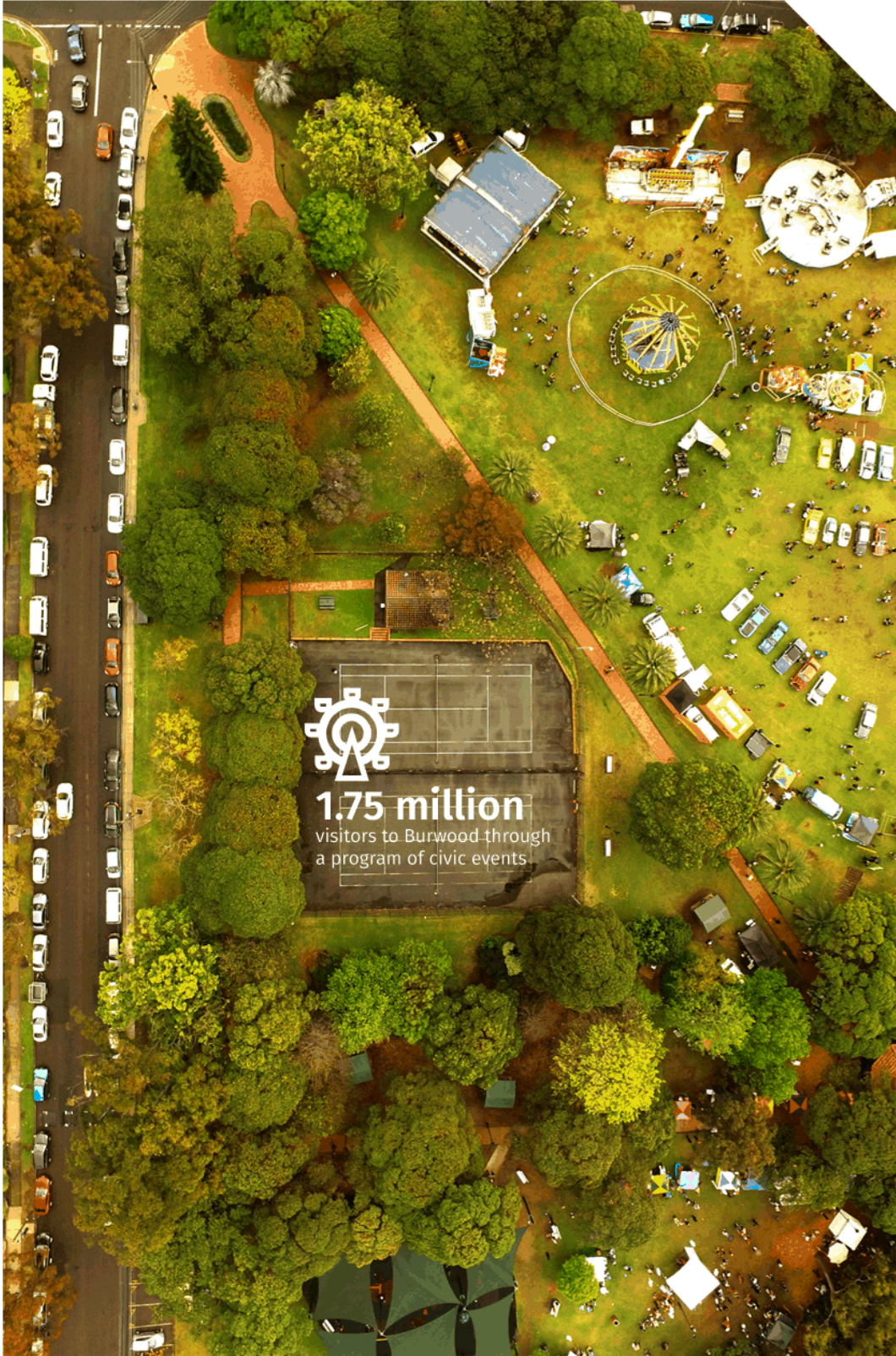
18,000+
Parking permits issued



1,200+
Clients serviced in podiatry



 **10**
playgrounds upgraded in parks across the area



Environmental

This theme is focused on maintaining and ensuring we live in a healthy, safe and sustainable natural environment. This theme aims to protect our natural resources and assets including parks, trees, open green spaces and also ensure that our impact on the environment is reduced.

Safe and Clean Team

Council's Safe and Clean Team was launched in September 2014 to maintain all the main business streets including Burwood town centre, Strathfield, Enfield, Croydon and Croydon Park.

The team focus on removing waste and cleaning infrastructure while reporting all crime activity and local law breaches.
















Education and awareness

Council conducts a series of workshops and initiatives throughout the year to promote sustainable practices including the Treading Lightly Program, Compost Revolution, National Tree Day, Second Hand Saturday and MobileMuster.

Best practice

Council was awarded for several environmental initiatives during 2012-2017 including winning the MetroPool Risk Management Excellence Awards 2015 for its Health Inspection app and coming fifth in Australia in the Mobile Muster Awards for recycling the most mobile phones.



 <p>2,455 health inspections conducted across the LGA</p>	 <p>Safe & Clean Team removed 52,733L of rubbish from town centres since launching in September 2014.</p>	 <p>Sustained practice Council continues to implement initiatives and programs relating to the following Plans:</p> <ul style="list-style-type: none"> • Green Action Plan • Sustainability Action Plan • Water Savings Action Plan • Strategic Waste Action Plan • Litter and Illegal Dumping Prevention Plan • Sustainable Event Management Plan • Waste Less Recycle More (WLRM) program
 <p>250 trees planted</p>	 <p>Compost Revolution Council joined the Program to promote the diversion of organic material from landfill. The program encourages residents to recycle food and organic waste at home.</p>	 <p>850GJ+ decrease in energy consumption across organisation since 2012-2013 leading to savings of more than \$100,000</p>
 <p>1,768km of street sweeping</p>	 <p>2,068 bins checked as part of the Bin Inspection Program</p>	 <p>241 environmental workshops conducted with local schools and day care centres</p>
 <p>95 tonnes of e-waste collected</p>	<p>9 solar hot water systems installed at Council facilities</p>	
 <p>9 solar hot water systems installed at Council facilities</p>	 <p>5th in Australia in the MobileMuster Awards 2016 for recycling the most mobile phones in Australia. Council was ranked second in NSW.</p>	
 <p>626GJ reduction in overall fuel consumption across Council's fleet. Council only purchases vehicles listed on the NSW Government Prequalification Scheme for Motor Vehicles.</p>		

Economic

This theme relates to the businesses and services that contribute to the wider Burwood economy. It aims to ensure an economically sustainable and prosperous future in Burwood with a strong network of services that support existing businesses and institutions, and attract new and diverse organisations.

Over the past few years, Council has made a concentrated effort on ensuring financial sustainability while continuing to deliver its existing level of services to the community.

In particular, Council's strong financial outlook was recognised in the NSW Treasury Corporation's (TCorp) *Financial Sustainability of the New South Wales Local Government Sector 2013*. In the report, Burwood Council was one of only five councils in NSW identified as having a 'positive' financial outlook.

This strong financial position was achieved the following ways:

- Implementation of an organisational structure which saved approximately \$380,000
- Implementation of a special variation (SV) for four years commencing in July 2014 expended on capital renewal and maintenance
- Reduced utilisation of contractors and temporary staff, saving approximately \$750,000
- Implementation of new procurement and contract management policies and corporate practices
- Instigation of a large number of service reviews, improving efficiencies and generating savings
- Implementation of a property strategy to provide additional funding following the end of the SV
- Implementation of an internal audit committee and independent internal auditor
- Working with neighbouring councils through Southern Sydney Regional Organisation of Councils (SSROC) on joint purchasing and procurement projects
- Invested with various financial institutions
- Joined the Metro Pool Mutual Insurance scheme to achieve insurance premium savings
- Received \$2 million in loans from the State Government in two rounds of the Local Infrastructure Renewal Scheme (LIRS)
- Development of a Long Term Financial Plan, regarded as best practice from the Office of Local Government, and Community Strategic Plan in conjunction with the community



\$4.2 million
average net operating result



1 of 5
Councils in NSW to receive a positive financial outlook from NSW Treasury Corp



\$57 million
property portfolio



\$840 million
worth of determinations on developments made

* Figures above taken from 2012-2016. Data from 2016-2017 was unavailable at the time of production.

Grants

During the 2012-2017 term Council received the following grants:

Financial Assistance Grants	4,827,447
Pensioner Rebate Subsidies	1,213,347
Apprenticeship Subsidies	4,000
LIRS Interest Subsidies	224,492
Family Leave Subsidy	160,133
Fire & Emergency Services Levy	83,768
Street Lighting Subsidy	400,000
Bus Route Subsidy	106,626
HACC Development	1,019,359
HACC Podiatry Services	2,750,119
HACC Enablement & Training	439,560
Social Planning	92,134
Aged Disability Services	162,110
Children & Families	251,494
Volunteer Network & Projects	742,050
Youth Services & Projects	183,296
Community Grants - ANZAC/Sandakan	10,900
Library Per Capita Grant	329,121
Department of Planning	75,680
Environment Management - Education	928,068
Flood Studies	236,337
Recreational - Wangal Park	479,469
Recreational - Burwood Park	90,000
Recreational - Burwood Park Multipurpose Facility	174,350
RMS Road Safety Projects	368,411
RMS Road Capital Grants	1,049,870
Roads to Recovery Grant	1,083,142
Library Capital Resources Grant	161,051
Community Services Woodstock Centre	13,923
	17,660,256

Civic Leadership

This theme relates to the leadership not only of our elected representatives but also leaders in our business, volunteer, spiritual and environmental community. It is about encouraging greater participation and engagement in decision making processes, and about thinking outside the square to resolve some of the challenges facing our community as we strive to be a leading community in economic prosperity, environmental sustainability and social responsibility

Leading by example

Council ensures best practice across its organisation through a range of initiatives including ongoing reviews of policies and practices, risk management strategies and innovative projects.



Engaging with our community

Council undertook extensive community consultation on a range of matters including Local Government reforms and mergers, special variation, relocation of Burwood Library in addition to ongoing communication on Council's service and initiatives.

Celebrating our community

Council actively promotes the achievements of community members through a range of awards and events including Citizen of the Year ceremonies, Youth Week and recycling schemes.





Over 90%
level of satisfaction from residents in consecutive community surveys



204,793
calls answer by Customer Service



3rd in NSW
Ranked third in staff satisfaction across Councils in NSW



3 million
views on Council's website



Increase
in staff satisfaction and employee engagement since 2010



1,508%
increase in users engaging with Council on social media



Winner
of MetroPool Risk Management Excellence Award in Public Health Management



Winner
of National Youth Week Award for NSW Health's Safe Sexual Health Project



80 students
from local schools, TAFE and universities hosted for work placements/experience



Second in NSW
and fifth in Australia at the MobileMuster Awards 2016 for recycling mobile phones



Sydney-wide
Different People Different Voices Project rolled out across schools in NSW to counter cultural bullying, receiving national recognition.



Strategic Centre
Burwood has been identified as a strategic centre in Sydney by the NSW Government



3D
modelling system for viewing Development Application



\$147,000
in recyclables generated through Commercial Trade Waste program



Interactive
online mapping system on Council's website for live capital works, zoning, waste collection and more



First
Council in NSW to deliver Smart Scheduling of Street Works in Partnership with NSW Government



CCTV Audits
of roads, footpaths, kerbs and gutter undertaken to determine priority works



Venue hire
Council facilities available for commercial hire to business and community groups



Partnerships
with Federal and State authorities, local business, education and community institutions



Best practice
Council's Long Term Financial Plan considered best practice by Office of Local Government



Targets
Council is meeting the NSW Government's population and workforce targets



Business support
Small Biz Advisory Service providing free support to local businesses



70+
Public Council and committee meetings conducted



Celebration
Council hosts Citizen of the Year Awards on Australia Day

Internal audit

Council introduced an Audit Committee, consisting of two independent members and two Councillors, and implemented an independent Internal Auditor via a shared agreement through the Southern Sydney Regional Organisation of Councils (SSROC).

Risk management

Council joined the Metro Pool Mutual Insurance Scheme to achieve significant insurance premium savings which have been redistributed into core services for the community.

Council's workers compensation premiums have been reduced by over \$400,000.

Community Engagement

Council adopted its Media Policy, Communications Policy, Social Media Policy and Community Engagement Strategy. These policies provide guiding principles and frameworks for Council's engagement and communications activities.

Council carried out a range of engagement initiatives including Fit for the Future, Special variation application, Burwood Library relocation, #BeBurwood, Burwood United and a series of ongoing promotional campaigns.

Promoting Better Practice

The Division of Local Government released its *Promoting Better Practice* Report on Council in March 2013, confirming Burwood was in a strong position in relation to its program of continuous improvement, governance, service reviews and financial sustainability.

**Local Government Reforms**

Council worked alongside neighbouring councils to implement strategies to ensure a smooth transition into a new entity.

Council carried out extensive community consultation during the Council Boundary Review and Fit for the Future processes to ensure the community was made aware of the significant reforms.

Records

The Records department introduced Action Tracking in Council's electronic document management system to monitor incoming correspondence sent to Council including applications, letters, emails and faxes. The action tracking allocates a set timeframe to an officer to ensure correspondence is investigated and responded to in a timely manner. This process has improved service delivery and provided more in depth reporting.

Management of Complaints

Council continued to seek feedback from residents and stakeholders through a process of compliments and complaints.

Through its Complaints Management Policy and the Internal Ombudsman Policy, Council promoted accountability and transparency in dealing with community feedback. Related data was analysed on a monthly basis by the Executive Committee.

Regular training is provided to staff on Customer Service and Complaint Handling and procedures have been implemented to ensure objective assessment of complaints and appropriate allocation of resources.

Conclusion

The End of Term report outlines how the Council is progressing towards achieving social, environmental, economic and civic leadership objectives.



The End of Term Report 2012-2017 will be endorsed by Burwood Council at the Council Meeting of 25 July 2017.

The Report is available for the community to view on Council's website.





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(ITEM RC3/17) MINUTES OF THE JULY 2017 BURWOOD LOCAL TRAFFIC COMMITTEE

File No: 17/32743

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of July 2017. The Minutes are hereby submitted to the Ordinary Council Meeting for consideration and adoption by Council.

Recommendation(s)

That the minutes of the Burwood Local Traffic Committee of July 2017 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

(ITEM LTC11/17) WYCHBURY LANE, CROYDON - CONVERSION OF NORTHERN SIDE TO NO STOPPING

Recommendation

That Council approve the installation of 'No Stopping' restrictions on the northern side of Wychbury Lane Croydon, for its entire length.

(ITEM LTC12/17) CROYDON AVENUE, CROYDON - PARKING RESTRICTIONS

Recommendation

That Council approve the installation of 'No Parking' restrictions for a length of 35 metres on the western side of Croydon Avenue Croydon as per the plan presented in the report.

(ITEM LTC13/17) BAKER STREET, ENFIELD - CHANGES TO TRAFFIC CONFIGURATION FOR ST JOSEPH'S PRIMARY SCHOOL

Recommendations

1. That Council approve the removal of 'No Right Turn 8.00am - 9.30am and 2.30pm - 4.00pm School Days Only' sign on the western side of Baker Street outside property no. 5.
2. That Council approve the installation of a 'No Left Turn 8.00am - 9.30am and 2.30pm - 4.00pm School Days Only' sign on the western side of Baker Street outside property no. 3.
3. That Council approve the relocation of the 'No Left Turn 8.00am - 9.30am and 2.30pm - 4.00pm School Days Only' sign on the eastern side of Baker Street from the schools northern driveway to the southern driveway.

(ITEM LTC14/17) BURWOOD ROAD & BLIGH STREET, BURWOOD HEIGHTS - CHANGES TO PARKING RESTRICTIONS

Recommendations

1. That Council approve the changes to parking on the southern side of Bligh Street Burwood Heights to 'No Parking 7.00am - 5.00pm Monday to Friday & 7.00am - 12.30pm Saturday' between Burwood Road and George Street.
2. That Council approve the changes to parking on the eastern side of Burwood Road Burwood Heights to '1/2P 7.00am - 5.00pm Monday to Friday & 7.00am - 1.00pm Saturday and Sunday' fronting properties 18 - 28.

(ITEM LTC15/17) GLOUCESTER AVENUE, BURWOOD - PARKING RESTRICTIONS

Recommendation

That Council approve the installation of 'No Parking' restrictions on the western side of Gloucester Avenue Burwood in front of properties no. 15 and no. 17 during times to be nominated for the collection of garbage from 12 - 14 Gloucester Avenue.

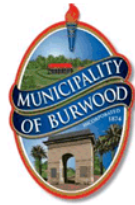
(ITEM LTC16/17) 2017 BURWOOD FESTIVAL - TRAFFIC MANAGEMENT

Recommendations

1. That Council approve the full road closure of Park Avenue Burwood, between Burwood Road and Park Road, from 5.00am to 7.00pm on Sunday 8 October 2017.
2. That Council approve the attached TCP clearly showing all proposed advance warning signage and detours.
3. That Council approve the existing parking spaces in Comer Street Burwood, to be reserved for VIP guests, event organisers and emergency vehicles on the day of the event.
4. That the Roads and Maritime Services (RMS) and the Traffic Management Centre (TMC) are notified of the festival at least one week prior to the event date.
5. That all proposed temporary VMS boards are approved for installation at the locations specified for a period of one week prior to the event date.

Attachments

- 1 Agenda - July 2017 Burwood Local Traffic Committee
- 2 Minutes - July 2017 Burwood Local Traffic Committee



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NOTICE OF BURWOOD LOCAL TRAFFIC COMMITTEE MEETING

The July 2017 meeting of the Burwood Local Traffic Committee will be held electronically with the Agenda. The minutes from the May 2017 meeting have been emailed to members for comments. All comments in relation to the agenda items are requested to be returned to Council by 9.30 am Friday 7 July 2017

Michael McMahon
GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

AGENDA

APOLOGIES/LEAVE OF ABSENCES

CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Burwood Local Traffic Committee Meeting held on Thursday 4 May 2017 as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

GENERAL BUSINESS

(ITEM LTC11/17)	WYCHBURY LANE, CROYDON - CONVERSION OF NORTHERN SIDE TO NO STOPPING	3
(ITEM LTC12/17)	CROYDON AVENUE, CROYDON - PARKING RESTRICTIONS	7
(ITEM LTC13/17)	BAKER STREET, ENFIELD - CHANGES TO TRAFFIC CONFIGURATION FOR ST JOSEPH'S PRIMARY SCHOOL	9
(ITEM LTC14/17)	BURWOOD ROAD & BLIGH STREET, BURWOOD HEIGHTS - CHANGES TO PARKING RESTRICTIONS	11
(ITEM LTC15/17)	GLOUCESTER AVENUE, BURWOOD - PARKING RESTRICTONS	13
(ITEM LTC16/17)	2017 BURWOOD FESTIVAL - TRAFFIC MANAGEMENT	16

**(ITEM LTC11/17) WYCHBURY LANE, CROYDON - CONVERSION OF
NORTHERN SIDE TO NO STOPPING**

File No: 17/30217

REPORT BY ENGINEER TRAFFIC & DESIGN

1. **Summary**

Council has identified the need to implement No Stopping restrictions along the northern side of Wychbury Lane, between King Edward Street and Acton Street, Croydon, in order to eliminate the current illegal parking of vehicles.

Background

Wychbury Lane runs between King Edward Street and Acton Street in Croydon. The laneway provides access to residential garages for properties 1-23 Wychbury Avenue and also serves as the major vehicular access point for commercial properties 44-104 Parramatta Road.

From 2003 to 2010, the laneway was controlled by 'No Parking' restrictions on the northern side and 'No Stopping' restrictions along the southern side.

In mid-2010, a number of local residents raised concerns regarding illegal parking within Wychbury Lane. Vandalism and removal of the 'No Parking' signs had been reported to Council staff. When signs were replaced they were often removed or vandalised the following night. Enforcement in Wychbury Lane was found to be difficult as parking enforcement relies heavily on signage being clear and visible for most parking provisions, excluding statutory 'No Stopping' restrictions and double parking.

Following consultation with residents and businesses in late 2010, Council approved to install a section of 'No Stopping' behind businesses 84-104 Parramatta Road (where the majority of the signage was being vandalised). The remaining 'No Parking' continued behind the rest of the businesses with additional short term parking and 'Loading Zones' installed to facilitate the picking up and dropping off of goods for the local businesses. As well as being signposted the 'No Stopping' zone was line marked with a yellow edge line as permitted under the NSW Road Rules, to ensure that enforcement could be undertaken, even if the signs were vandalised.

In early 2012, local businesses approached Council with a request to have the original 'No Parking' restrictions reinstated. Following a review of the area, Council approved to convert the new 'No Stopping' restrictions back to 'No Parking' on the northern side of Wychbury Lane, between 84-104 Parramatta Road, for a 6 months trial period. In addition, it was approved to convert the 'Loading Zone' on King Edward Street to 1/2P parking to enable customers to park short term and allow regular turnover.

Following a successfully trial period, the restrictions were maintained.

However, in 2015 local residents again raised concerns about vehicles disobeying the 'No Parking' restrictions in Wychbury Lane. This triggered an additional investigation which confirmed that illegal parking was again of serious concern. Following a number of routine enforcement patrols, several vehicles were infringed which prompted the majority of local businesses to write to Council in the form of a petition requesting the existing 'No Parking' restrictions be removed completely, making the northern side of Wychbury Lane unrestricted parking.

Council Officers once again carried out an in depth investigation this time looking to develop options that could be implemented within the lane. Below is a summary of the options that were considered.

- ***Removal of No Parking from the northern side and retaining No Stopping on the southern side***

Removing the No Parking restrictions from the northern side of the lane would be difficult given the abundance of driveway laybacks along the northern kerb line. Under the current NSW Road Rules, Rule 199 (2) states:

- *A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless:*
 - (a) *the driver is dropping off, or picking up, passengers; or*
 - (b) *the driver stops in a parking bay and the driver is permitted to stop in the parking bay under the Australian Road Rules.*

Further to this, permitting parking on the northern side will restrict vehicular access for adjoining properties on the southern side of Wychbury Lane given the narrow carriageway width. For these reasons this option was not supported.

- ***Removing all parking restrictions from both the northern and southern sides***

This option is not viable given the current misuse of Wychbury Lane. Having unrestricted parking within the laneway will only intensify the current issues facing all land users. Furthermore, removing all parking restrictions will encourage vehicles to park over driveways which is illegal. Vehicular access for adjoining land owners will also be restricted given the narrow carriageway width of Wychbury Lane. For these reasons this option was not supported.

- ***Converting Wychbury Lane into One-Way eastbound***

Converting Wychbury Lane from the existing two-way arrangement to one-way eastbound would have significant implications to the surrounding road network. One of the critical downfalls would be the circuitous route that local residents, business employees and customers will be required to take to get to their destination. Furthermore, the expected increase in traffic within the adjacent streets such as Acton Street, Royce Avenue and Cheltenham Road is unwarranted. A one-way configuration would also not improve parking issues within the lane. For these reasons this option was not supported.

- ***Installation of No Stopping on the northern side and retaining No Stopping on the southern side***

Providing No Stopping restrictions on both the northern and southern sides of Wychbury Lane will eliminate the current illegal parking of vehicles within the existing No Parking areas. This blanket No Stopping will also keep the laneway clear offering adjoining land users uninterrupted vehicular access. Given this configuration would ensure uninterrupted traffic flow and access, this option was supported.

- ***Installing Pocket Parking on the northern side and retaining No Stopping on the southern side***

Introducing pocket parking on the northern side of Wychbury Lane will provide areas for businesses to undertake their day to day duties legally and will be installed in areas that will not affect adjoining land user's vehicular access. It should be noted that these parking areas would only be implemented where they would not restrict access to adjacent properties and would not be exclusive to any one particular business or resident, but will be available to everyone. The remaining sections on the northern side of the Lane would remain as No Parking. Given this configuration would ensure uninterrupted traffic flow and access, this option was supported.

As such, the following options 1 and 2 were presented in the form of a survey to all those properties directly impacted by the proposal. A total of 40 surveys were distributed to residents, business owners and tenants.

ATTACHMENT 1

ITEM /17 Minutes of the July 2017 Burwood Local Traffic Committee.DOC Agenda - July 2017 Burwood Local Traffic Committee

BURWOOD LOCAL TRAFFIC COMMITTEE

6 JULY 2017

- **Option 1** - Installing No Stopping restrictions on the northern side of Wychbury Lane and retaining the current No Stopping restrictions on the southern side.
- **Option 2** - Installing Pocket Parking on the northern side (while retaining No Parking restrictions outside of these pocket areas) and retaining the existing No Stopping restrictions on the southern side.

Of the 40 surveys distributed, Council received eight responses, a typical 20% response rate. Of the eight replies, seven people preferred Option 1 whereas only one person preferred Option 2.

Proposal

Further to the above results, Council's Traffic Team has undertaken many site inspections following the consultation phase. It is noted that a number of vehicles were observed parking contrary of the road rules and vandalism of the parking signs was also confirmed. Council's Compliance team has undertaken their regular inspections of the laneway and noted an increase in illegally parked vehicles. Refer to photos below.



Examples of Vehicles Parking Illegally (at different times)

The number of calls received by Council relating to residents being unable to access their properties has increased again confirming that the issue of illegally parked vehicles needs to be address as a matter of urgency. It is therefore recommended that 'No Stopping' restrictions be installed on the entire northern side of Wychbury Lane, Croydon.

**(ITEM LTC12/17) CROYDON AVENUE, CROYDON - PARKING
RESTRICTIONS**

File No: 17/29708

REPORT BY TRAFFIC ENGINEERING OFFICER

1. **Summary**

Council has received numerous requests to install 'No Parking' restrictions on the western side of Croydon Avenue Croydon to assist with the safe exit of residents from the Brighton Retirement Village.

Background

The Brighton Retirement Village is managed by the Catholic Healthcare and is home to a retirement community for people over 55 years of age. The facility was opened in October 2014 and has 101 residential units with over 140 residents.

This section of Croydon Avenue currently has unrestricted parking and as a result has high levels of parking occupancy by commuters using Croydon train station. Vehicles have been observed to be parked close to both sides of the driveway which restricts the line of sight for drivers exiting at this driveway.

Proposal

It is proposed to install 'No Parking' restrictions either side of the two driveways to the Brighton Retirement Village to assist the residents and increase the line of sight when exiting the property. This will result in the loss of four on-street parking bays per the diagram below.

(ITEM LTC13/17) BAKER STREET, ENFIELD - CHANGES TO TRAFFIC CONFIGURATION FOR ST JOSEPH'S PRIMARY SCHOOL

File No: 17/29823

REPORT BY ROAD SAFETY OFFICER

1. **Summary**

Council has investigated the reversal of the entry and exit points of the St Joseph's Catholic Primary School car park in Baker Street. The proposal aims to reduce traffic congestion within Baker Streets in the afternoon peak period.

Background

Council regularly receives complaints from residents of Baker Street Enfield about the congestion caused within the street during pick-up and drop-off times at St Joseph's Catholic Primary School. Council's traffic team investigated possible solutions to reduce congestion to the area. One option considered was restricting parking to one side of Baker Street from '2.30pm – 4.00pm School Days Only' to allow two lanes of traffic, however this proposal was not supported by residents.

St Joseph's Catholic Primary School Principal requested Council reverse the entry and exit points of the carpark in Baker Street and allow parents to exit the school northbound towards Liverpool Road, restricting parents from heading south along Baker Street. This configuration was run as a trial to determine the impacts upon traffic flow within Baker Street and the intersection with Liverpool Road. Council staff worked closely with the School to ensure parents were made aware of the changes, with the school positioning staff and traffic cones to help direct traffic. Until this proposal is formalised the school has continued to deploy additional staff to the carpark to ensure traffic flows smoothly.

Proposal

Previously parents would enter through the northern driveway and exit through the southern driveway with 'No Right Turn' restrictions forcing traffic to head south. Under the new proposal being trialed, parents are permitted to enter the school through the southern driveway and exit through the northern driveway, with 'No Left Turn' restrictions forcing all traffic to turn right to head north towards Liverpool Road.



Changes to signage for the trial to proceed as a permanent are as follows:

- Removal of 'No Right Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on western side of Baker Street outside property #5.
- Installation of 'No Left Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on western side of Baker Street outside property #3.
- Relocation of 'No Left Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on eastern side of Baker Street from northern driveway to southern driveway.

Consultation

During the trial period Council's Road Safety Officer attended the school numerous times and observed the operation in action. Discussions with the Principal agreed that the trial arrangement was more efficient and reduced the time Baker Street was congested to other traffic. Additional observations by Council's Road Safety Officer showed the trial to be working successfully and the congestion down Baker Street was reduced to less than 15 minutes. Council also met onsite with representatives from the Roads and Maritime Service (RMS) who was in support of the trial operation. The reversal appears to have no adverse effects on the local residents of Baker Street.

Financial Implications

Costs for new signage is estimated to cost \$400.00 and is to be funded from the 2017/18 Traffic Facilities Budget.

Recommendations

1. That Council approve the Removal of 'No Right Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on western side of Baker Street outside property #5.
2. That Council approve the installation of 'No Left Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on western side of Baker Street outside property #3.
3. That Council approve the relocation of 'No Left Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on eastern side of Baker Street from the schools northern driveway to the southern driveway.

Attachments

There are no attachments for this report.

(ITEM LTC14/17) BURWOOD ROAD & BLIGH STREET, BURWOOD HEIGHTS - CHANGES TO PARKING RESTRICTIONS

File No: 17/1804

REPORT BY TRAFFIC ENGINEERING OFFICER

1. **Summary**

Council has received a request from the owner of Inspirations Paint at 28 Burwood Road Burwood Heights to change the parking restrictions times on the southern side of Bligh Street to match the existing 'Loading Zone' time and as well modifications to the parking restrictions on the eastern side of Burwood Road.

Background

Bligh Street is a two way local road between Burwood Road and George Street Burwood Heights. In the section of Bligh Street between Burwood Road and George Street 'Loading Zone 6.30am – 6.00pm Monday - Sunday' parking restrictions exist on the northern side and 'No Parking 8.30am – 6.00pm Monday to Friday & 8.30am – 12.30pm Saturday' parking restrictions exist on the southern side.

The time restrictions on the 'Loading Zone' were recently installed to help increase the number of parking spaces available to the public after hours when the businesses do not operate. Inspirations Paint have contacted Council regarding the road blockage caused when vehicles are parked on both the southern and northern sides of Bligh Street simultaneously due to the difference in times for the 'Loading Zone' and 'No Parking' zones.

Inspirations Paint has also requested an earlier commencement time for the current '1/2P' parking restrictions on Burwood Road fronting properties #18-28. The current time restrictions for the '1/2P' Parking area is '8.30am – 6.00pm Monday to Friday & 8.30am – 12.30pm Saturday'. The proposed change will begin at 7.00am to coincide with the parking restrictions on Bligh Street Burwood Heights and the operating hours of the paint shop.

It is noted that the area directly in front of the paint shop on Burwood Road is currently a 'Bus Zone' to facilitate construction at the site to the north. Following completion of this development site the 'Bus Zone' will be relocated north and '1/2P' Parking returned in front of the paint shop.

Proposal

In order to assist with the safe movement of vehicles along Bligh Street in the early hours each day, it is proposed to change the 'No Parking' restriction times to coincide with the 'Loading Zone' restrictions currently in place. The parking restriction would commence from '7.00am – 5.00pm Monday to Friday & 7.00am – 12.30pm Saturday'. The changes to the parking restrictions will allow one lane for vehicles to enter and exit from Bligh Street at all times while the Loading Zone is in use.

It is also proposed to change the existing 1/2P parking restrictions fronting Inspirations Paint on Burwood Road, Burwood Heights to commence at '7.00am – 5.00pm Monday to Friday; 7.00am – 1.00pm Saturday and Sunday'. The changes will coincide with the business trading hours.

ATTACHMENT 1

ITEM /17 Minutes of the July 2017 Burwood Local Traffic Committee.DOC Agenda - July 2017 Burwood Local Traffic Committee

BURWOOD LOCAL TRAFFIC COMMITTEE

6 JULY 2017



Image 1: Proposed changes to parking restrictions.

Consultation

The owner of Inspirations Paint at 28 Burwood Road, Burwood Heights has been in consultation with Council to modify the parking restrictions along Blich Street and Burwood Road to match his 'Loading Zone' trading hours.

Consultation has also been conducted with the resident of 30 Burwood Road, Burwood Heights. The resident was in agreement to the proposed changes to match the trading hours with the preference of concluding the parking restrictions at 5.00pm, Monday to Friday.

Financial Implications

The installation of new signage is estimated to cost \$500. The cost will be funded from the 2017/18 Traffic Facilities Budget.

Recommendations

1. That Council approve the changes to parking on the southern side of Blich Street Burwood Heights to 'No Parking 7.00am – 5.00pm Monday to Friday & 7.00am – 12.30pm Saturday' between Burwood Road and George Street.
2. That Council approve the changes to parking on the eastern side of Burwood Road Burwood Heights to '1/2P 7.00am – 5.00pm Monday to Friday; 7.00am – 1.00pm Saturday and Sunday' fronting properties #18-28.

Attachments

There are no attachments for this report.

**(ITEM LTC15/17) GLOUCESTER AVENUE, BURWOOD - PARKING
RESTRICITONS**

File No: 17/30487

REPORT BY MANAGER TRAFFIC & TRANSPORT

1. **Summary**

Council has received a development application for the site at 12-14 Gloucester Avenue for a mixed use development. For new major developments such as this Council requires garbage collection to be undertaken within the site however given the narrow width of Gloucester Avenue parking opposite the site must be restricted to facilitate garbage truck movements.

Background

A development application for 12-14 Gloucester Avenue Burwood was submitted in April 2016 for a 17-storey mixed use development comprising 44 residential apartments and 21 serviced apartments above ground floor commercial tenancies. For new major developments such as this Council requires garbage collection to be undertaken within the site to minimise the impact upon the road network and to improve amenity of the street by eliminating garbage bins being left out for collection.

The size of the site does not allow for a heavy rigid vehicle to enter and exit the site in a forward direction, therefore the proposal submitted with the application shows the garbage truck reversing into the site and exiting in a forward direction. These maneuvers are not possible given the current parking arrangements and narrow width of the carriageway in Gloucester Avenue.

Proposal

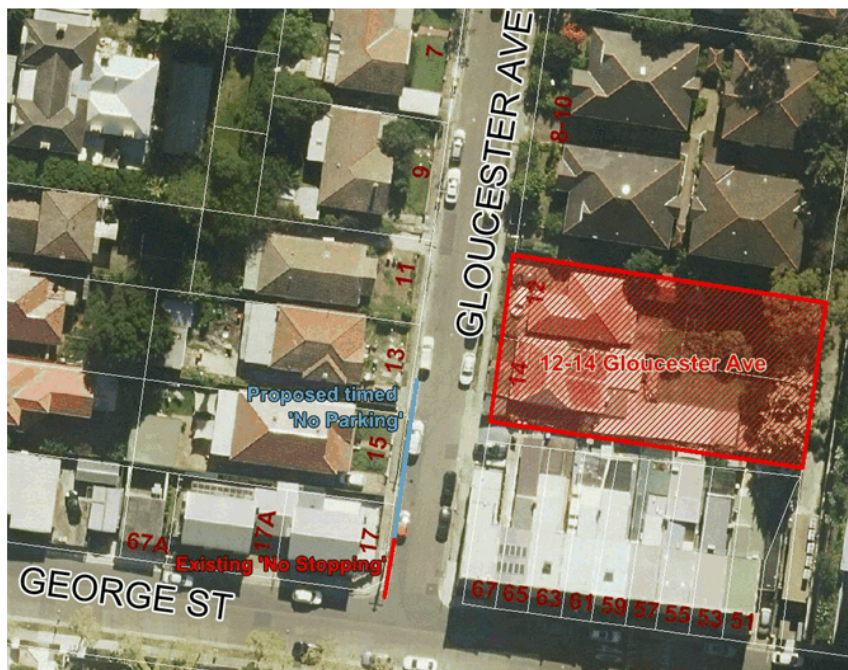
In order to facilitate the collection of garbage from the site it is required to restrict parking on the western side of the street in front of properties #15 and #17 Gloucester Avenue. This will result in the loss of two on-street parking bays once per week during the nominated garbage collection service times, with parking available all other times.

ATTACHMENT 1

ITEM /17 Minutes of the July 2017 Burwood Local Traffic Committee.DOC Agenda - July 2017 Burwood Local Traffic Committee

BURWOOD LOCAL TRAFFIC COMMITTEE

6 JULY 2017



Consultation

Consultation was undertaken as part of the normal Development Application process with no objections received from the affected properties at #15 or #17 Gloucester Avenue.

Financial Implications

Costs associated with the erection of new signs is to be borne by the developer.

Recommendation

That Council approve the installation of 'No Parking' restrictions on the western side of Gloucester Avenue Burwood in front of properties #15 and #17 during times to be nominated for the collection of garbage from 12-14 Gloucester Avenue.

Attachments

1 12-14 Gloucester Avenue Burwood Turning Templates

ATTACHMENT 1

ITEM /17 Minutes of the July 2017 Burwood Local Traffic Committee.DOC
Agenda - July 2017 Burwood Local Traffic Committee

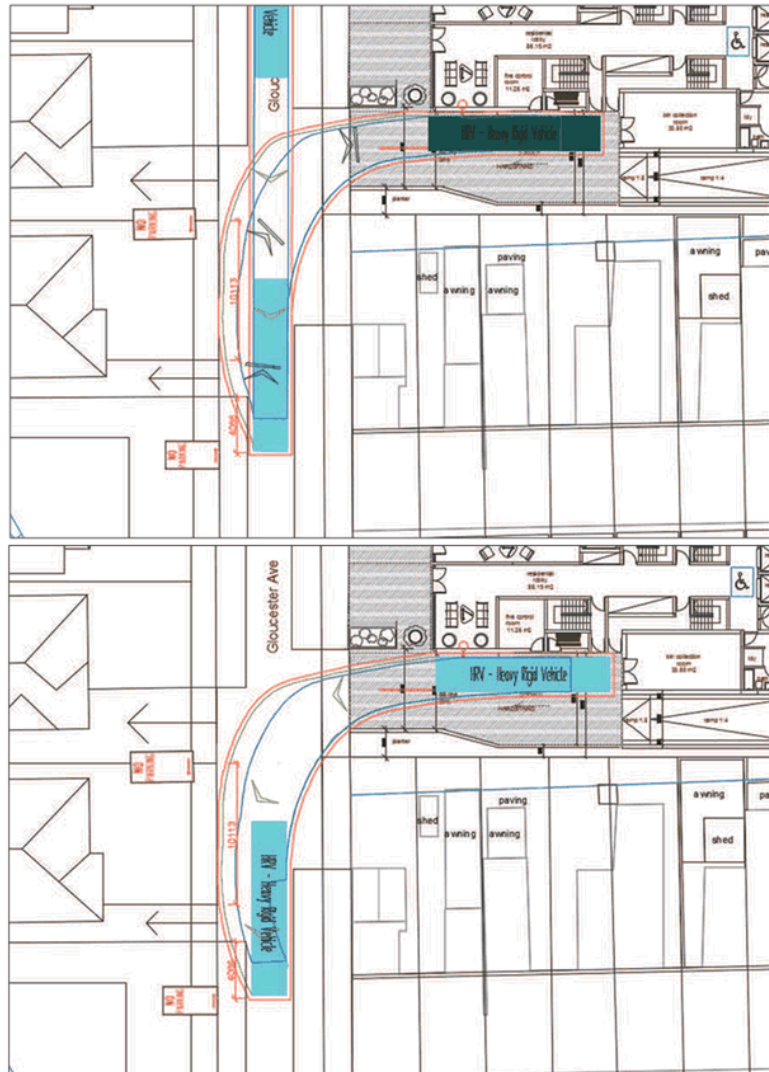
ATTACHMENT 1

ITEM /17 Gloucester Avenue, Burwood - Parking restrictions.DOC
12-14 Gloucester Avenue Burwood Turning Templates



ANNEXURE D: SWEEP PATH TEST FOR HRV REVERSE MANOEUVRE

(Page 1 of 2)



HRV REVERSE ENTRY AND FORWARD EXIT FROM LOADING AREA
2 movements in, 1 out – successful, subject to removal of two on-street car parking spaces
5km/h

Blue – Wheels
Green – Vehicle body
Red – 500mm clearance

(ITEM LTC16/17) 2017 BURWOOD FESTIVAL - TRAFFIC MANAGEMENT

File No: 17/24705

REPORT BY TRAFFIC ENGINEERING OFFICER

1. **Summary**

For the purpose of the 2017 Burwood Festival, this report seeks the Committee's endorsement of the full road closure of Park Avenue Burwood, between Burwood Road and Park Road. The road closure is required from 5.00am to 7.00pm on Sunday 8 October 2017.

Background

Burwood Council will be hosting its annual Burwood Festival on Sunday 8 October 2017. This festival has been held for over 30 years and has the full support of the Burwood Chamber of Commerce and the NSW Police Service.

In the past, Park Avenue has been closed to vehicular traffic which has been successful in providing increased safety for pedestrians crossing Burwood Road to attend the event.

Proposal

To coincide with the Car Show theme in this year Festival, it is proposed to close Park Avenue between Burwood Road and Park Road to facilitate mini billy-cart races for children.

Due to this closure, there will be no access to Park Avenue from Burwood Road with residential access only provided from Park Road to allow access to the driveway of properties 34 - 38. Dunns Lane will also be closed to traffic; however, will remain accessible for residents and deliveries to businesses. Appropriate advance warning signage and detours will be provided as indicated in the attached Traffic Control Plan (TCP).

The event organisers will ensure that access through the closed-off area will be available for emergency vehicles with the guidance of traffic controllers. Furthermore, Police will be providing assistance with crowd control and pedestrian flow throughout the festival site and at the intersection of Park Avenue and Burwood Road.

Parking along Comer Street will be reserved for the VIP guests on the day, along with the event organisers and emergency vehicles.

Consultation

Two Variable Message Signs (VMS) will be erected at the intersection of Burwood Road and Parramatta Road, on opposing sides, one week prior to the festival to inform motorists of the event and the road closure of Park Avenue between 5.00am and 7.00pm. Another VMS will be placed at the intersection of Burwood Road and Minna Street during the same period.

In addition, a VMS will also be positioned at the intersection of Gladstone Street and Wentworth Road outside OTEN, one week prior to the festival to inform motorists of the event and the road closure of Park Avenue for that day.

Written advertisements will be placed in the local newspaper, The Inner West Courier, one week prior to the event date. The advertisement will not only inform locals of the impending festival but will also outline the Park Avenue road closure and any expected delays.

Notice will also be placed on both the Burwood Council website and Burwood Festival website, one week prior to the event.

Financial Implications

The Festival relies heavily on sponsorship with Council contributing a threshold budgeted from Council's Events Budget 2017/18.

Recommendations

1. That Council approve the full road closure of Park Avenue, Burwood, between Burwood Road and Park Road, from 5.00am to 7.00pm on Sunday 8 October 2017.
2. That Council approve the attached TCP clearly showing all proposed advance warning signage and detours.
3. That Council approve the existing parking spaces in Comer Street Burwood, to be reserved for VIP guests, event organisers and emergency vehicles on the day of the event.
4. That the Roads and Maritime Services (RMS) and the Traffic Management Centre (TMC) are notified of the festival at least 1 week prior to the event date.
5. That all proposed temporary VMS boards are approved for installation at the locations specified for a period of one week prior to the event date.

Attachments

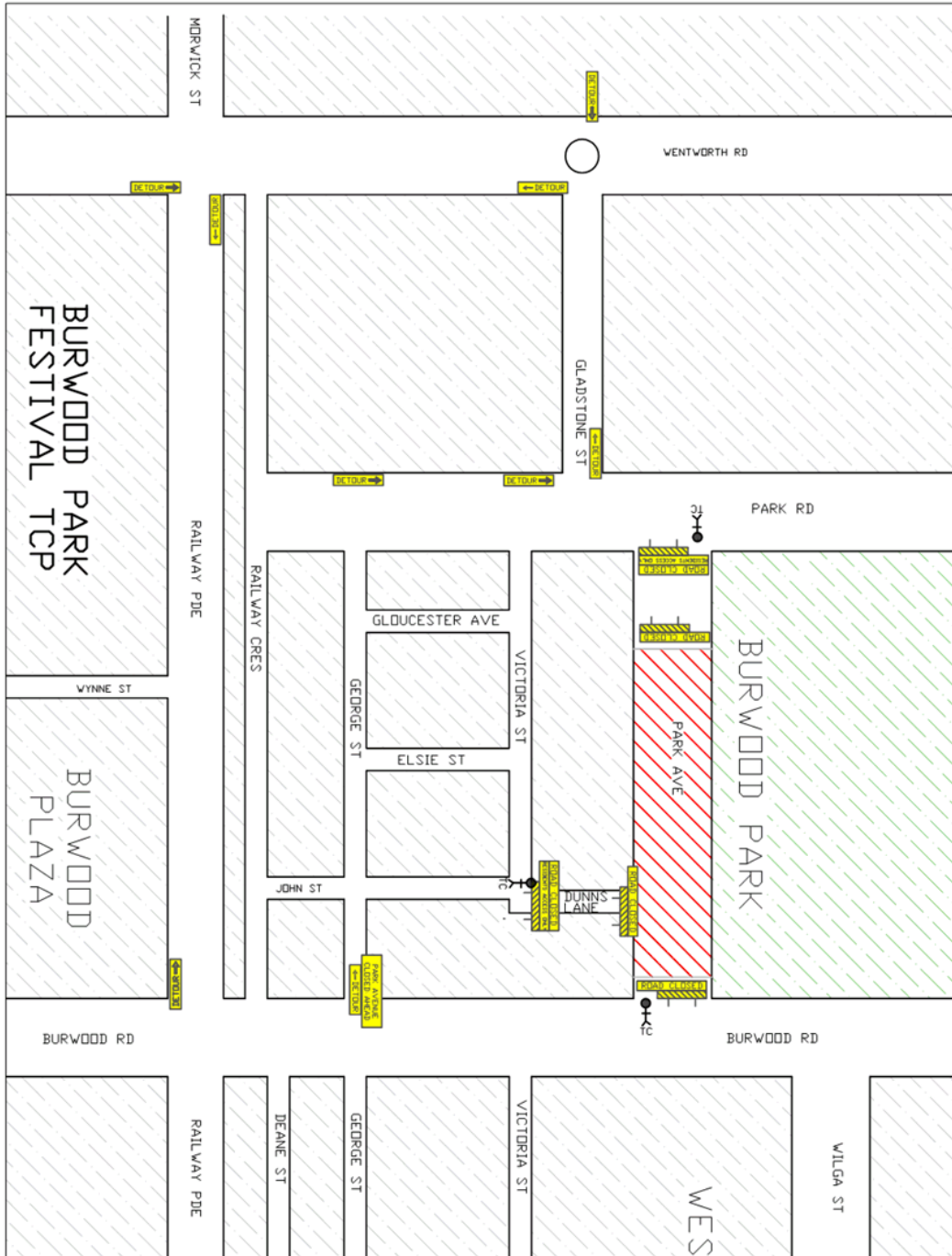
- 1 2017 Burwood Festival TCP

ATTACHMENT 1

ITEM /17 Minutes of the July 2017 Burwood Local Traffic Committee.DOC
Agenda - July 2017 Burwood Local Traffic Committee

ATTACHMENT 1

ITEM /17 2017 Burwood Festival - Traffic Management.DOC
2017 Burwood Festival TCP





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BURWOOD LOCAL TRAFFIC COMMITTEE MEETING

MINUTES OF THE MEETING OF THE BURWOOD LOCAL TRAFFIC COMMITTEE held at the Council Chamber, Suite 1, Level 2, 1-17 Elsie Street, Burwood on Thursday 6 July 2017 commencing at .

ATTENDANCE

Cr John Faker (Mayor) Chairperson
Sgt Trudy Crowther, NSW Police Service
Mr Brandon Morson, Roads and Maritime Services
Ms Jodi McKay, State Member for Strathfield
Mr Peter Whitney, State Transit Authority
Mr Doug Sutherland AM, JP, Burwood Chamber of Commerce

Mr Bruce Macdonnell, Deputy General Manager Land, Infrastructure and Environment
Mr John Inglese, Burwood Council, Senior Manager Assets and Design
Mr Roberto Di Federico, Burwood Council, Manager Traffic and Transport
Mr Robert Ristevski, Burwood Council, Engineer – Traffic and Design
Mr Henry Huynh, Burwood Council, Traffic Engineering Officer
Ms Megan Pigram, Burwood Council, Road Safety Officer

APOLOGIES

That there were no apologies.

CONFIRMATION OF MINUTES

That the minutes of the Burwood Local Traffic Committee of Burwood held on Thursday 4 May 2017, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

GENERAL BUSINESS

(ITEM LTC11/17) WYCHBURY LANE, CROYDON - CONVERSION OF NORTHERN SIDE TO NO STOPPING

Summary

Council has identified the need to implement No Stopping restrictions along the northern side of Wychbury Lane, between King Edward Street and Acton Street, Croydon, in order to eliminate the current illegal parking of vehicles.

Recommendation

That Council approve the installation of NO STOPPING restrictions on the northern side of Wychbury Lane, Croydon, for its entire length.

(ITEM LTC12/17) CROYDON AVENUE, CROYDON - PARKING RESTRICTIONS

Summary

Council has received numerous requests to install 'No Parking' restrictions on the western side of Croydon Avenue Croydon to assist with the safe exit of residents from the Brighton Retirement Village.

Recommendation

That Council approve the installation of 'No Parking' restrictions for a length of 35m on the western side of Croydon Avenue Croydon as per the plan presented in the report.

(ITEM LTC13/17) BAKER STREET, ENFIELD - CHANGES TO TRAFFIC CONFIGURATION FOR ST JOSEPH'S PRIMARY SCHOOL

Summary

Council has investigated the reversal of the entry and exit points of the St Joseph's Catholic Primary School car park in Baker Street. The proposal aims to reduce traffic congestion within Baker Streets in the afternoon peak period.

Recommendations

1. That Council approve the Removal of 'No Right Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on western side of Baker Street outside property #5.
2. That Council approve the installation of 'No Left Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on western side of Baker Street outside property #3.
3. That Council approve the relocation of 'No Left Turn 8am-9.30am and 2.30pm-4pm School Days Only' sign on eastern side of Baker Street from the schools northern driveway to the southern driveway.

(ITEM LTC14/17) BURWOOD ROAD & BLIGH STREET, BURWOOD HEIGHTS - CHANGES TO PARKING RESTRICTIONS

Summary

Council has received a request from the owner of Inspirations Paint at 28 Burwood Road Burwood Heights to change the parking restrictions times on the southern side of Bligh Street to match the existing 'Loading Zone' time and as well modifications to the parking restrictions on the eastern side of Burwood Road.

COMMENTS RECEIVED

RMS reaffirmed that the bus zone located on Burwood Road fronting 24-28 and 18-22, this bus zone must be maintained.

Recommendations

1. That Council approve the changes to parking on the southern side of Bligh Street Burwood Heights to 'No Parking 7.00am – 5.00pm Monday to Friday & 7.00am – 12.30pm Saturday' between Burwood Road and George Street.
2. That Council approve the changes to parking on the eastern side of Burwood Road Burwood Heights to '1/2P 7.00am – 5.00pm Monday to Friday; 7.00am – 1.00pm Saturday and Sunday' fronting properties #18-28.

(ITEM LTC15/17) GLOUCESTER AVENUE, BURWOOD - PARKING RESTRICTITONS

Summary

Council has received a development application for the site at 12-14 Gloucester Avenue for a mixed use development. For new major developments such as this Council requires garbage collection to be undertaken within the site however given the narrow width of Gloucester Avenue parking opposite the site must be restricted to facilitate garbage truck movements.

Recommendation

That Council approve the installation of 'No Parking' restrictions on the western side of Gloucester Avenue Burwood in front of properties #15 and #17 during times to be nominated for the collection of garbage from 12-14 Gloucester Avenue.

(ITEM LTC16/17) 2017 BURWOOD FESTIVAL - TRAFFIC MANAGEMENT

Summary

For the purpose of the 2017 Burwood Festival, this report seeks the Committee's endorsement of the full road closure of Park Avenue Burwood, between Burwood Road and Park Road. The road closure is required from 5.00am to 7.00pm on Sunday 8 October 2017.

COMMENTS RECEIVED

RMS advised that they require a TMP to be submitted, and the TMC is to be notified so an ROL can be obtained for the impacts at the signals on Park Ave and Burwood Road.

Recommendations

1. That Council approve the full road closure of Park Avenue, Burwood, between Burwood Road and Park Road, from 5.00am to 7.00pm on Sunday 8 October 2017.
2. That Council approve the attached TCP clearly showing all proposed advance warning signage and detours.
3. That Council approve the existing parking spaces in Comer Street Burwood, to be reserved for VIP guests, event organisers and emergency vehicles on the day of the event.
4. That the Roads and Maritime Services (RMS) and the Traffic Management Centre (TMC) are notified of the festival at least 1 week prior to the event date.
5. That all proposed temporary VMS boards are approved for installation at the locations specified for a period of one week prior to the event date.

QUESTIONS WITHOUT NOTICE

There were no Questions Without Notice submitted at the Meeting.

This concluded the business of the meeting.

Confirmed this

**MAYOR
CHAIRPERSON**

**DEPUTY GENERAL MANAGER - LAND,
INFRASTRUCTURE & ENVIRONMENT**

(ITEM IN19/17) POWER OF ATTORNEY FOR THE GENERAL MANAGER - MAY TO JULY 2017

File No: 17/31429

REPORT BY GENERAL MANAGER

Summary

At the Council Meeting of 28 June 2011, Council resolved to delegate to Michael Gerard McMahon, General Manager, a prescribed power of attorney and that the General Manager report to Council every three months on all documents signed under the prescribed power of attorney.

Council notes that the following documents were signed under power of attorney between May and July 2017:

1. A Voluntary Planning Agreement for 39-47 Belmore Street, 6-14 Conder Street and 11-19 Wynne Avenue Burwood, between Burwood Council, Anson City Developments 2 (Australia) Pty Limited and Kapau Holdings Pty Limited, signed on 28 April 2017. Presented to Council on 24 May 2016, Item 28/16.
2. A Voluntary Planning Agreement for 6 Railway Parade Burwood, between Burwood Council and Burwood Holdings (NSW) Pty Limited, signed electronically on 22 May 2017. Presented to Council on 25 October 2016, Item 110/16.
3. Rescission of Contract for Sale No. 4, Part of Deane Street Burwood, by Burwood Council to Burwood Property Holdings Pty Limited on 31 May 2017. Presented to Council on 18 April 2017, Item 30/17.
4. A Voluntary Planning Agreement for 1-13 Elizabeth Street Burwood, between Burwood Council and Tasman Serviced Apartments Pty Limited on 5 June 2017. Presented to Council on 24 August 2015, Item 120/15.
5. A Voluntary Planning Agreement for 27-29 Burwood Road Burwood, between Burwood Council and Shoreline Organisation Pty Limited on 21 June 2017. Presented to Council on 23 May 2017, Item 35/17.

No Decision – Information Item Only

Attachments

There are no attachments for this report.

(ITEM IN20/17) PETITIONS

File No: 17/31931

REPORT BY DEPUTY GENERAL MANAGER CORPORATE, GOVERNANCE & COMMUNITY

Summary

Council has received two petitions since the last Council Meeting.

Background

Date Received	Petition Subject	No. of Households and Businesses within the LGA	No. of Households outside the LGA	Responsible Council Division
19/6/2017	BD.2016.103 - 180-186 Burwood Road Burwood - 7-9 Burleigh Street Burwood - Submission of Objection	20		Land, Environment and Infrastructure
30/06/2017	5 Minute Drop Off and Pick Up Zone - Church Street Burwood	47	71	Land, Environment and Infrastructure

Comments

That Council notes that the Petition has been referred to the appropriate Council Officers for attention.

No Decision – Information Item Only**Attachments**

There are no attachments for this report.

(ITEM IN21/17) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 27 JUNE 2017

File No: 17/32139

REPORT BY GENERAL MANAGER

Summary

At the Council Meeting of 27 June 2017 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 4 July 2017 of the outcome of the QWN. These are now submitted as part of the Council Agenda for Public Notification.

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 27 JUNE 2017	
Question	Response
<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 1</p> <p>Has Council considered applying for pet friendly park grant as per petpositives.com.au?</p>	<p><u>Deputy General Manager Land, Infrastructure & Environment</u></p> <p>Council has been successful in gaining a \$1,000,000 grant for the embellishment of Wangal Park and a \$1,300,000 grant for the refurbishment of Blair Park is pending. Both grants have very strict timelines for the project deliverables. The Wangal Park embellishment projects are to be completed by February 2018 and Blair Park refurbishment projects by December 2018.</p> <p>Council's project management and construction resources are currently stretched to deliver a range of complex projects within the abovementioned timelines. Accordingly, to ensure the above projects are not jeopardised, Council will not be applying for a Pet Friendly Park grant in the current round but may consider this grant in the future.</p> <p>The Pet Friendly Park grants are limited to around \$3,000 per Council, which is not very significant compared to the grants that are in place or pending. Also, planting will soon commence in the Grant Park dog off leash area adjacent to Shelley Street Enfield, to provide shade and screening for dog owners. A total 41 native trees will be planted with 21 of these trees being of advanced size at the time of planting.</p>
<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 2</p> <p>Does Council know how many high rise buildings in Burwood may have similar claddings as was</p>	<p><u>Manager Building & Development</u></p> <p>This question will be addressed in an Information Item report at the 25 July 2017 Council Meeting.</p>

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 27 JUNE 2017	
Question	Response
found the tragedy in London? I am aware of audits by Local Government areas such as the Inner West Council.	
<p><u>Councillor Justin Taunton</u></p> <p>Question 1</p> <p>In Acton Street, Croydon four trucks from a tree lopping company who parked on the verge blocked residents' access, created excessive noise in the early morning and created ongoing problems could this be investigated?</p>	<p><u>Senior Manager Compliance</u></p> <p>The Tree Lopping Company in Acton Street has been extensively investigated over the years with enforcement action taken when breaches are observed. This location is patrolled daily by the Law Enforcement Officers and recent patrols have not found any illegally parked trucks, all vehicles in the area were registered and parked lawfully. Council is not aware of any recent new issues which require attention. Despite the regular patrols Law Enforcement Officers have not been unable to identify any noise issues.</p>
<p><u>Councillor Justin Taunton</u></p> <p>Question 2</p> <p>Issues arising from the Grenfell Tower fire in London, United Kingdom, can I be provided with information on actions that have been taken by Burwood Council to audit all Office/Residential Towers, to ensure compliance with safety regulations?</p>	<p><u>Manager Building & Development</u></p> <p>This question will be addressed in an Information Item report at the 25 July 2017 Council Meeting.</p>
<p><u>Councillor Justin Taunton</u></p> <p>Question 3</p> <p>Can I be provided with an update on the traffic and safety issues at the roundabout on Burwood Road, Nicolson and Ethel Streets, Burwood? I have previously raised my concerns over the safety of the fence on the property of Ethel Street and Burwood Road, Burwood.</p>	<p><u>Manager Traffic & Transport</u></p> <p>The Traffic & Transport Team have investigated this intersection and installed a speed cushion on the southbound approach of Burwood Road, to ensure that vehicles travel through the roundabout at a safe speed.</p> <p>The possible installation of a guard rail was investigated for the south eastern corner of the intersection, however, it is not possible to install a sufficient length of guardrail which would be able to withstand impact, due to the location of the kerb ramps on the corners.</p> <p>Council's Compliance Team inspected the location and was unable to identify any fence on private (or public) property that may have been of concern.</p>

No Decision – Information Item Only

Attachments

There are no attachments for this report.

(ITEM IN22/17) MEDIA, COMMUNICATIONS & EVENTS REPORT 2016-2017

File No: 17/32177

REPORT BY DEPUTY GENERAL MANAGER CORPORATE, GOVERNANCE & COMMUNITY

Summary

The Media, Communications & Events Report 2016-2017 outlines key achievements, milestones and highlights of Council's media, events and engagement activities over the last twelve months.

Throughout the financial year, Council conducted media relations, marketing and publicity, community and business engagement, civic and memorial events, website, social media and digital media management.

These functions are delivered in line with the goals of Council's Community Strategic Plan (Strategic Objective 1.3.2) in order to promote a sense of community, provide leadership through innovation, accessible services and facilities and a vibrant economic community.

No Decision – Information Item Only**Attachments**

1 Media, Communications & Events Report 2016-2017

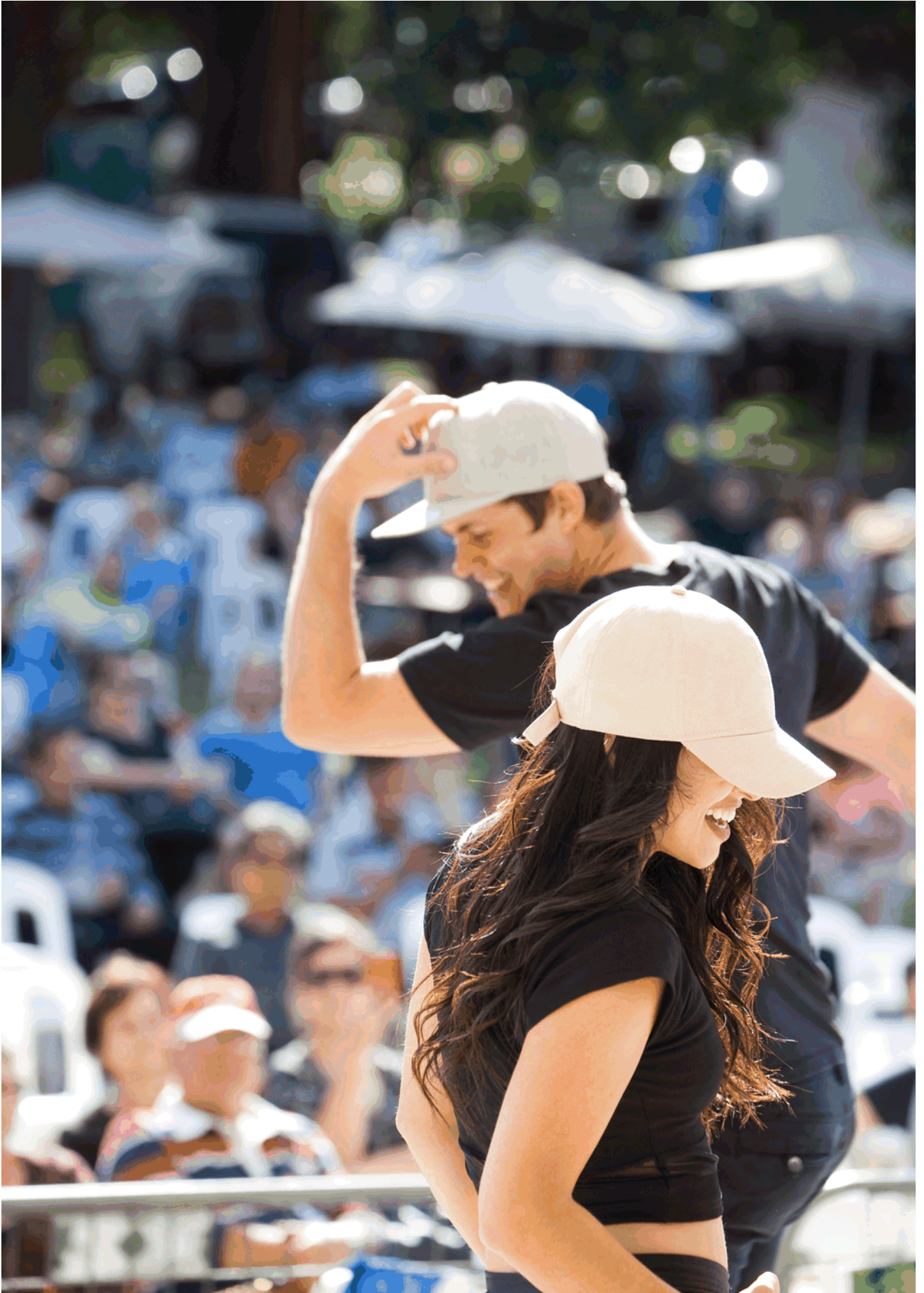
Media

EVENTS & COMMUNICATIONS
REPORT 2016-17

Burwood Council

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Overview

The Media, Events & Communication Report 2016-17 outlines the functions performed by the Media, Events & Communications team throughout the financial year and includes key achievements, milestones and highlights.

Throughout the year, the Media, Events & Communications team oversees media relations, marketing and publicity, community and business engagement, civic and commemorative events in addition to providing internal support across the organisation.

These functions are delivered in line with the goals of Council's Burwood2030 Community Strategic Plan in order to promote a sense of community, provide leadership through innovation, accessible services and facilities, and a vibrant economic community.

In addition to the annual report, media reports are presented to the Executive and Councillors on a monthly basis to provide ongoing updates on Council's media and communication activities.

Media

Council has a proactive media strategy providing information to the public through numerous methods of communication.

There were several key issues which garnered significant media coverage for Burwood Council in 2016-17 including the proposed NSW Government amalgamations, regional transport and infrastructure projects and planning.

On a local scale, Council received considerable media coverage for the opening of Wangal Park, Woodstock refurbishments and numerous events and memorial services.

During the financial year, Council distributed **40 media releases** which generated hundreds of news items in local and metropolitan publications.



Social Media

Council continues to increase its digital media presence to reach the wider community while harnessing new technology to ensure it remains an innovative and progressive organisation.

Social media was used extensively to promote the Burwood Festival, the Inaugural Burwood Art Prize, Volunteer Speed Matching, road safety initiatives and various other events.

The fast paced nature of social media allows Council to disseminate news and information during emergencies.

This year, Council enhanced user experience by training customer service staff to handle Facebook requests and enquiries.

58%

Increase in 'likes' on Council's Facebook Page and a 112% increase on the Mayor's Facebook

65%

Increase in Followers on Council's Twitter.



18%

Increase in Followers on Library's Twitter

73%

Increase in content uploaded to Council's Youtube channel.

23%

Increase in followers on Council's LinkedIn

45%

Increase in followers on Council's Instagram

Multimedia

Council continues to increase its multimedia production through its digital channels with a range of videos created and published online for the community and internally for staff.

In particular, Council launched the Venue Hire series to promote Council facilities that are available for hire including the Library & Community Hub, Woodstock and Fitzroy Centres, George Street Centre, Burwood Park Pavilion and Burwood Park Community Centre.

During the year, Council produced a range of video content including the Venue Hire series, The Final Stretch Wangal Park series, Burwood Festival, White Ribbon Day, Mayor's End of Year Message, End of Term Report, Carols in the Park, International Women's Day, Anzac Day, Nashos 2017, graffiti removal guide and Lunar New Year.

VENUE HIRE SERIES

**THE FINAL STRETCH:
WANGAL PARK SERIES**

BURWOOD FESTIVAL 2017

WHITE RIBBON DAY

END OF TERM REPORT

MAYOR'S END OF YEAR MESSAGE

ANZAC DAY 2017

NASHOS 2017

INTERNATIONAL WOMEN'S DAY

GRAFFITI REMOVAL GUIDE

CAROLS IN THE PARK

LUNAR NEW YEAR

Website

Council's website is maintained daily to provide current news and information on Council's services, policies, events and meetings.

A range of services are also available on Council's website including payments and online tracking for DAs and capital works projects.



500,000+

views on Council's website



Mandarin

Korean and Japanese were the top languages used for viewing Council's website (non-English)



37%

of views on Council's website was from a mobile or tablet device (a 4% increase since last year)



Library

Enfield Aquatic Centre, Where to Find Us, Jobs and DAs were the most viewed pages on Council's website



Additions

to Council's website include new online forms, and improved accessibility with a new 'quick links' icon section on the home page.

Engagement

Council undertakes a range of community engagement initiatives throughout the year to build on its relationship with local business, residents and key community groups.

These activities included business workshops, extensive community consultations and support for local businesses and organisations.

Business workshops

Council held several Inner West Biz and Learn over Lunch business workshops throughout the year.

Inner West Biz:

- International Trade (19 July)
- Social media marketing (18 October)

Learn over Lunch:

- Seven Tips to Connect with your Customer Online (5 July)
- Digital retail (8 November)
- Customer service (6 September)
- Building an effective website (4 October)
- Perfect your pitch (2 August)

E-News services

Council delivers a range of online newsletters including Business News, What's On and the Burwood Update.

Support for local businesses

Council provides ongoing support for local businesses through a range of initiatives including workshops, educational campaigns and

Highlights include:

- Christmas decorations and seasonal flag program in town centres
- Chinese business and community engagement strategies
- Regular visits to local businesses in town centres
- Workshops for businesses
- Ongoing business tips, news and information

Annual and End of Term Reports

Council's Annual Report highlights the achievements of the financial year. The End of Term report provides a snapshot of the 2012-2017 Council term.

The reports were promoted on Council's website, social media and through a range of other methods including an infographic video, summary flyers and interactive digital editions.

Event support and sponsorship

Council supports a range of community events, projects and initiatives throughout the year including the Croydon Park Festival and Inner West Local Business Awards.

Community consultation

Council regularly seeks feedback from the community on important matters. This year, Council undertook extensive consultation on the Enfield Aquatic Centre Master Plan and the Disability Inclusion Action Plan 2017-2021.

Graffiti removal guide

The Graffiti Removal Guide campaign encouraged businesses to join the fight against illegal graffiti.

A graffiti removal guide video was produced by Council to educate the community on how to remove unwanted graffiti from their property.

Establishing and growing local partnerships

Council continues to strengthen relationships with local partners. This year, Council signed a Memorandum of Understanding with NSW TAFE OTEN to share skills and collaborate.

Events

Throughout the year, the Media, Events and Communications team oversees numerous civic events which are held within the Burwood LGA.

These events range from large scale, Sydney-wide celebrations such as the Burwood Festival, to somber and significant commemorative services including Sandakan, National Servicemen's Memorial and Anzac Day.

These civic events help to create a sense of pride in the community, celebrate diversity, recognise and remember local achievements, promote Burwood as a destination and provide high quality activities for residents and the wider community.

Civic events make a significant contribution to Burwood economically, attracting more than 350,000 visitors to the area each year.

Burwood Festival

Sunday, 16 October 2016

A crowd of 55,000 rock and rolled their way to Burwood Park to celebrate spring at the Burwood Festival.

This year's event had everyone dancing along to the rock and roll theme with performances from Johnny Ruffo, Angry Anderson and comedian Rob Shehadie.

The event also marked the 25th anniversary of the Classic Car Show & Shine and debut of the Burwood Park Pavilion.



Commemorative Services

Burwood has a strong connection to its heritage and those who have helped the area become the place it is today. Council's memorial services allow our community to come together to pay their respect to our brave local heroes.



Anzac Day
Tuesday, 25 April 2017

Sandakan
Sunday, 7 August 2016



National Servicemen's
Sunday, 27 May 2017

Civic Events

Council's civic events program celebrates the area's diversity and promotes Burwood as a cosmopolitan hub of Sydney's inner west.

Australia Day Tuesday, 26 January 2017



Lunar New Year
Saturday, 11 February 2017

Carols in the Park Saturday, 11 December 2016



Easter in the Park
Saturday, 8 April 2016

Other Events

The Media, Events & Communications team provides support to numerous community events that are held by other Council departments and external organisations.



TVB Australia Carnival

Greek National Day

Heritage Week Tours

Wangal Park Stage 2 Opening

Croydon Park Festival

Inner West Local Business Awards

Woodstock Open Day

International Women's Day

Enfield Aquatic Centre Master Plan Launch

Inaugural Burwood Art Prize

Volunteer Speed Matching

White Ribbon Day



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2017

(ITEM IN23/17) FIRE SAFETY AT RESIDENTIAL UNIT BUILDINGS AND HIGH RISE TOWERS - IN LIGHT OF GRENFELL IN LONDON IN JUNE 2017

File No: 17/32265

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

At the 27 June 2017 Council Meeting, Questions Without Notice were raised by Councillor Furneaux-Cook and Councillor Taunton in relation to fire safety at residential unit buildings and high rise towers in the Burwood Local Government Area (LGA), in light of the recent Grenfell Tower apartment block fire in London.

While there has been no official statement from London authorities following the fire as enquiries are still ongoing, some unofficial reports are attributing the spread of the fire in the building to combustible panels that had been attached to the external face of the building. Comparisons are also being drawn from the Grenfell disaster to a fire in an apartment building in Melbourne's Docklands in 2014, where there was a similar circumstance of panelling on the external face of the building causing the fire to spread. The Melbourne fire has been the subject of close scrutiny from both government authorities and professional bodies in the industry.

It is believed that a number of local government bodies have commenced audits of high rise buildings in their Local Government Area to ascertain whether any buildings are at risk. If no information is available from council or building records, the only way to ascertain the fire resistance levels or combustibility of any panelling would be to carry out invasive testing on panels on each building. Under current legislation it is not known whether a building owner could be compelled to carry out this testing.

If it is not possible to determine whether the products used on buildings are appropriate from current records, it may be necessary to obtain further advice from the Office of Local Government and/or the NSW Department of Planning & Environment.

Councillors may recall being provided with some advice in relation to this matter in a memorandum from the General Manager dated 19 June 2017.

No Decision – Information Item Only

Attachments

There are no attachments for this report.

(ITEM IN24/17) SAFE AND CLEAN TEAM - QUARTERLY AND ANNUAL PERFORMANCE REPORT

File No: 17/32390

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE & ENVIRONMENT

Summary

This report provides performance information on the Safe and Clean Team for the fourth quarter of the 2016/17 period.

The Safe and Clean Team operates on a daily basis between the hours of 10am to 6pm. The Safe and Clean Team patrols all main business streets in the Burwood Local Government Area including Burwood Road, Liverpool Road, The Boulevarde, The Strand and Georges River Road. The Safe and Clean Team like the name suggests focuses on ensuring that the main business streets are always clean by removing light litter and cleaning infrastructure as well as reporting all crime activity to Police and all local law breaches to Council. The Safe and Clean Team provides a key visual presence of Council along the main commercial streets during the above hours. Below highlights the performance for the quarter as well as an annual summary:

Activity	April 2017	May 2017	June 2017	Quarterly Total	Annual Total
Rubbish removed from roadway	1799 litres 15(120 L bins)	1917 litres 16(120L bins)	1718 litres 14 (120L bins)	5434 litres 45 (120L bins)	26033 litres 217 (120L bins)
Shopping trolleys reported and removed from main streets	204	209	220	633	3107
Advertising posters removed	31	46	32	109	777
Report Graffiti on Council Property	8	14	9	31	223
Report Road Obstructions	0	0	0	0	20
Report Crime	0	0	0	0	0
Small spill clean ups	0	0	0	0	18
Distribute information leaflets	0	38	0	38	38
Report maintenance issues	0	0	0	0	0

In regards to rubbish removed from roadways – Burwood Road continues to provide the most dumped light litter on the roadway and this is expected as it has a higher pedestrian traffic level than other streets.

In regards to shopping trolleys – There has been a decreased in the amount of trolleys on the

roadway reported in the last six months. This may be due to the proactive stance between Council and the trolleys owners; Coles and Woolworths. Coles and Woolworths have been focusing trolley collection patrols in key locations on a regular basis and ensuring quicker responses times for collection through contract management with the trolley collection service providers. The Safe and Clean Team removed trolleys from main streets to side streets and reported them to the appropriate trolley collection service provider. Council's Compliance Team are working closely with appropriate owners and monitoring the levels of trolleys left on roadways on a daily basis.

In regards to advertising posters – The Safe and Clean Team report and remove any advertising poster on public property. Advertising posters displayed unlawfully are enforced by Council's Compliance Team. There has been a decreased in the amount removed over the last six months and the majority of advertising posters dealt with small personal ads placed on paper on traffic lights or power poles.

In regards to road obstructions – The regular patrolling of streets by the Safe and Clean Team and enforcement by Council's Compliance Team has seen a decrease in the amount of road obstructions observed in the commercial streets. All road obstructions sighted are enforced with fines issued to the offending party.

In regards to graffiti – The Safe and Clean Team report and clean all public infrastructure especially in relation to graffiti. The Safe and Clean Team has also assisted Council with its new pilot program advising business owners of ways to clean private premises. All owners of businesses in private premises with graffiti placed on it are approached by the Safe and Clean Team and given an information leaflet. The Safe and Clean Team refers the details of the private premise to Council's crime officer who provides a free cleaning kit to remove the graffiti. The pilot program is currently advertised on Council's webpage.

Overall the above data clearly highlights the improvements the Safe and Clean Team have made to the Burwood Local Government Area in terms of appearance and safety.

No Decision – Information Item Only

Attachments

There are no attachments for this report.