



Burwood Council

heritage • progress • pride

W *MM*

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 26 June 2018 commencing at 6.00 pm.

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

Mr B Macdonnell, General Manager
Mr T Briscece, Deputy General Manager Corporate, Governance & Community
Mr J Inglese, Acting Director Engineering & Operational Services
Mr B Mortimer, Executive Manager Organisation Development
Ms M Kucic, Acting Manager Strategic Planning
Mr A Sonogo, Acting Executive Officer
Ms P Viney, Governance Co-ordinator
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

That there were no apologies.

DECLARATIONS OF INTEREST

Councillor Lesley Furneaux-Cook declared a non-pecuniary interest in Item 68/18 CHSP/CCSP (formerly HACC) services as she worked for Volunteer Network many years ago.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES

54/18 RESOLVED (*Carried Unanimously*)

That the minutes of the meeting of the Council of Burwood held on Tuesday 22 May

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 Heather Crichton)

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

Name	Item
Stan Malicki	(Item 57/18) – Adoption of Burwood2030 Community Strategic Plan, 2018-21 Delivery Program & Budget, 2018-19 Operational Plan & Budget, 2018-19 Pensioner Rebate – that has been discussed over past couple years.
Greg Anderson	(Item LTC8/18) Boundary Street, Croydon - Permission for traffic exiting PLC to turn right

CR GEORGE MANNAH ARRIVED AT THE MEETING 6.10 PM

GENERAL BUSINESS

(ITEM 50/18) DRAFT VOLUNTARY PLANNING AGREEMENT - 185E BURWOOD ROAD BURWOOD

File No: 18/20306

Summary

Applicant: Dennis Lup Yik Wong
Owner: Dennis Lup Yik Wong and Elsa Suet Fong Shum Wong
Company Director(s): n/a

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) prepared in connection with a Development Application (DA) for 185E Burwood Road Burwood have been publicly notified in accordance with the relevant legislation. The draft VPA will provide for the developer to pay a monetary contribution to Council in lieu of a shortfall in parking. Council's endorsement is sought to enter into the VPA after the granting of the DA.

55/18 RESOLVED (*Carried Unanimously*)

1. That Council enter into the VPA for 185E Burwood Road Burwood for the provision of a monetary contribution of \$49,500 towards public facilities after the granting of the consent for DA 16/2018, which would include a condition on the consent requiring that the VPA be entered into.
2. That Council agree to revise the VPA to provide for up to four parking spaces, at a rate of \$49,500 per space, should the DA assessment identify a greater parking deficiency.
3. That Council authorise the General Manager to sign the VPA and any related documentation under his Power of Attorney.
4. That Council authorise the General Manager to endorse the revisions of the VPA documents prior to execution.
5. That the Developer pay the monetary contribution to Council, on or before, the execution of the VPA by Council.

(Moved Councillor Ernest Chan/Seconded Councillor George Mannah)

Councillors Ernest Chan and 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 Faker	
Councillor Mannah	
Councillor Dixit	
Councillor Crichton	
Councillor Chan	
Councillor Furneaux-Cook	
Total (6)	Total (0)

(ITEM 51/18) ADOPTION OF AMENDMENT NO. 4 OF THE BURWOOD DEVELOPMENT CONTROL PLAN

File No: 18/3760

Summary

Draft Amendment No. 4 of the Burwood Development Control Plan 2013 has completed the public exhibition process. No submissions were received. Council may now adopt Amendment No. 4 with some minor additions as indicated. The Amendment will come into effect when public notice is given.

56/18 RESOLVED (*Carried Unanimously*)

1. That Council adopt Amendment No. 4 to the Burwood Development Control Plan (BDCP).
2. That Council authorise the General Manager to allow further editorial or minor changes to the amended BDCP considered necessary before the document becomes effective.
3. That the amended Burwood Development Control Plan be brought into effect in accordance with the relevant provisions of the *Environmental Planning & Assessment Regulation 2000*.

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

Councillors Lesley Furneaux-Cook and Heather Crichton called for a **DIVISION**.

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

FOR	AGAINST
Councillor Faker	
Councillor Mannah	
Councillor Dixit	
Councillor Crichton	
Councillor Chan	
Councillor Furneaux-Cook	
Total (6)	Total (0)

(ITEM 52/18) REVIEW OF THE SECTION 94A CONTRIBUTIONS PLANS

File No: 18/15591

Summary

The Section 94A (now Section 7.12) contributions plans outline provisions that allow for Council to fund the provision, extension or augmentation of public amenities or public services through developer contributions. The Works Schedule forms part of each contributions plan and provides a detailed breakdown of the facilities, infrastructure and services to be funded through the contributions. This report seeks to revise the two existing contributions plans, together with their respective Works Schedules.

57/18 RESOLVED *(Carried Unanimously)*

1. That Council endorse the draft revised Section 94A (now Section 7.12) local infrastructure contributions plans for public exhibition in accordance with the relevant legislation.
2. That the General Manager be authorised to endorse minor revisions to the contributions plans prior to public exhibition.
3. That a further report be provided to Council detailing the results of the public exhibition.

(Moved Councillor George Mannah/Seconded Councillor Raj Dixit)

Councillors George Mannah and Raj Dixit called for a **DIVISION**.

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

FOR	AGAINST
Councillor Faker	
Councillor Mannah	
Councillor Dixit	
Councillor Crichton	
Councillor Chan	
Councillor Furneaux-Cook	
Total (6)	Total (0)

(ITEM 53/18) AMENDMENT OF FLOOD PLANNING CLAUSE IN BLEP (CLAUSE 6.2) AND COMMITMENT TO NSW FLOODPLAIN RISK MANAGEMENT PROCESS

File No: 17/43797

Summary

As per the NSW Floodplain Development Manual, Council commissioned four Draft Overland Flood Studies that cover the entire Burwood Local Government Area (LGA). These Draft Overland Flood Studies have categorised flooding into Mainstream and Overland categories and also identified properties that are flood affected. This report discusses the proposed amendment to the flood planning clause in the *Burwood Local Environmental Plan* (BLEP) to reflect the Draft Consolidated Flood Identification Map and seeks Council approval to place these four Draft Overland Flood Studies and Draft

Consolidated Flood Identification Map on public exhibition. In addition, Council's commitment to the NSW Floodplain Risk Management process is sought.

58/18 RESOLVED (*Carried Unanimously*)

1. That Council endorse the public exhibition of the four Draft Flood Studies including the Consolidated Draft Flood Identification Map.
2. That Council resolve to amend Clause 6.2(5) of the BLEP and submit a Planning Proposal to the Department of Planning and Environment for a Gateway Determination.
3. That Council place the Planning Proposal on public exhibition in accordance with the Gateway Determination, and report the outcomes of the public exhibition back to Council.
4. That Council endorse the update of Section 149(2) Planning Certificates to notate the flood affected properties identified in the Draft Overland Flood Studies including the Consolidated Draft Flood Identification Map.
5. That Council endorse its commitment towards the NSW Floodplain Risk Management Process.

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

Councillors Lesley Furneaux-Cook and 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 Faker	
Councillor Mannah	
Councillor Dixit	
Councillor Crichton	
Councillor Chan	
Councillor Furneaux-Cook	
Total (6)	Total (0)

(ITEM 54/18) DRAFT WOODSTOCK REACTIVATION PLAN - ENDORSEMENT FOR PUBLIC EXHIBITION

File No: 18/19191

Summary

The Woodstock Reactivation Plan is aimed at improving the long term functionality and activation of the Woodstock Community Centre and Park. The Plan is submitted to Council for approval to be placed on public exhibition for a period of 28 days. Following the public exhibition and after considering any comments received from the community the final plan will be submitted to Council for formal adoption.

59/18 RESOLVED (*Carried Unanimously*)

1. That Council endorse the public exhibition of the Proposed Capital Works Master Plan drawing for Woodstock for a period of 28 days, between 27 June and 24

July, and for the plan to be submitted to Council for formal adoption at the 21 August 2018 meeting.

2. That Council approve the distribution of a survey to relevant stakeholders, including past users, during the public exhibition period to determine specific requirements and preferences around programs.
3. That Council approve the minor internal modifications to the Keep Room within Woodstock Community Centre, to be covered within current budget allocation.
4. That Council approves the trial of a "Pop Up" food event on two separate dates at Woodstock Park over a six month period to gauge interest from the community and providers.
5. That Council approves the trial of Weekend Markets on two separate dates at Woodstock Park over a six month period to gauge interest from the community and providers.
6. That Council approves the trial of Mobile Playvan operating at Woodstock one day per week for two school terms.
7. That a report be presented to Council at the end of the trial period for pop-up events, markets and Mobile Playvan, with a summary of attendance and interest from the community and providers.
8. That Council investigate discounts for non-profit association
9. That Council engage with a heritage landscaper for the sensory garden

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

CR J DEL DUCA ARRIVED JOINED THE MEETING AT 6.25 PM.

(ITEM 55/18) LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018

File No: 18/19593

Summary

This year the Local Government NSW Annual Conference is being held from Sunday, 21 October to Tuesday, 23 October 2018 at the Entertainment Centre, Albury. Council can nominate four Voting Delegates and, as customary, Observers to attend the Conference.

60/18 RESOLVED *(Carried Unanimously)*

1. That Council nominate the Mayor, Councillor John Faker, as the Voting Delegate who will be appointed as a proxy to vote on behalf of Council, and the Deputy Mayor, Councillor Lesley Furneaux-Cook, as an Alternate Voting Delegate at the Local Government NSW Annual Conference 2018 held in Albury from Sunday, 21 October to Tuesday 23 October 2018.
2. That the General Manager and other Councillors be authorised to attend, and that the nominated Observers confirm their attendance by Friday, 6 July 2018 to the General Manager.

(Moved Councillor George Mannah/Seconded Councillor Heather Crichton)

(ITEM 56/18) MULTICULTURAL ADVISORY COMMITTEE WORKPLAN 2018-2020

File No: 18/20113

Summary

The Burwood Multicultural Advisory Committee (MAC) was established in 2018 as one of the actions in the *Multicultural Strategy for the CALD Community in Burwood*. The aim of the MAC is to increase communication and relationships between Council and culturally and linguistically diverse (CALD) communities of Burwood. The MAC members have developed a draft work plan for their two year term, now presented to Council for endorsement.

61/18 RESOLVED *(Carried Unanimously)*

That Council adopts the Multicultural Advisory Committee Work Plan 2018 - 2019.

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

(ITEM 57/18) ADOPTION OF BURWOOD2030 COMMUNITY STRATEGIC PLAN, 2018-2021 DELIVERY PROGRAM AND BUDGET, 2018-2019 OPERATIONAL PLAN AND BUDGET, 2018-2019 STATEMENT OF REVENUE POLICY, 2018-2019 FEES AND CHARGES AND MAKING OF THE RATE AND CHARGES

File No: 18/21275

Summary

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

- Burwood2030 Community Strategic Plan
- 2018-2021 Delivery Program and Budget
- 2018-2019 Operational Plan and Budget
- 2018-2019 Statement of Revenue Policy, incorporating Schedule of Fees and Charges
- Making of the rate and charges

62/18 RESOLVED *(Carried Unanimously)*

1. That Council note that no submissions have been received relating to the Draft Budget 2018-2019, Draft 2018-2019 Operational Plan and Budget and the 2018-2019, Draft Statement of Revenue Policy and the Draft Community Strategic Plan.
2. That Council adopt the Burwood2030 Community Strategic Plan.
3. That Council adopt the 2018-2021 Delivery Program with the following late submission amendments tabled at the meeting:

Community and lifestyle	
<i>1.4.5 Promote volunteering opportunities and local participation</i>	
Support the capacity of the local community to develop projects, events and activities	Provide skills development and project mentoring for individuals and groups
Planning and infrastructure	
<i>4.1.1 Ensure strategies to accommodate population growth</i>	

Consider social impacts of population growth	Investigate the social impact and quality of life of high density living
--	--

4. That Council adopt the 2018-2019 Operational Plan.
5. That Council adopt the 2018-2019 Budget.
6. That Council levy two ordinary rates, being "Residential" and "Business".
7. That the "Residential" rate be sub-categorised into:
 - Residential
 - Residential – Town Centre
8. That the "Business" rate be sub-categorised into sub-categories, being:
 - Business A
 - Business B
 - Business C
 - Business D
 - Town Centre – Minor Business
9. 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.
10. That Council make:
 - a. An Ordinary Rate (Residential) of 0.00122642 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 \$930.
 - b. An Ordinary Rate (Residential–Town Centre) of 0.00080435 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 \$1,186.
 - c. An Ordinary Rate (Business A) of 0.00206720 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 \$1,017.
 - d. An Ordinary Rate (Business B) of 0.00289018 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 \$1,017.
 - e. An Ordinary Rate (Business C) of 0.00528639 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 \$1,017.

- f. An Ordinary Rate (Business D) of 0.00674626 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 \$1,301.
- g. An Ordinary Rate (Town Centre–Minor Business) of 0.00203449 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 \$1,301.
- h. A Residential Waste Management Service Availability Charges (Residential Waste Charge or Res Strata Waste Charge) in accordance with Section 496 of the *Local Government Act 1993* for 2018-2019 of \$398.10 as per Schedule of Fees and Charges.
- i. A Stormwater Management Service Charges (Stormwater Management Service Charge) in accordance with Section 496A of the *Local Government Act 1993* and Clauses 125A and 125AA of *Local Government (General) Regulation 2005*, as denoted in the 2018-2019 Schedule of Fees and Charges document.
- j. Charges pursuant to Section 611 of the *Local Government Act 1993* as denoted in the 2018-2019 Schedule of Fees and Charges document.
11. That the yield of Rates for 2018-2019 as shown in the following table be noted and updated in the Statement of Revenue Policy 2018-2019:

2018/2019 RATING STRUCTURE WITH +2.3% Rate Peg & Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NO OF ASS/MENTS	RATE IN THE DOLLAR	NO MIN RATE ASS/MENTS	MIN RATE \$	NOTIONAL YIELD \$
Ordinary	Residential	9,805.92*	0.00122642	3,857.07*	930.00	13,302,516
Ordinary	Business A	458.08*	0.00206720	135.79*	1,017.00	1,447,666
Ordinary	Business B	43	0.00289018	3	1,017.00	576,050
Ordinary	Business C	31	0.00528639	2	1,017.00	399,307
Ordinary	Business D	42	0.00674626	4	1,301.00	1,927,001
Ordinary	Residential Town Centre	2,747	0.00080435	2,702	1,186.00	3,459,736
Ordinary	Town Centre - Minor Business	385	0.00203449	220	1,301.00	1,340,155
Total		13,512			\$6,892.86	\$22,452,431

12. That the yield from the Residential Waste Management Service Availability Charges of \$5,421,458 be noted and updated in the Statement of Revenue Policy 2018-2019.
13. That the yield from the Stormwater Management Service Charges of \$279,020 be noted and updated in the Statement of Revenue Policy 2018-2019.
14. That the yield for the Section 611 Charges (Gas Mains Assessment) will be approximately \$30,000.
15. That for the 2018-2019 rating year a rebate of \$50 be granted in addition to any

other pensioner rates concession granted to a rates assessment of an eligible pensioner.

16. That the General Manager levy the rates and charges for the period 1 July 2018 to 30 June 2019 by service of the rates and charges notices pursuant to the *Local Government Act 1993* and the Regulations made there under.
17. That Council adopt the tabled 2018-2019 Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2018-2019 including amendments.
18. That Council delegate to the General Manager the delivery of the Capital Works program in line with a detailed plan of works/services and budget for the financial year 2018-2019 including the acquisition of goods and services, request for quotations and tendering for roads, footpaths, kerb and gutter and drainage works using prescribed agencies under Section 55 of the *Local Government Act 1993* and NSW Government panels available to Council.

(Moved Councillor George Mannah/Seconded Councillor Heather Crichton)

(ITEM 58/18) ADOPTION - REVISED CONFLICT OF INTEREST POLICY

File No: 18/20415

Summary

To seek Council's endorsement of the revised Conflict of Interest Policy. The Policy assists persons in determining if they have a conflict of interest in performing their public duties and to complement Council's Code of Conduct in relation to conflict of interest information.

63/18 RESOLVED (*Carried Unanimously*)

That Council adopts the revised Conflict of Interest Policy.

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

(ITEM 59/18) ADOPTION - REVISED PUBLIC INTEREST DISCLOSURES ACT 1994 - INTERNAL REPORTING POLICY

File No: 18/20430

Summary

To seek Council's endorsement of the revised *Public Interest Disclosures Act 1994* – Internal Reporting Policy. The Policy has been reviewed in line with the requirements for the NSW Ombudsman Office.

64/18 RESOLVED (*Carried Unanimously*)

That Council adopt the revised *Public Interest Disclosures Act 1994* – Internal Reporting Policy.

(Moved Councillor Ernest Chan/Seconded Councillor Raj Dixit)

(ITEM 60/18) ADOPTION - REVISED PUBLIC INTEREST ACT 1994 - PROCEDURE FOR ASSESSING DISCLOSURES AND INVESTIGATIONS

File No: 18/20455

Summary

The *Public Interest Disclosures Act 1994* – revised Procedure for Assessing Disclosures and Investigations has been reviewed in conjunction with the *Public Interest Disclosure Act 1994* – Internal Reporting Policy. The document is submitted to Council for adoption.

65/18 RESOLVED (*Carried Unanimously*)

That Council adopt the *Public Interest Disclosures Act 1994* – revised Procedure for Assessing Disclosures and Investigations.

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

(ITEM 61/18) ADOPTION - REVISED COUNCILLOR INDUCTION, BRIEFINGS AND WORKSHOPS POLICY

File No: 18/20465

Summary

To seek Council's endorsement of the revised Councillor Induction, Briefings & Workshops Policy. This Policy was introduced to complement Council's Code of Meeting Practice on the conduct of Councillor Induction, Briefings and Community Workshops.

66/18 RESOLVED (*Carried Unanimously*)

That Council adopts the revised Councillor Induction, Briefings and Workshops Policy.

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

(ITEM 62/18) ADOPTION - REVISED AGENCY INFORMATION GUIDE - GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009

File No: 18/20959

Summary

The report seeks Council adoption of the Draft – Agency Information Guide. Section 20 of the *Government Public Access Information Act 2009* (GIPA) requires all Councils to produce an Agency Information Guide. The purpose of the Guide is to provide the community with information concerning Council and also how to further access information.

The Agency Information Guide is now submitted for endorsement.

67/18 RESOLVED (*Carried Unanimously*)

1. That Council endorse the Draft - Agency Information Guide in line with the requirements of the *Government Public Access Information Act 2009*.
2. That Council furnish a copy of the adopted Agency Information Guide to the



Information and Privacy Commissioner for reference.

(Moved Councillor Ernest Chan/Seconded Councillor George Mannah)

(ITEM 63/18) ADOPTION - REVISED INTERNAL OMBUDSMAN POLICY

File No: 18/22061

Summary

The revised Internal Ombudsman Policy provides an outline of the powers and responsibilities of Council's Internal Ombudsman.

68/18 RESOLVED (*Carried Unanimously*)

That Council adopt the revised Internal Ombudsman Policy.

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

(ITEM 64/18) PRIMARY DISCLOSURE OF INTEREST RETURNS - DESIGNATED PERSONS

File No: 18/20359

Summary

In accordance with Section 450A of the *Local Government Act 1993*:

- The General Manager must keep a Register of Pecuniary Interest Returns and the Returns must be available for inspection by members of the public.
- The General Manager must arrange for the tabling of the Returns at a Council Meeting.

69/18 RESOLVED (*Carried Unanimously*)

That the Primary Disclosures by Designated Officers be noted and accepted as tabled.

(Moved Councillor Ernest Chan/Seconded Councillor Raj Dixit)

(ITEM 65/18) LOCAL GOVERNMENT REMUNERATION TRIBUNAL - FEES FOR MAYOR AND COUNCILLORS

File No: 18/20399

Summary

This Report is prepared to enable Council to set its fees payable to the Mayor and Councillors for the year 1 July 2018 to 30 July 2019.

70/18 RESOLVED (*Carried Unanimously*)

That Council fix the fees payable to the Mayor and Councillors for the 2018-2019 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 George Mannah/Seconded Councillor Raj Dixit)

(ITEM 66/18) INVESTMENT REPORT AS AT 31 MAY 2018

File No: 18/21508

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*.

71/18 RESOLVED (*Carried Unanimously*)

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

(Moved Councillor Ernest Chan/Seconded Councillor Heather Crichton)

(ITEM 67/18) LEAVE OF ABSENCE APPLICATION - CR ERNEST CHAN

File No: 18/22857

Summary

Cr Ernest Chan has made application to Council for a Leave of Absence from 15 July 2018 to 30 July 2018 to attend a 14-day course at the Army Logistic Training Centre and will not be able to attend 24 July 2018 Council Meeting. The request for the Leave of Absence has been attached for Council's information.

72/18 RESOLVED (*Carried Unanimously*)

That Council determines the request for the Leave of Absence submitted by Cr Ernest Chan.

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

(ITEM 68/18) CHSP/CCSP (FORMERLY HACC) SERVICES

File No: 18/22893

Summary

Council last received a report on its aged and disability services (formerly known as Home and Community Care or HACC) in August 2015 as an information-only item. During 2015, the HACC program was split into the aged care component (Commonwealth Community Home Support Program or CHSP) and the disability services component (NSW Community Care Supports Program or CCSP) and the HACC services became CHSP/CCSP services.

The 2015 Council report provided information on the reforms occurring in aged care at the Commonwealth level and in disabilities services at the State level and the likely impact on funding. The report noted that "the availability of future grant funding to deliver

HACC services will be a key driver in the ultimate future delivery of these services"

This report provides an update on the funding situation and recommends the way forward for the CHSP/CCSP services.

73/18 RESOLVED (*Carried Unanimously*)

1. That Councillors via a workshop are provided information on what services will not be provided by the NDIS and Aged Care Packages.
2. That Council work with the LGNSW and its Senior Aged and Disability Policy Officer as part of their sector wide support for Council transitioning due to the funding changes.
3. That Council liaise with neighbouring Councils to partner with them to provide services to residents not covered under the reforms but currently provided by Council.
4. That Council only commit the CHSP-funded Home Podiatry Service, Volunteer Network and Sector Development and Training up to 30 June 2020.
5. That Council retains the Aged and Disability Worker position and fully funds the position from 1 July 2018.
6. That Council advises all stakeholders of its decisions regarding aged and disability services.

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

REPORTS OF COMMITTEES

(ITEM RC5/18) BURWOOD LOCAL TRAFFIC COMMITTEE MEETING - JUNE 2018

File No: 18/22571

Summary

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

74/18 RESOLVED (*Carried Unanimously*)

That the minutes of the Burwood Local Traffic Committee Meeting of June 2018 be noted and the recommendations of the Committee (insert item numbers) as detailed below be adopted as a resolution of the Council.

(ITEM LTC8/18) BOUNDARY STREET, CROYDON - PERMISSION FOR TRAFFIC EXITING PLC TO TURN RIGHT

Recommendations

1. That Council approve the Traffic Control Plan attached to the report allowing the right turn out of PLC Hamilton Campus with the assistance of a qualified traffic controller only as a trial for a period of six months.
2. That Council notify PLC of the trial for communication to parents.

(ITEM LTC9/18) NORWOOD STREET, BURWOOD - PARKING RESTRICTIONS***Recommendation***

That Council approve the installation of 'No Parking 8am-6pm, Mon-Fri' restrictions on the southern side of Norwood Street between Wentworth Road and Oxford Street and between Conder Street and Stanley Street.

(ITEM LTC10/18) BLAIR AVENUE, CROYDON - NO PARKING RESTRICTIONS***Recommendations***

1. That Council approve the installation of an on-street mobility parking space on the southern side of Blair Avenue opposite No. 1 Blair Avenue.
2. That Council approve the installation of a 'No Parking' restriction on the southern side of Blair Avenue opposite No. 7 Blair Avenue for the length of 10 metres.

(ITEM LTC11/18) RAWSON STREET, CROYDON PARK - REQUEST FOR MOBILITY PARKING SPACE***Recommendation***

That Council approve the installation of one on-street mobility parking space on the western side of Rawson Street Croydon Park 10 metres north of Georges River Road.

(ITEM LTC12/18) ALLISON PARADE, CROYDON - REQUEST FOR ADDITIONAL MOBILITY PARKING SPACE***Recommendation***

That Council approve the installation of one additional mobility parking space fronting 12 Allison Parade, Croydon, immediately west of the existing mobility parking bay.

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

INFORMATION ITEMS**(ITEM IN19/18) PETITIONS**

File No: 18/15345

Summary

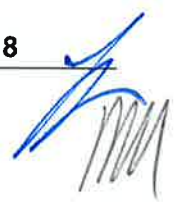
Petitions received are reported to Council on a monthly basis. Council has received one petition since the last Council Meeting.

Background

Date Received	Petition Subject	No. of Households and Businesses within the LGA	No. of Households outside the LGA	Responsible Council Division
25 May 2018	BD.2017.124 - 68-72 Railway Parade and 2-2A and 4-10 Oxford Street Burwood	392	0	Land, Infrastructure and Environment

Comments

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

**No Decision – Information Item Only****(ITEM IN20/18) COMMUNITY GRANTS 2017 - 2018 OUTCOMES**

File No: 18/20410

Summary

Through its Community Grants Program, Burwood Council has provided funding to local and regional community services, church groups and not-for-profit organisations for over 10 years to undertake projects that benefit the local community. In 2017-18, the total amount of funding available was increased from \$30,000 to \$40,000 through a Council resolution.

This year, 15 organisations applied for a total of \$67,233 in funding. Each application was assessed against the program criteria and 14 projects were provided with full or partial funding. The application not recommended for funding did not demonstrate that it met the identified need.

In accordance with appropriate delegations, the recommendations for funding were approved by the General Manager on 24 May 2018. The full list of funded projects is attached to this report.

A ceremony is scheduled to take place on Tuesday, 26 June 2018 to celebrate the successful applications and acknowledge the significant contributions made by the funded organisations to the Burwood community. The Mayor will be present to congratulate the grant recipients.

No Decision – Information Item Only**(ITEM IN21/18) PLANNING PROPOSAL TO HERITAGE LIST ELY HOUSE - 122-126 BURWOOD ROAD BURWOOD**

File No: 18/20335

Summary

Council, at its meeting on 22 May 2018, considered the outcomes of the public exhibition of the Planning Proposal to heritage list Ely House. It was resolved:

1. *That Council note the findings of the review of submissions from the public exhibition of the Planning Proposal.*
2. *That Council only heritage list part of the building, the first floor façade, street-facing balconies, windows and roof line along Burwood Road and Victoria Street, Burwood.*
3. *That a further information item be tabled at the next Council Meeting to identify all items to be protected.*
4. *That all original shutters be reinstated.*
5. *That the property owners be advised of Council's resolution.*

In accordance with the Council resolution, Council Officers propose that the heritage listing of Ely House in Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012 read as follows:

Suburb	Item name	Address	Property Description	Significance	Item no
Burwood	Ely House – first floor façade, including balconies, windows, window shutters and roof that face Burwood Road and Victoria Street, Burwood	122-126 Burwood Road, Burwood	Lots 1, 2, 3 and 4 DP 14009	Local	I223

The proposed Item Name is generally consistent with the approach taken with eight other listings in the BLEP which take the form of 'Shops – first floor facade'. The Item Name seeks to incorporate the Council's discussion and resolution of 22 May 2018.

In making a Local Environmental Plan Amendment, the NSW Parliamentary Counsel's Office (PCO) is required to vet the proposed wording of any legislation. Wording may be adjusted or changed at the discretion of the PCO.

No Decision – Information Item Only

(ITEM IN22/18) MAYORAL DISCRETIONARY GRANTS - SMALL DONATIONS MADE FOR THE PERIOD ENDING 30 JUNE 2018

File No: 18/21420

Summary

The Discretionary Grants – Small Donations Policy was reviewed by Council and adopted on 12 December 2017. As part of the Policy requirements a list of donations made is to be reported to Council on a quarterly basis. The attached table details the Discretionary Grants for the June quarter ending 2018.

No Decision – Information Item Only

(ITEM IN23/18) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 22 MAY 2018

File No: 18/20950

Summary

At the Council Meeting of 22 May 2018 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 5 June 2018 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 22 MAY 2018	
Question	Response
<p><u>Cr Lesley Furneaux-Cook</u></p> <p>Question 1:</p> <p>Fitzroy Street Croydon – When will the kerb and gutter be finished and will the turf be reinstated?</p>	<p><u>Senior Manager Civil Construction & Operations</u></p> <p>The Fitzroy Street works are being undertaken in segments.</p> <p>The kerb and gutter works along both sides of the segment of Fitzroy Street between Reed Street and the cul-de-sac have been completed.</p> <p>The asphalt road resurfacing for the segment between Reed Street and the cul-de-sac commenced 28 May 2018 and is scheduled for completion by 30 May 2018. Returfing and tree planting works to the abovementioned area will follow.</p> <p>The remaining footpath works are scheduled to commence in the week commencing 4 June 2018 for the remaining six frontages along the second segment of Fitzroy Street, on southern side between Reed Street and Brady Street, and along the third segment of Fitzroy Street, on the southern side between Brady Street and Tahlee Street.</p> <p>The kerbs and gutters in the second and third segments will be inspected while footpath works are underway but will only be replaced in instances where it is integral that the footpath and kerb and gutter be laid as a single piece.</p>
<p><u>Cr Lesley Furneaux-Cook</u></p> <p>Question 2:</p> <p>Shirley House – 11 Ethel Street Burwood – Residents have informed me that they were not notified regarding the demolition of the house. Who is responsible for the community notification and what is the plan for the site?</p>	<p><u>Acting Manager Building & Development</u></p> <p>A complying Development Certificate (CDC) for the demolition of the building at 11A Ethel Street Burwood was determined on 20 April 2018 by a Principal Certifying Authority (PCA). Council received notification of the CDC (CD.2018.060) on 1 May 2018.</p> <p>The PCA is the body responsible for notifying residents of proposed CD works (these notifications letters are advisory and are not an opportunity to provide feedback).</p>

	<p>The Certificate lodged to Council included a copy of a letter dated 5 April 2018 notifying surrounding residents of the upcoming works. A list of addresses that the letter was sent to was not provided.</p> <p>Should residents have concerns about a PCA meeting their obligations they can contact the NSW Government Building Professionals Board (BPB) who are the appropriate body to investigate the conduct and actions of PCAs.</p> <p>Council has not received a DA or notice of a CDC application for the future development of the site to date, therefore, the future plans for the site are not known at this time.</p>
<p><u>Cr Lesley Furneaux-Cook</u></p> <p>Question 3:</p> <p>Is there is a breach in construction hours before 7am or after 4pm/7pm on weekdays or Saturdays. What is the resident's recourse to complain?</p>	<p><u>Senior Manager Compliance</u></p> <p>If a resident observes construction occurring outside of permitted hours they can report a breach of consent by emailing or writing to Council for an investigation commencing the following business day, or they can call Council's afterhours service on 9911 9911. Reports made by phone to the afterhours service are immediately referred to the on duty Compliance Officer.</p> <p>A Compliance Officer will contact the resident and attend the site as soon as possible, on the evening of the complaint if practicable, or on the next working day. The Officers will collect any photographs or video footage of the breach obtained by the resident and will also endeavour to obtain an official statement.</p> <p>Official statements are important in order for Council to show the Courts that the breach has affected residents. The Courts regularly view community participation as an important tool in establishing the level of impact and are less likely to overturn penalties if Council can show a clear impact on residents.</p> <p>All building sites, especially within the CBD, are patrolled every day and the appropriate enforcement actions taken if breaches are sighted or reported to Council with evidence.</p>

<p><u>Cr Joseph Del Duca</u></p> <p>Question 1:</p> <p>Can the General Manager write to the Minister for Planning, the Hon Anthony Roberts MP to request an update on the Priority Planning Precinct and its effect on the Burwood LGA?</p>	<p><u>General Manager</u></p> <p>A Councillor presentation given by the Department of Planning & Environment was held on 27 March 2018 prior to the Council Meeting on the Burwood, Strathfield, Homebush Priority Planning Precinct.</p> <p>The General Manager will prepare a letter to the Minister for Planning for the Mayor's signature requesting an update on the Priority Planning Precinct and its effect on the Burwood LGA.</p> <p>It is anticipated that the letter will also reference land in Livingstone, Clarence and Church Streets Burwood which has been the subject of resolutions by Council, and most recently considered in a report to the Council Meeting on 24 April 2018, as well as the subject of recent representations to Council.</p>
<p><u>Cr Joseph Del Duca</u></p> <p>Question 2:</p> <p>Can the General Manager write to the Minister for Transport, the Hon Andrew Constance MP, to request an update on the Western Sydney Metro Project and what it will mean to the Burwood LGA?</p>	<p><u>General Manager</u></p> <p>The General Manager updated the Councillors on 26 March 2018 on receipt of an email from Transport NSW on the Sydney Metro West Scope of Works.</p> <p>On 16 May 2018, Council prepared a submission/comments on the Sydney Metro West Project Overview, and a Councillor presentation has been confirmed on the Sydney Metro West Project prior to the Council Meeting on 24 July 2018.</p> <p>It is suggested to wait until the Councillor Workshop on 24 July 2018 before writing to the Minister for Transport.</p>
<p><u>Cr Heather Crichton</u></p> <p>Question 1:</p> <p>What has the cost to Council been of the meetings of IHAP held on:</p> <ul style="list-style-type: none"> ▪ 10 April 2018, and ▪ 8 May 2018 	<p><u>Governance Co-ordinator</u></p> <p>The total cost of the two meetings was \$13,859.</p>
<p><u>Cr Heather Crichton</u></p> <p>Question 2:</p>	<p><u>Manager Customer Service and Records</u></p>

<p>How many requests has Council received in the last 12 months from:</p> <p>a. Our businesses wishing to utilise our graffiti removal service</p> <p>b. Our residents wishing to utilise our graffiti removal service</p>	<p>The total number of customer requests received for graffiti removal for the 2017/2018 period was 42.</p> <p>Council's system does not allow to distinguish between business/resident categories.</p>
<p><u>Cr George Mannah</u></p> <p>Question 1:</p> <p>When was the last review that Council has had with regards to our Heritage DCP including vehicular access policy?</p>	<p><u>Executive Strategic Planner – Heritage Advisor</u></p> <p>The DCP came into effect on 1 March 2013 and is reviewed annually. Sections of the DCP relating to Heritage controls were revised in February 2014 as part of Amendment No. 1 and further minor amendments to the Heritage controls are proposed for the upcoming Amendment No. 4.</p> <p>Council's Vehicle Crossing Policy is a separate policy, which came into effect in January 2001. This Policy is based on the Australian Standards' requirements for off-street parking and vehicle crossings. The Australian Standards are occasionally revised, hence Council's Policy is structured to refer users to the relevant Australian Standard without duplicating the standard itself.</p>
<p><u>Cr George Mannah</u></p> <p>Question 2:</p> <p>How may staff assess our Heritage DA as well as review assessments?</p>	<p><u>Executive Strategic Planner – Heritage Advisor</u></p> <p>The Executive Strategic Planner - Heritage Advisor is responsible for most heritage related DA referrals and for providing advice on heritage matters. However, Council also engages external heritage consultancy firms, namely City Plan Heritage and Colin Israel Heritage Advice, to intermittently undertake DA referrals and assessments.</p> <p>During this Financial Year, around 43% of heritage referrals have been undertaken by external consultants. Heritage studies (e.g. the listing of new heritage items) are primarily undertaken by external consultants through a procurement process.</p>

**No Decision – Information Item Only****QUESTIONS WITHOUT NOTICE**

The following Questions Without Notice were submitted at the Meeting:

Cr Heather Crichton**Question 1**

Has Council adopted a policy or guidelines for the use of “flying drones/remotely piloted aircraft” in our LGA?

Question 2

Within our DCP (Page 42) under “Roof Gardens”, is there any requirement for the engagement of a landscape architect to undertake garden design for roof top gardens?

Question 3

The recent State Government’s budget has reduced funding to public libraries. How will this affect/impact services offered at Burwood Library?

Cr Lesley Furneaux-Cook**Question 1**

How many times do residents receive information on recycling initiatives and use of our green/yellow bins to minimise co-mixing?

Question 2

Do we have a copy of a video called “This is Burwood”, created by Steven Lowe from Precedent Productions in the 80s/90s?

Question 3

What are the initiatives that Burwood Council undertakes to promote the Inner West Business Awards (apart from funding)?

Cr George Mannah**Question 1**

Can Council investigate buses speeding in both directions in Devonshire Street at all hours (day and night)?

This concluded the business of the meeting and Council rose at 7.29 pm.

Confirmed this 24 July 2018


MAYOR

