



# 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, 21 August 2018 commencing at 6.11pm.

**ATTENDANCE** Councillor John Faker (Mayor)  
Councillor Ernest Chan  
Councillor Heather Crichton  
Councillor Joseph Del Duca  
Councillor Raj Dixit  
Councillor Lesley Furneaux-Cook (Deputy Mayor)

Mr B Macdonnell, General Manager  
Mr T Briscese, Deputy General Manager Corporate, Governance & Community  
Mr J Inglese, Acting Director Engineering & Operational Services  
Mr P Sarin, Acting Director Planning & Environmental Services  
Mr B Mortimer, Executive Manager Organisation Development  
Mr W Armitage, Chief Finance Officer  
Ms D Luo, Manager Strategic Planning  
Mr S Fox, Senior Manager, Community & Library Services  
Ms V Karpowicz, Executive Assistant

### OPENING OF MEETING BY THE MAYOR

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

### OPEN FORUM

There was no business for this item.

### APOLOGIES

**88/18 RESOLVED** (*Carried Unanimously*)

Councillor George Mannah was an apology.

(Moved Councillor Heather Crichton/Seconded Councillor Raj Dixit)

### DECLARATIONS OF INTEREST

Councillor Heather Crichton declared a non-pecuniary interest under the *Local Government Act 1993* on (Item MM 17/18) Request for Donation for the Rivendell Flower Show 2018 as she has been invited to be a member on the Committee of the Rivendell Flower Show 2018 and will be attending her first meeting. Councillor Crichton left the meeting and took no part in the discussion.

Councillor Lesley Furneaux-Cook declared a non-pecuniary interest under the *Local Government Act 1993* on (Item 78/18) Adoption of the Policy on Carrying Out Bonus Development in the Public Interest as she owns property that is impacted within the Transition Area. Councillor Furneaux-Cook left the meeting and took no part in the discussion.

Councillor Lesley Furneaux-Cook also declared a non-pecuniary interest under the *Local Government Act 1993* on (Confidential Item 85/18) Voluntary Planning Agreement for Burwood Place – 42-50 and 52-60 Railway Parade Burwood as her property is in the vicinity of the VPA planning area. Councillor Furneaux-Cook left the meeting and took no part in the discussion.

## DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

## CONFIRMATION OF MINUTES

### 89/18 RESOLVED (*Carried Unanimously*)

That the minutes of the meeting of the Council of Burwood held on Tuesday 24 July 2018, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Joseph Del Duca)

## ADDRESS BY THE PUBLIC ON AGENDA ITEMS

There were no speakers for Open Forum.

### **(ITEM MM14/18) CHANGES TO DEFINITION OF FLOOR SPACE IN THE BURWOOD TOWN CENTRE TO EXCLUDE HALLWAYS AND WALKWAYS, AND ROOMS USED AS MUSIC, STUDY OR COMMON ROOMS**

File No: 18/29404

#### **Summary**

It has come to my attention that current standard definitions and development standards may impede the inclusion of beneficial facilities and services in new developments in the Burwood Town Centre (BTC) particularly residential buildings. For example inclusion in a development of facilities such as music, study or common rooms, gyms and swimming pools which would benefit the cultural and recreational needs of residents, may be discouraged by the current floor space definition. Also hallways and walkways in developments usually take up a significant part of the available floor space on a site based on the Floor Space ratio, which may discourage allocation of floor space to these beneficial facilities and services. Car spaces in building basements for use by share-car would further benefit residents but currently would utilise available floor space as defined.

#### **Operational Plan Objective**

5.1.3 Encourage mixed use buildings – commercial and residential to maximise use of buildings in the Town Centre.

### 90/18 RESOLVED (*Carried Unanimously*)

1. That the General Manager investigate and report back to Council on changing the definition of floor space as it applies in the Burwood Town Centre to potentially

exclude:

- Hallways and walkways in a building
  - Facilities in a building for use as (but not limited to) music, study or common rooms, a gym or a swimming pool
  - Car spaces in basements for use by share-car providers
2. That the General Manager investigates and reports back to Council on how it will monitor and ensure the common rooms and visitor parking are being used as they are intended.

### **(ITEM MM15/18) PUBLIC LIBRARY FUNDING**

File No: 18/29772

#### **Summary**

I am calling on Councillors to support the NSW Public Libraries Association and Local Government NSW in their advocacy to State Government for additional funds for public libraries.

In 2017/2018, the Burwood Library and Community Hub had 593,984 visits, provided 199,826 loans and hosted a huge range of well-attended programs and activities, such as story time and author talks. The service is highly valued by our local community and deserves to be supported. Burwood Council invests significantly in its library services, spending approximately \$1.9 million annually.

In the past, the cost burden associated with public libraries was shared to a much greater extent by the NSW Government in recognition of the broader social value of libraries for the State. This support has dwindled from 23% of total costs in 1980 to just 7.5% in 2017/2018.

To make matters worse, the 2018/2019 NSW State Budget delivered a 5% cut to funding and also cut access to all infrastructure funding for Metropolitan areas. This is a problem that has been ignored by successive NSW Governments resulting in State funding for NSW public libraries reaching crisis point.

The key issues are that:

- Libraries provide highly valued collections, spaces and programs for the whole community, including older people, refugees, multicultural communities and people who are digitally disadvantaged. Libraries are safe havens for vulnerable people, including those on low incomes and people who are homeless.
- Physical and virtual visits to libraries, library borrowing and participation in library programs continue to increase year after year.
- Yet NSW public libraries receive the lowest per-capita funding from the NSW Government compared to all other States in Australia.

- In 2015/2016, NSW Government funding for public libraries was only \$26.5m compared to the contribution of \$341.1m from NSW Councils. This amounts to Councils with far less of the State revenue, paying 12 times more than the State Government for library services which have a massive benefit overall for the people of NSW.

The NSW Public Libraries Association has joined forces with Local Government NSW to establish a library funding advocacy initiative in the lead up to the 2019 NSW State election. The *Renew Our Libraries* campaign will be rolled out over the next eight months. It will aim to persuade the NSW Government that its network of 368 public libraries has reached a funding crisis point and, without significant increases to ongoing funding, it is at risk of imminent service reduction. The success of this approach will rely heavily on the support of NSW Councils, their libraries and the community.

I recommend that this Council vigorously supports the *Renew Our Libraries* campaign.

### **Operational Plan Objective**

- 1.1.2 Provide library services that engage the community in lifelong learning and provide recreational and social opportunities in accessible and people-friendly environments and spaces.

### **91/18 RESOLVED (Carried Unanimously)**

1. That Council makes representation to the local State Member, the Hon Jodi McKay, in relation to the need for additional funding from the NSW State Government for the provision of public library services.
2. That Council writes to the Hon Don Harwin, Minister for the Arts, and the Hon Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in State funding for NSW public libraries supported by a sustainable future funding model.
3. That Council endorses the distribution of information at our Library and Community Hub relating to the NSW Public Libraries Association and Local Government NSW *Renew Our Libraries* campaign and supports other actions relating to this initiative.

### **(ITEM MM16/18) COUNCIL VENUES - ACCESS FOR SENIORS AND NOT FOR PROFIT GROUPS**

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File No: 18/30277

#### **Summary**

I have recently received representation from some community groups who are regularly using our Council venues in relation to the fees and charges applied for local not for profits and senior groups.

The feedback I received is that, while discounts are applied for not for profit and senior groups, the fees are still quite high. Also, the process for booking venues and for providing evidence of membership and not for profit status is felt as a bit cumbersome by

some groups.

I am aware that our Fees & Charges allow for pretty generous discounts for these groups, but I would recommend a review of our situation in comparison with neighbouring Councils to better assess and address these requests from our local groups.

### **Operational Plan Objective**

- 1.1 High quality services and initiatives to meet the needs of the community
- 2.2 Strong partnerships to benefit the community

### **92/18 RESOLVED** (*Carried Unanimously*)

1. That the General Manager assess the current process available for local not for profit and senior groups to book Council venues, including the requirements for evidence of status, as well as current fees and charges and related discounts, and compare them with those of neighbouring Councils.
2. That the General Manager report back to Council via a Councillor memo with a summary of findings and possible improvements to the process.
3. That should the General Manager recommend a change in fees and charges as they apply to local not for profit and senior groups, a report be presented to Council for the change to be endorsed and placed on public exhibition.

**CR HEATHER CRICHTON LEFT THE MEETING, THE TIME BEING 6.20 PM**

### **(ITEM MM17/18) REQUEST FOR DONATION FOR THE RIVENDELL FLOWER SHOW 2018**

File No: 18/30720

#### **Summary**

I have been approached by Concord Hospital seeking Burwood Council's support for their annual Rivendell Flower Show fundraiser by way of sponsorship. The event will be held on 6-7 October 2018 at the Thomas Walker Estate in Concord with proceeds going towards Concord Hospital's Department of Geriatric Medicine and the Ageing and Alzheimer's Institute.

This fundraiser is of particular importance to our local community with almost one quarter of our local population aged 60 or older, many of whom rely on important services provided by Concord Hospital.

Therefore, I recommend that Council takes up a Bronze Sponsorship for the event to the value of \$5,000 to help raise funds for such an important cause.

On this note, I would like to highlight that over the few past years, there has been an increasing amount of organisations approaching Council to seek donations for their events and initiatives. I believe that it is important for Council to continue to support these organisations in a sustainable manner.

For this reason, I propose that Council implement an annual donations fund of up to \$20,000 for events and initiatives formally endorsed by Council by way of report, mayoral minute or notice of motion, with donations to be capped at \$5,000 per each individual organisation.

**Operational Plan Objective**

2.2.2 Develop strategic partnerships that will benefit the area and community

**93/18 RESOLVED** (*Carried Unanimously*)

1. That Burwood Council takes up a Bronze Sponsorship to the value of \$5,000 to support the Concord Hospital's Rivendell Flower Show fundraiser to be held on 6-7 October 2018
2. That Council implement an annual donations fund of up to \$20,000 for events and initiatives formally endorsed by Council by way of a report, mayoral minute or notice of motion, with donations to be capped at \$5,000 per each individual organisation.

**CR HEATHER CRICHTON RETURNED TO THE MEETING, THE TIME BEING 6.25 PM**

**NOTICES OF MOTION****(ITEM NM1/18) SYDNEY EASTERN CITY PLANNING PANEL - LETTER TO MINISTER**

File No: 18/30874

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

Councillor George Mannah was unable to attend the meeting of the Sydney Eastern City Planning Panel's deliberation on 3 July 2018 on Item 2017SCL060-Burwood-DA124/2017, 68-72 Railway Parade and 2-10 Oxford Street Burwood.

The matter was deferred to seek further information from the applicant. At the second sitting on 6 August 2018 of the matter, which included new information from the Department of Education, Councillor George Mannah indicated his availability, but was not permitted to attend.

Council had not previously voted on the matter.

The nominated Alternative to Councillor George Mannah is the General Manager and he was not permitted to attend the 3 July 2018 meeting. The General Manager wrote to the Department of Planning seeking clarification of this on 14 June 2018 and still has not received a reply.

This is very disappointing that Burwood Council had no representatives to assist the Panel with their expertise and vote on this important matter.

In our Council's own deliberations on development matters, a Councillor's absence in one meeting does not preclude them on deliberating and voting on a deferred matter. In fact, that is often the basis for recession motions.

I have also examined both the Panel's Code of conduct and it's Operational Procedures, and am unable to locate under what legislative framework the Panel used to exclude Councillor George Mannah.

**Operational Plan Objective**

- 4.4.1 Provide advocacy on regional and metropolitan projects on behalf of the community.

**94/18 RESOLVED** *(Carried Unanimously)*

1. That Council writes to the Minister of Planning, the Hon Anthony Roberts and the Chair of the Sydney Eastern City Planning Panel, Mr Carl Scully, expressing our disappointment that one of Council's nominated representatives, Councillor George Mannah, was not permitted to attend the Sydney Eastern City Planning Panel meeting of 6 August 2018 when deliberating on the deferred Item 2017SCL060-Burwood-DA124/2017.
2. That Council seek clarification from the Minister and the Chair under what Act deemed Councillor George Mannah ineligible to deliberate on the matter.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Joseph Del Duca)

**(ITEM NM2/18) BURWOOD COUNCIL HOARDING POLICY**

File No: 18/30939

**Councillor Heather Crichton to move that:**

Burwood Council currently has a Hoarding Policy to regulate and provide safe and convenient pedestrian access and movement around development sites.

These hoardings generally allow for developers to include site advertising and/or construction advertising for large scale developments.

On recent visits to the Sydney CBD, I have come across development sites that have noticeable hoardings which include artwork and colourful graphics.

City of Sydney reviewed their Hoarding & Scaffolding Policy in November 2016 to ensure that developers minimise adverse visual impacts through providing high quality public art and graphs, innovative designs and other visually interesting temporary structures. This also allows them to maintain a colour standard for consistency across the city.

**Operational Plan Objective**

5.3.1 Promote opportunities for public art and culture

**95/18 RESOLVED** *(Carried Unanimously)*

That the General Manager review our current hoarding policy for both Type A and Type B hoardings and provide a detailed report back to Council on opportunities for developers to include public art, including historical images of Burwood, colourful graphics and bespoke artwork on hoardings in our Town Centres. Amendments to this policy would allow Burwood Council to transform the visual impact of construction sites and would provide evolving, temporary urban canvases and outdoor galleries.

(Moved Councillor Heather Crichton/Seconded Deputy Mayor Lesley Furneaux-Cook)

**GENERAL BUSINESS****(ITEM 77/18) DRAFT VOLUNTARY PLANNING AGREEMENT - 24 BURLEIGH STREET BURWOOD**

File No: 18/24450

**Summary**

|                             |                                  |
|-----------------------------|----------------------------------|
| <b>Applicant:</b>           | O.T.A.R Investments Pty Ltd.     |
| <b>Owner:</b>               | O.T.A.R Investments Pty Ltd.     |
| <b>Company Director(s):</b> | Valery Musman and Osman Ordukava |

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) prepared in connection with a Development Application (DA) for 24 Burleigh Street Burwood have been publicly notified in accordance with the relevant legislation. The draft VPA will require the developer to pay a monetary contribution to Council in lieu of a shortfall in parking. Council's endorsement is now sought to enter into the VPA after the granting of the DA.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

**96/18 RESOLVED** (*Carried Unanimously*)

1. That the matter be deferred until the 25 September 2018 Council Meeting.
2. That Council seek advice from its lawyers who represented Council at the Land & Environment Court Hearing by asking:
  - a. How significant the VPA for monetary contribution in lieu of six deficient on-site parking spaces was in reaching the Court's decision to grant consent for the Development Application?
  - b. What would be Council's position if it does not endorse the VPA? If consent for the Development Application has been granted by the Court, will Council lose the monetary contribution of \$303,840?
  - c. That the legal representative be invited to attend the 25 September 2018 Council Meeting.

**ADJOURNMENT** (Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Joseph Del Duca)

**CR LESLEY FURNEAUX-COOK LEFT THE MEETING, THE TIME BEING 6.50 PM**

**(ITEM 78/18) ADOPTION OF THE POLICY ON CARRYING OUT BONUS DEVELOPMENT IN THE PUBLIC INTEREST**

File No: 18/24565

**Summary**

A draft amendment to the Policy on Carrying Out Bonus Development in the Public Interest was considered by Council in April 2018. The draft amended Policy has been publicly exhibited. No submissions were received. It is recommended that the amended Policy be formally adopted by Council.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

**97/18 RESOLVED** (*Carried Unanimously*)

1. That Council adopt the draft amended Policy on Carrying Out Bonus Development in the Public Interest.



2. That Council authorise the General Manager to allow further editorial or minor changes to the Policy considered necessary before the document becomes effective.
3. That the amended Policy on Carrying Out Bonus Development in the Public Interest becomes effective on 1 September 2018.

(Moved Councillor Joseph Del Duca/Seconded Councillor Ernest Chan)

CR LESLEY FURNEAUX-COOK RETURNED TO THE MEETING, THE TIME BEING 6.51 PM

### (ITEM 79/18) REVIEW AND REVISION OF PLANNING AGREEMENTS POLICY

File No: 18/22970

#### Summary

The Planning Agreements Policy (the Policy) as adopted in 2005 needs to be streamlined and updated to reflect Council's experience with the use, preparation and implementation of planning agreements and to incorporate recent amendments to the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed changes will provide a contemporary policy document that is more accessible and of more utility to users and the community. It is recommended for public exhibition.

#### **Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

**98/18 RESOLVED** (*Carried Unanimously*)

1. That the draft revised Planning Agreements Policy is endorsed for public exhibition in accordance with Council's practice of exhibition of major policies.
2. That a further report be provided to Council after the public exhibition period advising of the exhibition outcomes and making recommendations on the finalisation of the revised Planning Agreements Policy.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Joseph Del Duca)

### (ITEM 80/18) ADOPTION - PLANS OF THE SECTION 7.12 (FORMERLY SECTION 94A) LOCAL INFRASTRUCTURE CONTRIBUTIONS PLANS FOR THE BURWOOD LOCAL GOVERNMENT AREA (LGA)

File No: 18/26791

#### Summary

The two draft revised Section 7.12 (formerly Section 94A) Local Infrastructure Contributions Plans were considered by Council on 26 June 2018. The draft Contributions Plans have been publicly exhibited. No submissions were received. It is recommended that the draft Plans be formally adopted by Council.

#### **Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.



**99/18 RESOLVED** *(Carried Unanimously)*

1. That Council adopt the two draft revised Section 7.12 (formerly Section 94A) Local Infrastructure Contributions Plans.
2. That Council authorise the General Manager to allow further editorial or minor changes to the draft amended Section 7.12 (formerly Section 94A) Local Infrastructure Contributions Plans.
3. That the draft revised Section 7.12 (formerly Section 94A) Local Infrastructure Contributions Plans becomes effective on 1 September 2018.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Heather Crichton)

**(ITEM 81/18) ADOPTION - REVISED DEBT RECOVERY POLICY**

File No: 18/25934

**Summary**

The Revised - Debt Recovery Policy has been reviewed and updated in accordance with Council's Policy Review Corporate Practice. The Policy is now submitted to Council for adoption.

**Operational Plan Objective**

2.3.1. Identify and maintain additional revenue sources to ensure financial sustainability.

**100/18 RESOLVED** *(Carried Unanimously)*

That Council adopts the Revised - Debt Recovery Policy.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Ernest Chan)

**(ITEM 82/18) ADOPTION - REVISED AGGREGATION OF LAND VALUES FOR RATING PURPOSES POLICY**

File No: 18/25968

**Summary**

Council's Revised Aggregation of Land Values for Rating Purposes Policy has been reviewed and updated in accordance with Council's Policy Review Corporate Practice. This Policy was introduced to assist ratepayers to minimise the level of rates paid following the registration of subdivision plans.

**Operational Plan Objective**

2.3.1. Identify and maintain additional revenue sources to ensure financial sustainability.

**101/18 RESOLVED** *(Carried Unanimously)*

That Council adopts the Revised - Aggregation of Land Values for Rating Purposes Policy.

(Moved Councillor Ernest Chan/Seconded Councillor Heather Crichton)

**(ITEM 83/18) INVESTMENT REPORT AS AT 31 JULY 2018**

File No: 18/28843

**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*.

**102/18 RESOLVED (Carried Unanimously)**

1. That the investment report for 31 July 2018 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Joseph Del Duca)

**(ITEM 84/18) REFERRAL OF THE ANNUAL FINANCIAL REPORTS FOR 2017-2018 TO COUNCIL'S AUDITOR**

File No: 18/28844

**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.

**Operational Plan Objective**

2.3.1 - Identify and maintain additional revenue sources to ensure financial sustainability.

**103/18 RESOLVED (Carried Unanimously)**

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 2018.
2. That the signed statement be attached to the 2017-2018 Unaudited Annual Financial Reports and presented to Council's Auditor for the completion of the audit.
3. That the Auditor is invited to attend the Audit, Risk and Improvement Committee Meeting in October 2018 that will review the Annual Financial Reports and also to attend the Council Meeting that is to adopt the audited Annual Financial Reports.

(Moved Councillor Ernest Chan/Seconded Councillor Raj Dixit)

**REPORTS OF COMMITTEES****(ITEM RC7/18) BURWOOD LOCAL TRAFFIC COMMITTEE - AUGUST 2018 MEETING**

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File No: 18/29515

**Summary**

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of August 2018. The Minutes are hereby submitted to the Ordinary Council Meeting for consideration and adoption by Council.

**Operational Plan Objective**

4.1.5 Work with RMS and Transport NSW in the development of integrated transport plans.

**104/18 RESOLVED** (*Carried Unanimously*)

That the minutes of the Burwood Local Traffic Committee of August 2018 are noted and the recommendations of the Committee, as detailed below, be adopted as a resolution of the Council.

**(ITEM LTC14/18) BURWOOD ROAD, BURWOOD - WEEKEND TRAFFIC CONGESTION MANAGEMENT**

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***Recommendation***

1. That Council approve the conversion of the existing '1/2P Parking' area on the western side of Burwood Road between George Street and Park Avenue to '1/2P Parking 8:30am-6:00pm Monday-Friday', 'No Parking 8:30am – 6:00pm Saturday and Sunday' for a trial period of 3 months.
2. That Council investigate the signalisation at the intersections of Wilga Street and Park Avenue with Burwood Road due to the congestion of traffic.
3. That Council investigate the signalisation at the Victoria Street East intersection and Shaftesbury Road.

**(ITEM LTC15/18) ELSIE STREET BURWOOD - INSTALLATION OF MOBILITY PARKING SPACE**

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***Recommendation***

That Council approve the installation of one on-street mobility parking space in front of property No. 1-17 Elsie Street Burwood as per the plan in the report.

**(ITEM LTC16/18) JERSEY ROAD, STRATHFIELD - TRAFFIC MANAGEMENT**

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***Recommendation***

1. That Council approve the modifications to the existing 'No Right Turn' restrictions to all times for traffic exiting Jersey Road onto the Boulevard.
2. That Council approve the installation of S1 line marking along the eastern end of Jersey Road from the existing BB centre lines to Wentworth Road.

**(ITEM LTC17/18) BLIGH STREET BURWOOD HEIGHTS - CHANGES TO PARKING RESTRICTIONS**

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***Recommendation***

That Council approve the changes to parking on the northern side of Bligh Street



Burwood Heights to 'Loading Zone 6.30am – 5.00pm Monday to Friday & 7.00am – 1.00pm Saturday - Sunday', '1P 6.30am – 5.00pm Monday to Friday & 7.00am – 1.00pm Saturday - Sunday' and 'No Parking - At all other times' between Burwood Road and George Street.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Heather Crichton)

## INFORMATION ITEMS

### (ITEM IN29/18) PETITIONS

File No: 18/27975

#### Summary

Petitions received are reported to Council on a monthly basis. Council has received one Petition since the last Council Meeting.

#### **Operational Plan Objective**

2.1.1 Provide opportunities for discussions and report decisions back to the community.

#### Background

| Date Received | Petition Subject   | No. of Households & Businesses within the LGA | No. of Households outside the LGA | Responsible Council Division       |
|---------------|--|---|-----------------------------------|------------------------------------|
| 13 July 2018  | Residents objecting to BD.2015.089 – 7-15 Conder Street and 2-4 Stanley Street Burwood | 19  | 0                                 | Land, Infrastructure & Environment |

#### Comments

That Council notes that the Petition has been referred to the appropriate Council Officers for attention.

#### **No Decision – Information Item Only**

### (ITEM IN30/18) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 24 JULY 2018

File No: 18/27976

#### Summary

At the Council Meeting of 24 July 2018 the following Questions Without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 1 August 2018 of the outcome of the QWN.

#### **Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

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

| <b>QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 24 JULY 2018</b>   |   |
|---|---|
| <b>Question</b>   | <b>Response</b>   |
| <p><b><u>Cr Lesley Furneaux-Cook</u></b></p> <p><b>Question 1</b></p> <p>What is the progress of DAs being viewed on our website during public exhibition period?</p>   | <p><b><u>Acting Manager Building and Development</u></b></p> <p>Meetings are being scheduled for August 2018 with two service providers that offer compatible DA tracking systems to evaluate the best option for Council. Once a provider has been selected, the implementation phase will commence with the aim being for the system to be in place before the end of 2018. Councillors will be advised before the system goes live and the public will be made aware of the new system via usual communications channels.</p>  |
| <p><b><u>Cr Lesley Furneaux-Cook</u></b></p> <p><b>Question 2</b></p> <p>Regarding notification for DAs, how does Council ensure compliance (due to Australia Post delivery process changes) with our public notification policy?</p> | <p><b><u>Acting Manager Building and Development</u></b></p> <p>DA notices are posted to residents and property owners two to three days in advance of the commencement of the exhibition period, to ensure that the full exhibition period is available for the recipient to view the proposal and prepare a submission, should they wish to do so. In addition, Council accepts submissions right up until the date of the determination, therefore, even if submissions are received late they are still considered and included in the assessment of the application.</p> |
| <p><b><u>Cr Lesley Furneaux-Cook</u></b></p> <p><b>Question 3</b></p> <p>33 Russell Street Strathfield. This was originally purchased by Council for open space – it is now derelict. What is the update?</p>                         | <p><b><u>Senior Manager Property and Building Services</u></b></p> <p>The property is managed by a local real estate agent. All the maintenance and up keeping of the premises is organised through the agent. Regular inspections are carried out to constantly review the state of the premises. The last inspection of the premises was conducted in May 2018 by Council Officers, together with the Agent. Minor repairs were noted and have since been rectified. The house is considered to be in habitable condition.</p>  |

**No Decision – Information Item Only**

## **QUESTIONS WITHOUT NOTICE**

The following Questions Without Notice were submitted at the Meeting:

**Councillor Lesley Furneaux-Cook**

Question 1

Will Council seek funding for community projects under the Federal Government's "Stronger Communities" funding, and what grants under "Sports Australia" for sport related projects up to \$150,000 (which ends 14 September 2018)?

Question 2

What is the current zoning of the Council owned property in Russell Street? Has Council developed a timeline to add it into the park space as was intended by its purchase by a previous Council?

Question 3

Has Council investigated the combination of green waste and food scraps as per other Councils such as Woollahra Council and is provided by Suez/Veolia?

**Councillor Heather Crichton**

Question 1

Can the General Manager ensure Council's Customer Service Officers and Community Services staff are well informed of the new "On Demand" bus service and that, where appropriate, details are included on Council's social media feeds and websites.

**Councillor Joe Del Duca**

Question 1

What facility and spaces does Council provide to local dog and pet owners?

Question 2

How many instances have there been over the past year of shop owners breaching our shop sign/awnings guidelines? How many fines (if any) were issued?

**CR LESLEY FURNEAUX-COOK LEFT THE MEETING, THE TIME BEING 7.06 PM.**

**CONFIDENTIAL ITEMS - CLOSED SESSION**

**105/18 RESOLVED** (*Carried Unanimously*)

1. That the meeting move into closed session in order to consider items (Item 85/18) Voluntary Planning Agreement for Burwood Place – 42-50 and 52-60 Railway Parade Burwood.
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 Joseph Del Duca/Seconded Councillor Heather Crichton)

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 7.08 PM.

**(ITEM 85/18) VOLUNTARY PLANNING AGREEMENT FOR BURWOOD PLACE - 42-50 AND 52-60 RAILWAY PARADE, BURWOOD**

File No: 18/30230

*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.*

**Summary**

This report provides an update on negotiations of a Voluntary Planning Agreement (VPA) for Burwood Place and aspects of the VPA that have been agreed upon. It also identified the broad steps ahead. Council's endorsement is sought of the matters agreed upon to date between Council and the Holdmark Property Group (Holdmark) as stated in the report.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

**106/18 RESOLVED** *(Carried Unanimously)*

1. That Council endorse all financial and timing points agreed upon between Council and Holdmark as described in the "Matters agreed upon" section of this report, including timing of payment of monetary contributions and Section 94A contributions instalments, as well as the indicative sequencing for works on Council's Library and Community Hub's car park and commercial office space, and the proposed arrangements pertaining to Wynne Avenue and development below ground.
2. That Council confirm its request that a detailed Construction Program be developed by Holdmark and provided to Council and later be included in the VPA setting out the sequencing and timing of construction components and other critical points like the lodgement of the DAs.
3. That the General Manager be authorised to negotiate minor variances to the final VPA before presentation to Council.

(Moved Councillor Heather Crichton/Seconded Councillor Raj Dixit)

Councillors Heather Crichton and Councillor Del Duca called for a **DIVISION**.



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

| <b>FOR</b>          | <b>AGAINST</b>   |
|---------------------|------------------|
| Councillor Faker    |                  |
| Councillor Dixit    |                  |
| Councillor Del Duca |                  |
| Councillor Crichton |                  |
| Councillor Chan     |                  |
| <b>Total (5)</b>    | <b>Total (0)</b> |

**THE MEETING RESUMED IN OPEN SESSION AT 7.29 PM**

This concluded the business of the meeting and Council rose at 7.30pm.

Confirmed this Tuesday, 25 September 2018.



**MAYOR**



