



# Burwood Council

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## BURWOOD COUNCIL MEETINGS

MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held at the Council Chamber, Suite 1, Level 2, 1-17 Elsie Street, Burwood on Tuesday 27 June 2017 commencing at 6.04 pm.

### ATTENDANCE

Councillor Tony Doueihi  
Councillor Lesley Furneaux-Cook  
Councillor George Mannah (Deputy Mayor) Chairperson  
Councillor Justin Taunton

Mr M McMahon, General Manager  
Mr T Briscece, Deputy General Manager Corporate, Governance & Community  
Mr B Macdonnell, Deputy General Manager Land, Infrastructure & Environment  
Mr W Armitage, Chief Finance Officer  
Mr B Mortimer, Manager Organisation Development  
Mr B Olsen, Manager Building & Development  
Mr J Inglese, Senior Manager Assets & Design  
Ms P Viney, Governance Co-ordinator

### OPENING OF MEETING BY THE DEPUTY MAYOR

The Deputy Mayor opened the meeting with the Council prayer and Acknowledgement of Country.

### OPEN FORUM

There was no business for this item.

### APOLOGIES

#### 50/17 RESOLVED *(carried unanimously)*

That Councillor John Faker and Councillor Sally Deans were an apology.

(Moved Councillor Justin Taunton/Seconded Councillor Tony Doueihi)

### DECLARATIONS OF INTEREST

There were no declarations of interests by Councillors.

### DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

### CONFIRMATION OF MINUTES

#### 51/17 RESOLVED *(carried unanimously)*

That the minutes of the meeting of the Council of Burwood held on Tuesday 23 May 2017, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Justin Taunton)

**ADDRESS BY THE PUBLIC ON AGENDA ITEMS**

<b>Name</b>	<b>Item</b>
Ms Agatha Trinder	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Mr Kin K Tam	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Ms Mei C Tam Wong	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Ms Sue Geusher	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Ms Gloria Geusher	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Mr Nicolas Augoustinos	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Ms Carmel Cacciola	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Mr Wade Ayoub reading a character reference on behalf of the Applicant	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Mr Rick Ayoub	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway
Mr David Tyrrell Mckees Solicitors	(ITEM 33/17) 42 Claremont Road Burwood Heights - Development Application BD.2016.173 - Change of Use & Fitout for Restaurant & Takeaway

**MOTION****52/17 RESOLVED** *(carried unanimously)*

That Item No. 33/17) 42 Claremont Road, Burwood Heights - Development Application BD.2016.173 - Change of use, fitout for restaurant and takeaway be moved to the first item on the Agenda.

(Moved Councillor Justin Taunton/Seconded Councillor Lesley Furneaux-Cook)

**(ITEM 33/17) 42 CLAREMONT ROAD BURWOOD HEIGHTS - DEVELOPMENT APPLICATION BD.2016.173 - CHANGE OF USE & FITOUT FOR RESTAURANT & TAKEAWAY**

File No: 17/23552

**Applicant:** Mr & Mrs Ayoub C/- Pavela Architects  
**Location:** Corner of Claremont and Arthur Streets, Burwood Heights  
**Zoning:** B1-Neighbourhood Centre Burwood Local Environmental Plan 2012

### **Proposal**

The applicant seeks approval to change the use of the subject site, carry out alterations, additions with fitout of the building for the purpose of a restaurant and takeaway catering for 18 tables seating 36 patrons. Hours of operation being Sunday to Thursday at 7.00 am to 9.00 pm, Friday and Saturday 7.00am till 9.30pm. No on-site car parking is available.

The original building works included:

- Demolition of external laundry and shed
- New dining room and store room extended at the rear
- Fitout of shop for takeaway and restaurant purpose
- New detached cool room and shed in the backyard
- Minor works to the building's façade

Being advised of planning issues, the applicant has revised the proposal such that:

- The use is now an unlicensed restaurant with takeaway sales and deletion of liquor licence.
- Hours of operation reduced to:
  - 7.00am to 9.00 pm Sunday to Thursday
  - 7.00am to 9.30 pm Friday and Saturday
- Patron capacity increased to 36
- Three fulltime and three part-time employees
- Outdoor seating and charcoal cooking method is deleted
- Front roller shutter is deleted
- Internal alterations to include disabled toilet, wash basins, size of main kitchen reduced, revised rear stairs such that whole operation of restaurant use is contained internally with no access required to the external areas.
- Roof cavity containing mechanical ventilation system to be sound proofed
- Lower ground level to contain a 1000 litre grease trap, cool room, freezer room, laundry and waste room, staff amenities, and cleaner's cupboard and designated sink

The subject site is currently vacant.

### **53/17 RESOLVED**

That Development Application BD.2016.173 proposing the change of use and fitout for restaurant and takeaway at 42 Claremont Road, Burwood Heights be refused for the following reasons:

1. The proposed development will create adverse parking and traffic issues which will result in an adverse environmental impact upon the residential amenity of the surrounding R2 zoned Low Density Residential area as outlined in the assessment report and resident submissions including noise issues.
2. The development does not comply with the provisions of Section 3.7.4 of Burwood Development Control Plan in relation to off street parking provision and as a result will create parking issues to residents in the surrounding R2 zoned Low density Residential area.
3. The intensification of the site including the proposed number of patrons and the proposed hours of operation conflicts with the objectives of the B1 Neighbourhood Centre zone of Burwood Local Environment Plan 2012, which states to provide a range of small scale retail and community uses that service the needs of people who live and work in the surrounding area and is not in the public interest as is evidenced by the number of submissions.

(Moved Councillor Lesley Furneaux-Cook/Seconded Deputy Mayor George Mannah)

Councillors Councillor Lesley Furneaux-Cook/Seconded Deputy Mayor George Mannah called for a **DIVISION**.

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Furneaux-Cook	Councillor Taunton
Councillor Mannah	Councillor Doueihi
<b>Total (2)</b>	<b>Total (2)</b>

The Deputy Mayor exercised his casting vote, as the Chair, for the refusal of the Development Application.

## NOTICES OF MOTION

### (ITEM NM3/17) LOW IMMUNISATION RATES FOR 5 YEAR OLDS IN BURWOOD

File No: 17/29538

#### **Councillor Lesley Furneaux-Cook to move that:**

It was with alarm that I read in the Sydney Morning Herald (8 June 2017) that Burwood (2134) has the 2<sup>nd</sup> worst immunisation rate for children aged five with one in four children not being fully vaccinated. The latest report by the **Australian Institute of Health and Welfare** of its 2015-16 national-wide data revealed that by postcode, Burwood's immunisation rates for this age bracket is **72.8%** coming ahead of the usual suspect, Byron Bay at 73.8%. Sydney CBD topped the list at 70.5%. This data is collected and compared with all postcodes across Australia. Overall, the national coverage sits at **92.9%**, approximately 20% more than Burwood.

The impact on low childhood immunisation rates can have a devastating impact on children, their families and the wider community. At five years old, a child is making his or her way into the education system often transitioning from a pre-school or a childcare centre and into a primary school kindergarten class. They are also more likely to start to engage in the wider community through extracurricular activities such as sport, art classes etc. They may also have younger siblings or family members at home. Babies

are particularly at risk as they have not been fully immunised against the potential life threatening diseases of whooping cough and measles.

Low immunisation rates influence the community's herd immunity. Herd immunity, where a critical level of immunisation is reached, means there is little opportunity for contagious disease outbreaks and, therefore, protects those who may not be able to be vaccinated - such as pregnant women, immunity compromised individuals and infants. The critical protection level is 92%. Burwood is well short of this mark.

Drilling down on the data also reveals a stark contrast between this postcode and its immediate neighbours:

Suburb	Immunisation Rate for 5 Year Olds	Burwood (72.8%) in Comparison
Ashfield	90%	-17.2%
Croydon	96%	-23.2%
Strathfield	88%	-15.2%

Clearly current messages and strategies are inadequate.

While this is of National and State concern and responsibility, it should also be of great concern for this Council. Our staff provides a great service in promoting community health and wellbeing as part of our Community Strategic Plan. However, if it is in our power to protect our community from the distressing impacts of contagious diseases such as Measles, Mumps, Whooping cough, Hepatitis B, Rubella, Diphtheria and Polio, then we must redouble our efforts.

#### 54/17 **RESOLVED** (carried unanimously)

1. That Burwood Council seek stronger partnerships with the Department of Health and the Department of Education to:
  - further investigate the reasons behind the low immunisation rates for Burwood - develop targeted strategies to increase public awareness and access to immunisation programmes
  - work at a local level with local childcare centres, schools and general practitioners to ensure compliance with new immunisation requirements brought in by the Federal Government in January 2016
2. That Burwood Council Investigate using its existing communication channels such as the website, newsletter, Facebook etc. to increase awareness of the importance of immunisation programmes for the health and wellbeing of the community.
3. That Council write to the Department of Health, Multicultural Australia, and the Minister for Health both State and Federal to seek assistance.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Justin Taunton)

#### **MATTER OF URGENCY**

NSW Department of Planning and Environment Announcement of Burwood/Strathfield/Homebush Priority Precinct.

The NSW Department of Planning & Environment announced on the 1 June 2017, after the last ordinary meeting, the establishment of Burwood/Strathfield/Homebush as a Priority Planning precinct.

**55/17 RESOLVED** *(carried unanimously)*

That Council consider this item as a matter of urgency.

(Moved Councillor Justin Taunton/Seconded Councillor Lesley Furneaux-Cook)

**(ITEM 40/17) NSW DEPARTMENT OF PLANNING & ENVIRONMENT  
ANNOUNCEMENT OF BURWOOD/STRATHFIELD/HOMEBUSH PRIORITY  
PRECINCT**

The NSW Department of Planning & Environment announced on the 1<sup>st</sup> June 2017, after the last Council ordinary meeting, the establishment of Burwood/Strathfield/Homebush as a Priority Planning Precinct.

The first I heard of the new Priority Planning Precinct was last Wednesday evening, 12<sup>th</sup> June 2017, when I was handed a small postcard sized advertisement from a representative from the NSW Department of Planning & Environment, notifying of the new Precinct and details of how to lodge submissions, to obtain further information online and for a solitary community consultation meeting on Saturday the 24<sup>th</sup> June 2017 at Strathfield Library.

The one and only community consultation was held last Saturday and I seek urgency to allow for the debate about the above-mentioned PPP particularly in relation to:

- the lack of community consultation sessions
- the lack of specific details from the NSW Department of Planning & Environment to Councils in the PPP regarding governance arrangements, housing and employment targets, transport and community infrastructure and the management of developer contributions

Should urgency be granted and Council resolves accordingly to allow the following motion:

1. That Council notes the announcement from the NSW Department of Planning & Environment to establish a combined Priority Planning Precinct with Burwood/Strathfield and Homebush.
2. That Council expresses its disappointment at the lack of prior notification from the NSW Department Planning & Environment and inadequate opportunities for the Community to obtain information and provide feedback.
3. That Council request that the NSW Department Planning & Environment conduct a further consultation session/information sessions to be held on a Saturday afternoon at a venue that is in close proximity to the Burwood Town Centre.
4. That Council write to and seek meetings to discuss the governance framework and Council involvement, the provision and funding of transport and community infrastructure with:
  - a. the Minister for Planning, the Hon Anthony Roberts MP
  - b. the Assistant Minister/Parliamentary Secretary, the Hon John Sidoti MP
  - c. the Director General of the NSW Department of Planning & Environment
  - d. the Chair/Chief Commissioner and Central District Commissioner of the Greater Sydney Commission

**56/17 RESOLVED** *(carried unanimously)*

1. That Council notes the announcement from the NSW Department of Planning & Environment to establish a combined Priority Planning Precinct with Burwood/Strathfield and Homebush.
2. That Council expresses its disappointment at the lack of prior notification from the NSW Department Planning & Environment and inadequate opportunities for the Community to obtain information and provide feedback.
3. That Council request that the NSW Department Planning & Environment conduct a further consultation session/information sessions to be held on a Saturday afternoon at a venue that is in close proximity to the Burwood Town Centre.
4. That Council write to and seek meetings to discuss the governance framework and Council involvement, the provision and funding of transport and community infrastructure with:
  - a. the Minister for Planning, the Hon Anthony Roberts MP
  - b. the Assistant Minister/Parliamentary Secretary, the Hon John Sidoti MP
  - c. the Director General of the NSW Department of Planning & Environment
  - d. the Chair/Chief Commissioner and Central District Commissioner of the Greater Sydney Commission

(Moved Councillor Justin Taunton/Seconded Councillor Lesley Furneaux-Cook)

**GENERAL BUSINESS****(ITEM 34/17) ADOPTION OF 2017/18 OPERATIONAL PLAN AND BUDGET, 2017/18 STATEMENT OF REVENUE POLICY, 2017/18 FEES AND CHARGES AND MAKING OF THE RATE AND CHARGES**

File No: 17/20686

**Summary**

The purpose of this report is to seek Council's adoption of the:

- 2017-18 Operational Plan and Budget
- 2017-18 Statement of Revenue Policy, incorporating Schedule of Fees and Charges
- Making of the rate and charges

**57/17 RESOLVED** *(carried unanimously)*

1. That Council note that one submission has been received relating to the Draft 2017-18 Operational Plan and Budget and the 2017-18 Draft Statement of Revenue Policy.
2. That Council adopt the 2017-18 Operational Plan.
3. That Council adopt the 2017-18 Budget.
4. That Council levy two ordinary rates, being "Residential" and "Business".
5. That the "Residential" rate be sub-categorised into:

- Residential
  - Residential–Town Centre
6. That the “Business” rate be sub-categorised into sub-categories, being:
- Business A
  - Business B
  - Business C
  - Business D
  - Town Centre–Minor Business
7. That Council continue to adhere to the minimum/ad-valorem basis of rating with a reasonable substantial minimum rate set at an amount determined to be the contribution required to cover the provision of the basic activities of the Council.
8. That Council make:
- (i) An Ordinary Rate (Residential) of 0.00119113 in the dollar on all rateable residential land in the Burwood Council area excluding Residential–Town Centre land, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$909.00.
  - (ii) An Ordinary Rate (Residential–Town Centre) of 0.00078126 in the dollar on all rateable residential land in the Burwood Council area defined and categorised as Residential–Town Centre land, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,159.00.
  - (iii) An Ordinary Rate (Business A) of 0.00199119 in the dollar on all rateable business land in the Burwood Council area other than the rateable business land included in sub-categories Business B, Business C, Business D and Town Centre–Minor Business, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$994.00.
  - (iv) An Ordinary Rate (Business B) of 0.00278371 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business B, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$994.00.
  - (v) An Ordinary Rate (Business C) of 0.00509164 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business C, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$994.00.
  - (vi) An Ordinary Rate (Business D) of 0.00628240 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business D with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,272.00.
  - (vii) An Ordinary Rate (Town Centre–Minor Business) of 0.00195965 in the dollar on all rateable business land within the defined Town Centre area and categorised as Town Centre–Minor Business, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,272.00.



- (viii) A Residential Waste Management Service Availability Charges (Residential Waste Charge or Res Strata Waste Charge) in accordance with s496 of the *Local Government Act 1993*, **as amended** for 2017-2018 of \$372.50 as per Schedule of Fees and Charges.
- (ix) A Stormwater Management Service Charges (Stormwater Management Service Charge) in accordance with s496A of the *Local Government Act 1993* and Regulation 125A and 125AA of *Local Government (General) Regulation 2005*, as denoted in the 2017-2018 Schedule of Fees and Charges document.
- (x) Charges pursuant to s611 of the *Local Government Act 1993* as denoted in the 2017-2018 Schedule of Fees and Charges document.

9. That the yield of Rates for 2017-18 as shown in the following table be noted:

2017/2018 RATING STRUCTURE WITH +7.5% Special Rate Variation & Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NUMBER OF ASSESSMENTS	RATE IN THE DOLLAR	NUMBER MIN. RATE ASSESSMENTS	MINIMUM RATE \$	NOTIONAL YIELD \$
Ordinary	Residential	9,608.51*	0.00119113	3,650.36*	\$909.00	\$12,795,787
Ordinary	Business A	458.49*	0.00199119	129.20*	\$994.00	\$1,433,815
Ordinary	Business B	43	0.00278371	3	\$994.00	\$557,100
Ordinary	Business C	31	0.00509164	2	\$994.00	\$385,898
Ordinary	Business D	45	0.00628240	5	\$1,272.00	\$1,844,015
Ordinary	Residential Town Centre	2,718	0.00078126	2,667	\$1,159.00	\$3,314,550
Ordinary	Town Centre - Minor Business	386	0.00195965	219	\$1,272.00	\$1,325,519
Total		13,290		6,675.56		\$21,656,685

- 10. That the yield from the Residential Waste Management Service Availability Charges of \$4,988,170 be noted.
- 11. That the yield from the Stormwater Management Service Charges of \$275,540 be noted.
- 12. That the yield for the s611 Charges (Gas Mains Assessment) will be approximately \$26,000.
- 13. That pursuant to Section 566(3) of the *Local Government Act 1993* the rate of interest payable on overdue rates and charges for the 2017-18 rating year will be the maximum of 7.5% per annum calculated daily.
- 14. That Council adopt the Section 603 certificate fee for 2017-2018 of \$80.
- 15. That the General Manager levy the rates and charges for the period 1 July 2017 to 30 June 2018 by service of the rates and charges notices pursuant to the *Local Government Act 1993* and the Regulations made there under.
- 16. That Council adopt the tabled 2017-2018 Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2017-2018 including

amendments.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Tony Doueih)

**(ITEM 35/17) INVESTMENT REPORT AS AT 31 MAY 2017**

File No: 17/27633

**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*.

**58/17 RESOLVED** *(carried unanimously)*

1. That the Investment Report for 31 May 2017 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved Councillor Tony Doueih/Seconded Councillor Justin Taunton)

**(ITEM 36/17) LOCAL GOVERNMENT REMUNERATION TRIBUNAL - FEES FOR MAYOR AND COUNCILLORS**

File No: 17/26023

**Summary**

This Report is prepared to enable Council to set its fees payable to the Mayor and Councillors for the year 1 July 2017 to 30 July 2018.

**59/17 RESOLVED** *(carried unanimously)*

That Council fix the fees payable to the Mayor and Councillors for the 2017/2018 Financial Year in accordance with the range specified by the Local Government Remuneration Tribunal for the Metropolitan Small Council Category at the maximum.

(Moved Councillor Tony Doueih/Seconded Councillor Justin Taunton)

**(ITEM 37/17) ADOPTION - DISABILITY INCLUSION ACTION PLAN 2017 - 2021**

File No: 17/27151

**Summary**

Burwood Council is required by the *NSW Disability Inclusion Act 2014 (DIA)* to undertake disability inclusion action planning. This planning plays a critical role in identifying and delivering practical measures to transform intent into action for people with a disability. The Disability Inclusion Action Plan 2017 – 2021 (the Plan) incorporates achievable actions that Council can undertake over the next four years to meet its obligations under the DIA. The Plan supersedes the Disability Access Plan 2014-2017.

**60/17 RESOLVED** *(carried unanimously)*

That Council adopts the Disability Inclusion Action Plan 2017 – 2021 and the Plan be publicly exhibited.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Tony Doueih)

## **(ITEM 38/17) COUNCIL DECISION-MAKING PRIOR TO THE SEPTEMBER 2017 LOCAL GOVERNMENT ELECTIONS**

File No: 17/26625

### **Summary**

This report has been prepared to inform the Mayor and Councillors of the requirements during a “caretaker period” preceding the date of an ordinary local government election, and to confirm the cancellation of the August 2017 Council Meeting.

### **61/17 RESOLVED** *(carried unanimously)*

1. That Council notes the provision of clause 383B of the *Local Government (General) Regulation 2005*.
2. That Council resolve to cancel the Council Meeting scheduled for 22 August 2017.

(Moved Councillor Justin Taunton/Seconded Councillor Tony Doueih)

## **INFORMATION ITEMS**

### **(ITEM IN17/17) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 23 MAY 2017**

File No: 17/26864

### **Summary**

At the Council Meeting of 23 May 2017 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 6 June 2017 of the outcome of the QWN.

These are now submitted as part of the Council Agenda for Public Notification.

<b>QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 23 May 2017</b>	
<b>Question</b>	<b>Response</b>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 1</b></p> <p>Privatisation of buses in the Inner West (including Burwood):</p> <ol style="list-style-type: none"> <li>1. What correspondence has Council received from the Government on this matter?</li> <li>2. What are the possible impacts on residents in regard to bus routes and bus shelters?</li> </ol>	<p><b><u>Manager Traffic and Transport</u></b></p> <p>No correspondence has been received in relation to the State Government’s intentions to potentially privatise bus services.</p> <p>Bus routes are determined by Transport for NSW and not bus operators, therefore it is not expected that a change of service provider would result in a change to routes. Bus shelters are Council owned/leased assets and would not be affected by any change of service providers.</p>

<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 2</b></p> <p>Heritage Walks – What was the schedule of advertising for the Heritage Walks during Heritage Week and in what formats?</p>	<p><b><u>Media &amp; Communications Officer</u></b></p> <p>Council's Heritage Week Walks were promoted through a digital campaign and the distribution of a media release.</p> <p>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.</p>
<p><b><u>Councillor Justin Taunton</u></b></p> <p><b>Question 1</b></p> <p>Homeless/Street People – I have noticed an increase in homeless/street people begging in the Burwood Town Centre:</p> <ol style="list-style-type: none"> <li>What powers does Council have, if any, to move them on?</li> <li>Have there been discussions with the Burwood LAC Police?</li> <li>Is there any State legislation that can be used to address this issue?</li> </ol>	<p><b><u>Senior Manager Community and Library Services</u></b></p> <p><u>Background</u></p> <p>A street count conducted in the Inner West in 2016 indicated that Burwood had a relatively small number of visible homeless people on the streets. At the time of the count there were three homeless people in Burwood/Strathfield combined, compared with 15 in Ashfield alone. However, anecdotal evidence suggests that the numbers fluctuate and may be growing overall, which would be consistent with the experience of other areas.</p> <p>In relation to the specific questions, see response below:</p> <ol style="list-style-type: none"> <li>Council has no powers to move on people who are homeless. However, in the case of people begging on footpaths, Council and Police have powers under the Roads Act and Local Government Act to deal with obstructions and move people on.</li> <li>Council Officers maintain regular contact with the Police at the Burwood LAC and request assistance if and when required to address concerns about anti-social or criminal behaviour.</li> </ol> <p>Council has convened two local Roundtables on homelessness in Burwood in 2016 and 2017 with the Police, Churches and Community Organisations with the goal of</p>

	<p>developing a more proactive and coordinated response. Strategies and actions arising from the Roundtables are currently being implemented.</p> <p>c) The State Government issued a Protocol in relation to homelessness in 2013, which can be found at the following link <a href="http://www.housing.nsw.gov.au/data/assets/pdf_file/0003/326046/ImplementationGuidelines.pdf">http://www.housing.nsw.gov.au/data/assets/pdf_file/0003/326046/ImplementationGuidelines.pdf</a></p> <p>The Protocol acknowledges that, like all other members of the public, homeless people have a right to be in public places and to participate in public events, at the same time respecting the right of local communities to live in a safe and peaceful environment. The Protocol advises public agencies to leave homeless people alone unless they are seeking assistance or not respecting the right of the wider community to live in a safe and peaceful manner.</p>
<p><b><u>Councillor Justin Taunton</u></b></p> <p><b>Question 2</b></p> <p>PLC School Croydon – Pick up/Drop off issues. Request for PLC to manage a drop off/pick up parking arrangement in a wider street to the current zone.</p>	<p><b><u>Manager Traffic and Transport</u></b></p> <p>Council is unable to direct parents or any motorist on where they should be queuing prior to picking up their child. Parking in local streets cannot be reserved as a queuing area for PLC without impacting the amenity of other residents and creating potential for increased traffic congestion.</p> <p>Council's role is to ensure the parking and traffic restrictions are established to minimise potential for conflict and improve safety for road users. As with all schools the afternoon pick up period will see an increase in traffic within the road network around the school however convenience for parents does not allow Road Rules to be ignored or broken. Council's Rangers and NSW Police Highway Patrol will enforce these restrictions for any motorist found to be disobeying Road Rules.</p> <p>Council has worked closely with PLC to investigate options to improve safety and traffic flow around the School, particularly along Boundary Street. To date each of</p>

	the options investigated have been modelled based upon existing traffic volumes and patterns and shown not to provide any benefit to safety or traffic flow.
<p><b><u>Councillor Tony Doueih</u></b></p> <p><b>Question 1</b></p> <p>Enfield Aquatic Centre – can the General Manager investigate a complaint that children are getting sick from the water?</p>	<p><b><u>Senior Manager Community and Library Services</u></b></p> <p>Council has not received any reports from customers in relation to water quality or health issues at the Enfield Aquatic Centre.</p> <p>A strict water-testing and plant maintenance regime is maintained at the Enfield Aquatic Centre, as per NSW Health guidelines.</p> <p>Water samples are sent out for independent analysis on a monthly basis. The most recent test was conducted on 12 May 2017, which verified that the water was 100% clear of any bacterial matter.</p> <p>It is highly unlikely that the pool water at the Enfield Aquatic Centre is the cause of any children becoming unwell. However, it would be advisable that any customer who is not satisfied with the cleanliness of the water report it immediately to the Centre Management.</p>

**No Decision – Information Item Only**

**(ITEM IN18/17) PETITIONS**

File No: 17/26862

**Summary**

Council has received one petition since the last Council Meeting.

**Background**

<b>Date Received</b>	<b>Petition Subject</b>	<b>No. of Households and Businesses within the LGA</b>	<b>No. of Households outside the LGA</b>	<b>Responsible Council Division</b>
1/05/2017	DA 43/2017- 59 Woodside Avenue, Burwood	38		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**

**QUESTIONS WITHOUT NOTICE**

The following Questions Without Notice were submitted at the Meeting:

**Councillor Justin Taunton**

**Question 1**

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?

**Question 2**

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?

**Question 3**

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.

**Councillor Lesley Furneaux-Cook**

**Question 1**

Does Council know how many high rise buildings in Burwood may have similar claddings as was found the tragedy in London? I am aware of audits by Local Government areas such as the Inner West Council.

**Question 1**

Has Council considered applying for pet friendly park grant as per petpositives.com.au?

**CONFIDENTIAL ITEMS - CLOSED SESSION**

**62/17 RESOLVED** *(carried unanimously)*

1. That the meeting move into closed session in order to consider item (ITEM 39/17) Burwood Park Pavilion Stage 2 Project and proposed lease of Burwood Park Community Centre as child care centre
2. That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d) of the *Local Government Act 1993*, as the matter involves 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.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Justin Taunton)

THERE WERE NO REPRESENTATIVES FROM THE PUBLIC TO ADDRESS THE COUNCIL BEFORE THE RESOLUTION TO MOVE INTO CLOSED SESSION WAS CARRIED.

THE MEETING MOVED INTO CLOSED SESSION AT 7.46 PM THE PUBLIC AND PRESS EXCLUDED FROM THE MEETING.

THE MEETING RESUMED IN OPEN SESSION AT 7.55 PM.

**(ITEM 39/17) BURWOOD PARK PAVILION STAGE 2 PROJECT AND PROPOSED LEASE OF BURWOOD PARK COMMUNITY CENTRE AS CHILD CARE CENTRE**

File No: 17/19349

**Summary**

The purpose of this report is to seek Council's approval to progress with Stage 2 of the Burwood Park Pavilion Project and at the same time negotiate for the lease of the Burwood Park Community Centre as a child care centre.

**63/17 RESOLVED** (*carried unanimously*)

1. That Council approve the design and construction of a community centre facility in the vicinity of the Pavilion in Burwood Park, as part of the 2017/18 Budget and Capital Works program.
2. That approval be given to Council not calling tenders for the leasing of 2a Comer Street as a child care centre due to the extenuating circumstances that another child care operation could not realistically operate a centre in the premises.
3. That the General Manager be authorised to negotiate with the Montessori Academy Group to lease 2a Comer Street as a child care centre.
4. That subject to successful negotiations with the Montessori Academy, the General Manager conduct public notification of the lease proposal in accordance with Section 47 of the *Local Government Act 1993*.
5. That, following public notification of the lease proposal, the General Manager finalise the lease agreement with Montessori Academy under Power of Attorney.
6. That the General Manager investigate the possibility to host some of the commemorative events in the pavilion and new facility.

(Moved Councillor Justin Taunton/Seconded Councillor Tony Doueihy)

This concluded the business of the meeting and Council rose at 8.00 pm.

Confirmed this Tuesday, 25<sup>th</sup> Day of July, 2017.

**DEPUTY MAYOR**

**GENERAL MANAGER**