



**Burwood** Inc.1874

Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

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 11 February 2020 commencing at 6:12pm.

**ATTENDANCE** Councillor John Faker (Mayor)  
Councillor Ernest Chan  
Councillor Heather Crichton  
Councillor Lesley Furneaux-Cook  
Councillor George Mannah (Deputy Mayor)

Mr T Briscese, General Manager  
Mr F Zincone, Acting Deputy General Manager Corporate, Governance and Community  
Ms K Everett, Deputy General Manager Land, Infrastructure and Environment  
Ms L Hennessy, Group Manager Corporate Planning and Communications  
Mr M Jenner, Group Manager Compliance  
Ms T Whitmarsh, Consultant – Governance Specialist  
Ms R Gerges, Governance Officer

#### **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.

#### **LEAVE OF ABSENCE**

**1/20 RESOLVED** (*carried unanimously*)

That Councillor Dixit and Councillor Del Duca were granted a leave of absence.

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

#### **DECLARATIONS OF INTEREST**

Councillor Faker, Councillor Mannah, Councillor Chan and Councillor Furneaux-Cook all declared a pecuniary less than significant conflict of interest in relation to Item 1/20 (Adoption of Local Strategic Planning Statement and Local Housing Strategy), as they are residents/owners of property in the Burwood local government area. The Councillors will participate in the debate.

#### **DECLARATIONS OF POLITICAL DONATIONS**

There were no declarations of political interests by Councillors.

#### **CONFIRMATION OF MINUTES**

**2/20 RESOLVED** (*carried unanimously*)

That the minutes of the meeting of the Council of Burwood held on Tuesday 10

December 2019, 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)

**(ITEM MM1/20) PRELIMINARY HERITAGE INVESTIGATION - 15 GLADSTONE STREET BURWOOD**

File No: 20/4790

**Summary**

Development Application (DA) No. 2019.080 proposes the demolition of the existing house at 15 Gladstone Street Burwood and the construction of a child care centre with basement car parking. I understand the property is not currently heritage listed, nor located within a conservation area.

Accordingly, I wish to enact the procedure that was adopted by Council on 25 May 2010 for dealing with potential heritage items under threat. I request a preliminary heritage investigation be carried out by an independent heritage consultant on Council's behalf, and the findings be reported back to Council for its consideration.

A community member has provided some information on the house and its history which includes some sound reasons for further investigation. The house represents a good example of a Federation Bungalow, likely constructed between 1900 and 1912, and the house complements other heritage items in Gladstone Street.

**Operational Plan Objective**

- 1.4.4 Promote and celebrate the area's heritage and Indigenous history
- 4.3 Burwood's existing heritage integrated with high quality urban design
- 4.3.2 Maintain and preserve heritage through relevant planning strategies

3/20


**RESOLVED** *(carried unanimously)*

1. Council enact the procedure that was adopted by Council, at its meeting on 25 May 2010, for dealing with potential heritage items under threat.
2. Council engage an external heritage consultant to undertake a preliminary heritage investigation.
3. The findings of the investigation be reported back to Council.
4. The applicant of DA.2019.080 be encouraged to investigate the retention of the existing house as part of their development proposal.
5. That further consideration of DA.2019.080 be held in abeyance pending Council's consideration of this matter.

**(ITEM MM2/20) POP UP MARKETS AND ACTIVATION EVENTS**

File No: 20/4954

**Summary**

As you know Burwood continues to be considered an economic and activity hub in our 

region, and Council has been strategically trying to support events that encourage tourism, showcase the local community, promote local businesses and contribute to a healthy local economy and community life.

One of the most effective ways to promote and activate our local area has been through pop up markets and small food or cultural related initiatives.

There is a lot of interest from various providers to come and run pop-up events and initiatives in Burwood, but the feedback I have been receiving is that the current fees structure Council has to hire out space in the LGA is too expensive and complex to cater for such small one-off events.

### **Operational Plan Objective**

#### **Community and Lifestyle**

- 1.1 High quality activities and services to meet the diverse needs of the community
  - 1.1.4 Facilities that encourage community participation and promote a healthy and harmonious lifestyle
- 1.2 A well informed, supported and engaged community
  - 1.2.4 Foster a sense of community pride
- 1.4 An inclusive community that celebrates diversity
  - 1.4.3 Inclusive cultural events and initiatives to celebrate diversity and cultural heritage

#### **Vibrant City and Villages**

- 5.1 Stimulate Burwood's regional status and strategic status within central Sydney
  - 5.1.1 A stimulated the local economy and activate the Burwood CBD

### **4/20 RESOLVED (carried unanimously)**

The General Manager:

1. Investigates a new fee structure to encourage high quality activities and events that contribute to the development of Burwood's vibrant and sustainable local community, as part of the preparation for the Schedule of Fees and Charges for 2020/21.
2. Develop guidelines and criteria to assess applications against the Council objectives.

### **(ITEM MM3/20) BUSHFIRE RECOVERY SUPPORT AND DONATION**

File No: 20/5633

#### **Summary**

In response to the devastating bushfires impacting areas across New South Wales local, state and federal governments are working together with their communities to support and lead recovery and rebuilding.

Whilst we have experienced heavy rains in the last few days, let's not forget our State has been burning for many months and that these fires have caused destruction for families, communities and environment.

Recovery Support Group



As you might know Local Government NSW (LGNSW), Office of Emergency Management, Office of Local Government, City of Sydney and Sydney Resilience Office have partnered to establish the Local Government Bushfire Recovery Support Group (LGBRSG). This Group is assisting council disaster recovery and support operations in local communities. The LGBRSG is collecting and coordinating offers of support from councils so they can be matched to the areas where support is needed.

#### Coordination of donations

On 16 January 2020 the NSW Government announced it had commissioned national not-for-profit organisation GIVIT to coordinate the donation of much-needed goods and services.

GIVIT works with councils, charities and community groups as a virtual warehouse, matching donations to recipients in need of a particular item or service. This reduces the financial and administrative burden of sorting through and storing goods that may not be wanted, while still ensuring that those in need get the assistance they need. It also links residents seeking assistance to trusted local support services via an online hub.

All monetary donations received by GIVIT are used to buy essential items from local businesses to help generate local economic recovery.

#### Our support

At our Christmas Carols event in December 2019 we made the decision to not proceed with the fireworks display, instead choosing to donate the funds allocated for the show (\$4,000) to the Bushfires Relief Fund, a decision which we are officially ratifying tonight.

While, given our small organization, we might not be able to second staff members for extended periods of time to other councils, I understand the General Manager is investigating other possible avenues to provide support, such as via online solutions.

Finally, I have discussed with the General Manager the possibility to donate some of the furniture and office equipment from our current offices in Elsie Street to an affected Council, school or community group that might need them to rebuild their activities, once we move to our new premises in Conder Street.

#### **Operational Plan Objective**

1.4.5 Promote volunteering opportunities and local participation

2.2.1 Maintain dialogue between neighboring councils to share resources and improve provision of services

#### **5/20 RESOLVED** *(carried unanimously)*

1. Council donate the funds allocated to the Carols in the Park fireworks display, amounting to \$4,000, to the Bushfire Relief Fund.
2. The General Manager investigate the most efficient way to provide operational support to other Councils through the Local Government Bushfire Recovery Support Group.
3. The General Manager liaise with the Local Government Bushfire Recovery Support Group to identify a possible need for office furniture and equipment amongst councils, schools or community groups that have been affected by the fires.

4. Council encourage residents to use the GIVIT online service for coordinating the donation and receipt of goods and services for those impacted by the bushfires.

**(ITEM MM4/20) CORONAVIRUS - SUPPORT LOCAL BURWOOD BUSINESSES AFFECTED**

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File No: 20/5763

**Summary**

I have received representations from local Burwood businesses concerned with the impact the Coronavirus has had to their businesses.

The outbreak of the virus has negatively impacted the local business community especially within Chinese restaurants and retailers.

I request Council to write to Federal and NSW Governments to seek assistance through programs such as provide financial assistance to those experiencing a downturn in consumer activity.

**Operational Plan Objective**

- 1.1.1 Provide a diverse range of strategies and initiatives that meet the needs of the community
- 1.2.4 Foster a sense of community pride

**6/20 RESOLVED** (*carried unanimously*)

1. Council write to the Federal and NSW Governments to seek financial support to help local Burwood businesses experiencing hardship from a downturn in consumer activity.
2. Council undertake social media and activation programs to continue to promote the area and its businesses.
3. A letter from the Mayor be sent to the shop owners to notify them of Council's support and initiatives aimed at improving the economy of the area.

**ADDRESS BY THE PUBLIC ON AGENDA ITEMS**

Name	Item
Grace Gedeon	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy
Daizy Gedeon	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy
Michael Garcia	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy
Mary Gao	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy
Qiang Liu	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy

Abraham Constantin	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy
Bill Ters	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy
John Mountford	Item 1/20 - Adoption of Local Strategic Planning Statement and Local Housing Strategy

## GENERAL BUSINESS

### (ITEM 1/20) ADOPTION OF LOCAL STRATEGIC PLANNING STATEMENT AND LOCAL HOUSING STRATEGY

File No: 20/1952

#### Summary

The NSW Government amended the Environmental Planning and Assessment Act 1979 (EP&A Act) in March 2018 introducing new requirements for Councils to prepare a Local Strategic Planning Statement (LSPS) and Local Housing Strategy, to be followed by a review of their Local Environmental Plan (LEP) and Development Control Plan (DCP).

A draft LSPS has been prepared for Council that sets out the 20 year vision for the Burwood Local Government Area (LGA). It identifies the special character and values that are to be preserved and plans how growth in the LGA will be managed into the future.

On 23 July 2019, Council resolved to publicly exhibit the draft Burwood LSPS. The draft LSPS was exhibited from 13 August 2019 to 16 September 2020 and 78 submissions were received.

#### **Operational Plan Objective**

- 4.4.1 Provide advocacy on regional and metropolitan projects on behalf of the community
- 4.4.2 Partner with key stakeholders to deliver major projects
- 5.1 Maximise Burwood's regional and strategic status within inner western Sydney

#### **7/20 RESOLVED**

1. That the draft Local Strategic Planning Statement be endorsed and referred to the Greater Sydney Commission (GSC) for Assurance Review against consistency with the Eastern City District Plan.
2. That authority be delegated to the General Manager to 'make' the Local Strategic Planning Statement, subject to Council receiving a letter of support from the GSC LSPS Assurance Panel and any conditions or terms included in the letter of support.
3. That the draft Local Housing Strategy be endorsed and submitted to the DPIE for consideration and endorsement.
4. That the General Manager be delegated to make any minor amendments to the final LSPS and Local Housing Strategy required for submission to the GSC and DPIE.

(Moved Councillor Ernest Chan/Seconded Councillor George Mannah)

Councillors Lesley Furneaux-Cook and John Faker 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 Furneaux-Cook
Councillor Mannah	
Councillor Crichton	
Councillor Chan	
<b>Total (4)</b>	<b>Total (1)</b>

**CR LESLEY FURNEAUX-COOK LEFT THE MEETING, THE TIME BEING 07:43 PM**

**(ITEM MM5/20) MATTERS TO BE CONSIDERED IN THE PREPARATION OF THE DRAFT LOCAL ENVIRONMENTAL PLAN 2020**

**Summary**

Some of the comments we have recently received from our community relating to the Local Strategic Planning Statement (LSPS) are in fact matters that should be considered in the preparation of the Draft Local Environmental Plan.

**8/20 RESOLVED** (*carried unanimously*)

That Council as part of the LEP process further investigates:

- The extension of the Burwood Town Centre to the North (up to Parramatta Road) and to review the current zoning and land uses in that area
- An improved economic strategy for this precinct
- To review the current planning strategy in the transition areas of Livingstone Street, Conder Street, Clarence Street and Church Street up to Woodstock
- That Council review the economic strategy for the Burwood Town Centre area between Westfield and Burwood Train Station (Wilga Street to Railway Parade)

**CR LESLEY FURNEAUX-COOK RETURNED TO THE MEETING, THE TIME BEING 07:49 PM**

**CR JOHN FAKER LEFT THE MEETING, THE TIME BEING 07:50 PM AND COUNCILLOR GEORGE MANNAH TOOK THE CHAIR.**

**CR JOHN FAKER RETURNED TO THE MEETING, THE TIME BEING 07:53 PM AND RETURNED TO THE CHAIR.**

**CR ERNEST CHAN LEFT THE MEETING, THE TIME BEING 07:53 PM**

**CR ERNEST CHAN RETURNED TO THE MEETING, THE TIME BEING 07:54 PM**

**(ITEM 2/20) DELIVERY PROGRAM AND OPERATIONAL PLAN FY2019/2020 HALF YEARLY REPORT, 1 JULY - 31 DECEMBER 2019**

File No: 20/2023

**Summary**

A report on the progress of Council's Delivery Program 2018-21 is to be presented to Council on a half yearly basis in accordance with legislative requirements of the State Government's Integrated Planning and Reporting Framework (406(5) of the Local Government Act 1993).

#### **Operational Plan Objective**

2.1.3.2 – Ensure that all public information is accessible and made available in a timely manner

#### **9/20 RESOLVED** (carried unanimously)

That Council endorse the Delivery Program 2018-2021 Half Yearly Report for the Period of 1 July 2019 to 31 December 2019.

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

#### **(ITEM 3/20) LOT 1052, DP1253749 IN B2 EMERALD SQUARE 27-31 BELMORE STREET CARPARK - CLASSIFICATION AS OPERATIONAL LAND**

File No: 20/1282

#### **Summary**

As resolved by Council at its meeting on 27 November 2018, Council has purchased 25 car spaces located in B2 of Emerald Square, 27-31 Belmore Street Burwood, under Power of Attorney and in accordance with the *Local Government Act 1993* (the Act) needs to classify the land as Operational Land.

#### **10/20 RESOLVED** (carried unanimously)

That Council resolve to classify Lot 1052 in DP 1253749 as Operational Land in accordance with the *Local Government Act 1993*.

(Moved Councillor Heather Crichton/Seconded Councillor Ernest Chan)

#### **(ITEM 4/20) ENDORSEMENT - REVISED COMPLIANCE & ENFORCEMENT POLICY**

File No: 19/55966

#### **Summary**

A review has been conducted of the Compliance & Enforcement Policy by internal stakeholders and the Compliance Review Committee. The review has highlighted some changes relating to additional items raised by the Compliance Review Committee. The Policy provides Council's enforcement approach to various regulatory functions.

#### **Operational Plan Objective**

1.3.1 Minimise crime and enhance community safety

3.5.1 Services to encourage the community to take pride in the area to ensure public health

4.1.4 Road and pedestrian safety

#### **11/20 RESOLVED** (carried unanimously)



1. That the Council endorse the revised Compliance & Enforcement Policy to be placed on public exhibition in accordance with *Section 160 of the Local Government Act 1993* for a period of 28 days.
2. That the revised policy be made available to the public on Council's webpage and at Council's Customer Service Centre for a period of 28 days.
3. That at the expiration of the 28 days, after the public consultation period, a further report is tabled to Council for adoption of the revised Compliance & Enforcement Policy.

(Moved Councillor Ernest Chan/Seconded Councillor George Mannah)

**(ITEM 5/20) PROPOSED AMENDMENT TO SECTION 7.12 CONTRIBUTIONS PLAN FOR BURWOOD TOWN CENTRE**

File No: 20/3459

**Summary**

The Section 7.12 (formerly Section 94A) Contributions Plan for Burwood Town Centre was last amended to include a revision to its Works Schedule to reflect the budget approved by Council for the expansion of Burwood Library and Community Hub and the Burwood Park Pond upgrade works. Since this amendment, the tender process has revealed that the cost, to be funded by Section 7.12 contributions, for the Library and Community Hub expansion would be \$6,120,180, compared to \$3,800,000 shown in the Works Schedule, hence requiring a further amendment to the Section 7.12 Plan.

**Operational Plan Objective**

- 1.1.4.1 Offer a range of facilities for hire that accommodate the various types of use required by the community
- 2.4.1.1 Optimise the experience of visitors to Council and implement a service centre at the new Council Administration Offices

**12/20 RESOLVED** (*carried unanimously*)

1. That Council endorse the draft amended Section 7.12 Contributions Plan for Burwood Town Centre for public exhibition in accordance with the planning legislation.
2. That a further report be provided to the Council detailing the results of the public exhibition prior to Council resolving to adopt the amended Section 7.12 Contributions Plan.

(Moved Councillor George Mannah/Seconded Councillor Ernest Chan)

**(ITEM 6/20) MULTICULTURAL ADVISORY COMMITTEE TERMS OF REFERENCE**

File No: 19/41492

**Summary**

This report presents the updated Multicultural Advisory Committee (MAC) Terms of Reference for Council endorsement

**Operational Plan Objective**

1.4.2 Engage with culturally and linguistically diverse communities

**13/20 RESOLVED** *(carried unanimously)*

That Council endorses the updated Multicultural Advisory Committee Terms of Reference.

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

**(ITEM 7/20) BUDDHIST VESAK DAY CELEBRATION, BURWOOD PARK**

File No: 20/1029

**Summary**

The Chinese Buddhist Association of NSW Inc. has requested to hold a Buddhist Vesak Day Celebration event to celebrate the birth of Buddha in Burwood Park on Sunday, 17 May 2020.

The Organisation has also requested that Council assist with a donation to cover fees associated with the use of Burwood Park, including park hire fees, Council officers' costs and garbage removal costs.

**14/20 RESOLVED** *(carried unanimously)*

That Council donates \$3,755.00 from the Council Annual Donation Fund for Events and Initiatives, to the Chinese Buddhist Association of NSW Inc to cover fees associated with the use of Burwood Park for the Buddhist Vesak Day Celebration event to be held on Sunday, 17 May 2020.

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

**(ITEM 8/20) INVESTMENT REPORT AS AT 30 NOVEMBER 2019**

File No: 19/55504

**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*.

**Operational Plan Objective**

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

**15/20 RESOLVED** *(carried unanimously)*

1. That the investment report for 30 November 2019 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 George Mannah)

**(ITEM 9/20) INVESTMENT REPORT AS AT 31 DECEMBER 2019**

File No: 20/248

**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*.

**16/20 RESOLVED** (carried unanimously)

1. That the investment report for 31 December 2019 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

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

**(ITEM 10/20) ENDORSEMENT - BURWOOD COUNCIL COMMUNICATIONS POLICY**

File No: 20/2280

**Summary**

A review has been conducted of the Communications Policy by internal stakeholders and the Policy, Corporate Practices and Procedures Panel. The review has highlighted that the policy continues to be relevant with one minor change made to the Council Officer's title from Executive Manager Communications to Group Manager Corporate Planning and Communications.

**Operational Plan Objective**

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication
- 1.2.2 Modernise and enhance access to information on services
- 1.4.1 Celebrate the achievements of the local community
- 1.4.2 Engage with culturally and linguistically diverse community

**17/20 RESOLVED** (carried unanimously)

1. That the Council endorse the Communications Policy to be placed on public exhibition in accordance with *Section 160 of the Local Government Act 1993* for a period of 28 days.
2. That the revised policy be made available to the public on Council's webpage and at Council's Customer Service Centre for a period of 28 days.
3. That at the expiration of the 28 days, after the public consultation period, a further report is tabled to Council for adoption of the Communications Policy.

(Moved Councillor George Mannah/Seconded Councillor Ernest Chan)

**(ITEM 11/20) ENDORSEMENT - REVISED BURWOOD COUNCIL MEDIA POLICY**

File No: 20/2285

**Summary**

A review has been conducted of the Media Policy by internal stakeholders and the

Policy, Corporate Practices and Procedures Panel. The review has highlighted minor revisions only relating to change in job title from Executive Manager to Group Manager Corporate Planning and Communications and the inclusion of the Deputy Mayor, who at the request of the Mayor may speak on behalf of Council to media

#### **Operational Plan Objective**

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication
- 1.4.1 Celebrate the achievements of the local community

#### **18/20 RESOLVED** *(carried unanimously)*

1. That the Council endorse the revised Media Policy to be placed on public exhibition in accordance with *Section 160 of the Local Government Act 1993* for a period of 28 days.
2. That the revised policy be made available to the public on Council's webpage and at Council's Customer Service Centre for a period of 28 days.
3. That at the expiration of the 28 days, after the public consultation period, a further report is tabled to Council for adoption of the Media Policy.

(Moved Councillor George Mannah/Seconded Councillor Ernest Chan)

#### **(ITEM 12/20) ENDORSEMENT - REVISED BURWOOD COUNCIL SOCIAL MEDIA POLICY**

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File No: 20/2289

#### **Summary**

A review has been conducted of the Social Media Policy by internal stakeholders and the Policy, Corporate Practices and Procedures Panel. The review has highlighted an inclusion relating to the role of Council officers and the Mayor and Councillors personal social media platforms.

#### **Operational Plan Objective**

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication
- 1.2.2 Modernise and enhance access to information on services
- 1.4.1 Celebrate the achievements of the local community

#### **19/20 RESOLVED** *(carried unanimously)*

1. That the Council endorse the revised Social Media Policy to be placed on public exhibition in accordance with *Section 160 of the Local Government Act 1993* for a period of 28 days.
2. That the revised policy be made available to the public on Council's webpage and at Council's Customer Service Centre for a period of 28 days.
3. That at the expiration of the 28 days, after the public consultation period, a further report is tabled to Council for adoption of the Social Media Policy.



(Moved Councillor George Mannah/Seconded Councillor Ernest Chan)

## INFORMATION ITEMS

### **(ITEM IN1/20) PLANNING PROPOSAL TO RESTRICT SUBDIVISION OF DUAL OCCUPANCY DEVELOPMENT IN THE R2 ZONE**

File No: 20/4622

#### **Summary**

The Department of Planning, Infrastructure and Environment (DPIE) has issued a Gateway Determination for the Planning Proposal (PP) to restrict the subdivision of dual occupancy development in the R2 Low Density Residential zone.

#### **Operational Plan Objective**

##### 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

The NSW Government amended the State Environmental Planning Policy (Exempt and Complying Development Codes) 2009 in 2018. The amendment introduced the new Low Rise Medium Density Housing Code (LRMDHC) and additions to the Subdivisions Code, which will allow development for dual occupancies and their subdivision by Complying Development Certificates (CDCs) in the R2 Low Density Residential zone.

Council considered the implications of the LRMDHC and the Subdivisions Code, and resolved to prepare a PP to amend the Burwood Local Environmental Plan 2012 to prohibit the Strata and Community Title subdivision of dual occupancies in the R2 zone while providing development standards for Torrens Title subdivision of dual occupancies.

In response to the resolution of Council, a PP was prepared and submitted to the DPIE in January 2019. The PP sought to only permit Torrens Title subdivision of dual occupancies in the R2 zone with development consent, where each dwelling would occupy its own lot with a minimum site frontage of 12m and a minimum site area of 400sqm.

Since the PP lodgement, DPIE requested additional information and justification, to which Council staff responded.

DPIE issued a Gateway Determination on 24 January 2020. The Gateway Determination allows the PP to proceed to public exhibition, subject to the PP being further amended so that it will allow any type of dual occupancy subdivision in the R2 zone with development consent, if the development can meet the specified subdivision requirements (i.e., 12m minimum site frontage and 400sqm minimum site area for each dwelling).

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

### **(ITEM IN2/20) PLANNING PROPOSAL FOR SOUTHERN SIDE OF COOPER STREET, STRATHFIELD**

File No: 20/2691

#### **Summary**

The Department of Planning, Infrastructure and Environment (DPIE) has determined to approve the Planning Proposal (PP) for the southern side of Cooper Street, Strathfield.

The PP has resulted in Amendment No. 16 to the Burwood Local Environmental Plan (BLEP) 2012 coming into force on 17 January 2020.

### Operational Plan Objective

1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

A PP was submitted to Council in November 2014 to amend the zoning and development standards in the BLEP 2012, for land on the southern side of Cooper Street, in order to facilitate development for multi storey residential flat buildings.



Council resolved to not support the PP in February 2015, mainly due to potential adverse impacts on the existing heritage items within the subject site, on the streetscape character of Cooper Street and on the conservation areas and heritage items to the north of the subject land.

The proponent lodged a rezoning review request to DPIE in April 2015. Following deliberations by the then Joint Regional Planning Panel, DPIE issued a Gateway Determination in December 2016.

Despite concerns raised by Council staff, DPIE has determined to approve the PP. It has resulted in Amendment No. 16 to the BLEP coming into force on 17 January 2020. The BLEP amendment rezones the subject land from R2 Low Density Residential to R1 General Residential, increases the maximum Building Height from 8.5m to 11m, 14m and 20.5m and increases the maximum Floor Space Ratio from 0.55:1 to 1.2:1, 1.5:1 and 2.3:1 at various locations within the subject site, as shown below.





Affected and adjacent landowners have been notified by Council staff of this decision.

**No Decision – Information Item Only**

**(ITEM IN3/20) ZERO LITTER TO RIVER - MAYORAL MINUTE 12/19 UPDATE**

File No: 20/3557

**Summary**

At the 24 September 2019 Council meeting, Cr John Faker (Mayor) proposed Mayoral



Minute Item MM12/19 Zero Litter to River with the following items moved:

1. Burwood endorses a 'Zero Litter to River' target across the entire Local Government Area by 30 June 2030.
2. The Acting General Manager, in consultation with Stormwater NSW, industry and environmental groups, prepares a report to be brought back to Council prior to the 2020-2021 budget process to demonstrate the best alternatives for how this target can be achieved including timeframes and budgets.
3. The Acting General Manager prepares a report and conducts an audit of stormwater pits to identify what filtering or gross pollutant trap solutions are already being used, what other locations could benefit from their installation and report back to Council by February 2020.
4. The Acting General Manager reviews existing policies for waste management and investigates implementing a waste management strategy and prepares a report to be brought back to Council prior to the 2020-2021 budget process to demonstrate the best alternatives for how this target can be achieved including timeframes and budgets.

Civil & Environmental engineering consulting firm Civile Pty Ltd has been engaged to work with the various teams within the Land, Infrastructure and Environment division to facilitate and collate the outcomes of the MM. Civile company directors have extensive involvement with Stormwater NSW and other industry groups which makes them best suited to facilitate this process.

At this stage, Staff can confirm there is one operational GPT unit in Cheltenham Road, Croydon that screens large objects preventing them from entering the Wangal Park Ponds. The GPT is located just before the diversion pits. This GPT has worked successfully in protecting the ponds from large floating litter.

Council Staff and Civile have been discussing a future GPT in Comer Street Burwood as part of the Burwood Pond rehabilitation and maintenance review. This project is planned for the financial year 2020-2021 and included in the budget process.

The review by Civile is expected to be completed by the end of March 2020 and a report will be provided at the May 2020 Council meeting.

#### **Operational Plan Objective**

- 3.1.3 Ensure regular cleaning and maintenance of local areas to prevent damage to the environment
- 3.2 Provide sustainable waste management practices
  - 3.2.1 Promote existing recycling services
  - 3.2.2 Identify emerging waste management solutions
- 3.3 Educate the community on sustainable practices
  - 3.3.3 Encourage the community to take pride in the cleanliness and maintenance of the area
  - 3.4.3 Ensure planning promotes environmentally sustainable development to reduce impacts on the environment
- 5.3.2 Maintain an attractive Burwood CBD

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





**(ITEM IN4/20) EXECUTION OF AMENDED VOLUNTARY PLANNING AGREEMENT FOR 39-47 BELMORE STREET, BURWOOD**

File No: 20/3360

**Summary**

The amended Voluntary Planning Agreement (VPA) for 39-47 Belmore Street, Burwood has been executed following the renotification.

**Operational Plan Objective**

1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

A VPA was executed in May 2017 in connection with Development Application (DA) No. 193/2015 for the subject site. The VPA provides for the owner and developer to dedicate to Council approximately 4,000sqm of commercial office space, 55 car parking spaces, a linking bridge to the Burwood Library and Community Hub and stratum subdivisions.

Further negotiations between Council Officers and the developer were undertaken to progress the construction and dedication of Council's plans for the relocation of its offices, to enhance public benefits and to enable Council to complete its own fit-out. As a result, the VPA requires amendments to include further dedication of land to Council, leasing of land from Council and the payment by the owner and developer of \$1,032,956.10 (including GST) to cover Council's costs associated with carrying out fit-out works to the commercial office space.

Council at its meeting of 22 October 2019 resolved to enter into the amended VPA for 39-47 Belmore Street, Burwood following the renotification period.

The amended VPA was re-notified between 26 November 2019 and 24 December 2019. The owner and developer paid Council the monetary contribution on 17 January 2020. The amended VPA was executed on 23 January 2020.

**(ITEM IN5/20) REGISTER - TRIBUTES TO RESIDENTS - COUNCILLORS' EXPENSES AND FACILITIES POLICY 1 OCTOBER 2019 TO 31 JANUARY 2020**

File No: 20/3391

**Summary**

The Councillors' Expenses and Facilities Policy was amended via a Mayoral Minute on 16 April 2019 (MM 54/19) to include a \$2,500 budget for the Elected Body to offer wreaths, flowers or the equivalent for particular reasons, including in the event of the passing of a resident.

To ensure transparency in allocation of funds, a Quarterly Report on expenses is presented to Council. This report covers the period 1 October 2019 – 31 January 2020.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making

**No Decision – Information Item Only****(ITEM IN6/20) MAYORAL DISCRETIONARY GRANTS - SMALL DONATIONS MADE FOR THE PERIOD ENDING 31 DECEMBER 2019**

File No: 20/2430

**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. Accordingly, the Discretionary Grants for the quarter ending 31 December 2019 is presented to Council.

**No Decision – Information Item Only****(ITEM IN7/20) REPORTS APPROVED UNDER DELEGATED AUTHORITY - DURING THE 2019- 2020 RECESS PERIOD**

File No: 20/2425

**Summary**

Council, at its meeting of 26 November 2019, granted delegated authority to the Mayor and General Manager to deal with matters during the Council recess period as follows:

1. *That for the period from 11 December 2019 until the first Council Meeting of 2020, Council delegates the following to both the Mayor and the General Manager:*
  - *Writing Off Accounts - to approve the writing off of accounts greater than \$5,000.*
  - *Writing Off Stores and Materials – to approve the writing off of items greater than \$5,000*
2. *That the Deputy Mayor be granted these delegations in the absence of the Mayor or the General Manager.*
3. *That all decisions made under the above delegations be subsequently reported for the information of Councillors at the first Council Meeting of 2020.*

**Decisions Made During the Recess Period**

No decisions were made under Delegated Authority during the Recess Period.

**No Decision – Information Item Only****(ITEM IN8/20) SAFE & CLEAN TEAM - QUARTERLY PERFORMANCE REPORT**

File No: 20/385

**Summary**

This report provides performance information on the Safe & Clean Team for the second quarter of the 2019/20 period.



The Safe & Clean Team operates on a daily basis between the hours of 10am to 6pm. The Safe & Clean Team patrols all main business streets in the Burwood Local Government Area as defined in the contract including Burwood Road, Liverpool Road, The Boulevarde, The Strand and Georges River Road. The Safe & Clean Team like the name suggests focuses on ensuring that the main business streets are always clean by removing light litter and cleaning infrastructure as well as reporting all crime activity to Police and local law breaches to Council. The Safe & Clean Team provides a key visual presence of Council along the main commercial streets during the above hours. Below highlights the performance for the quarter:

Activity	October 2019	November 2019	December 2019	Quarterly Total
Rubbish removed from roadway	1690 litres 14 (120L bins)	1569 litres 13 (120L bins)	1920 litres 16 (120L bins)	<b>5179 litres 43 (120L bins)</b>
Shopping trolleys reported and removed into side streets	78	48	60	<b>186</b>
Advertising posters removed	23	15	30	<b>68</b>
Report Graffiti on Council Property	0	4	7	<b>11</b>
Report Road Obstructions	0	0	0	<b>0</b>
Small spill cleaned ups	43	70	130	<b>243</b>
Report crime	0	0	0	<b>0</b>
Distribute information leaflets	0	0	0	<b>0</b>
Report maintenance issues	0	0	0	<b>0</b>

In regards to light litter removed from the roadways – this has decreased for the quarter compared to the previous period with Burwood Road providing the most dumped light litter due to a high pedestrian traffic.

In regards to shopping trolleys – fewer trolleys were removed from the main street this period (300 less than last period) due to Coles staff members intercepting customers before they leave the Westfield Shopping Centre.

In regards to advertising posters – these matters relate to posters displayed on power and traffic poles and were removed by the Team.

In regards to small spills cleaned up – there appeared to be an increase during the period especially in December due to the festive shopping season. Overall the presence of the Safe & Clean Team, continue to have a huge impact towards beautification of the main streets and the safety of the local community.

#### Operational Plan Objective



- 1.1.1 A safe community for resident, workers and visitors
- 1.1.2 Maintain clean and attractive streets and public spaces

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

### **(ITEM IN9/20) PETITIONS**

File No: 20/1154

#### **Summary**

Petitions received are reported to Council on a monthly basis. Council has received one petition since the December 2019 Council Meeting.

#### **Operational Plan Objective**

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

#### **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>
2 December 2019	Petition received requesting that measures be taken to ensure the residents' right to safely exit and enter their houses on Coronation Parade Enfield (between King Street and Mitchell Street).	13	0	Land, Infrastructure and Environment
14 January 2020	Petition received requesting that all parking within Froggatt Crescent Croydon be restricted to Froggatt Crescent residents and their visitors (with permits) only, or alternatively, that Froggatt Crescent be made Restricted Parking (other than for those with resident permits) for two hours, Monday to Friday 8.30am to 6.30pm, during school terms only.	4	0	Land, Infrastructure and Environment

#### **Comments**

That Council notes that the Petitions have been referred to the appropriate Council Officers for attention.

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





**(ITEM IN10/20) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 10 DECEMBER 2019**

File No: 20/1218


**Summary**

At the Council Meeting of 10 December 2019 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 15 January 2020 of the outcome of the QWN.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

This is now submitted as part of the Council Agenda for Public Notification:

<b>QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 10 DECEMBER 2019</b>	
<b>Question</b>	<b>Response</b>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 1:</b></p> <p>What are the protocols to protect outside staff during smoke hazard days such as occurred on 10 December 2019?</p>	<p><b><u>Group Manager - People &amp; Culture</u></b></p> <p>A WHS Tool Box Talk on Air Quality and Bushfire Smoke has been delivered to all outdoor staff in December 2019.</p> <p>P2 masks have been made available to all outdoor staff.</p> <p>Air quality has been monitored on a continuous basis.</p>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 2:</b></p> <p>With regard to 17 Waimea Street Burwood, the current home of Burwood Scouts, has the land already been rezoned from the community as part of Burwood RSL's development proposal?</p>	<p><b><u>Executive Strategic Planner – Heritage Advisor</u></b></p> <p>The property has been zoned B4 Mixed Use since May 2010 when the Burwood Town Centre LEP came into force. There would be no need to rezone the land for a commercial or residential development.</p>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 3:</b></p> <p>With the continuing drought,</p>	<p><b><u>Engineer Traffic and Design</u></b></p> <p>The new turf for Blair Park is scheduled for</p> 

Level 2 Restrictions, and the prospect of no rain into the future, how will the new turfing of Blair Park proceed, especially in light of the Burwood Soccer Club's pre-season training? Are there alternative parks such as Flockhart Park?	installation Tuesday 14 January 2020. Council's contractors have successfully applied to Sydney Water for an exemption to ensure the turf is watered and established. Further, Council is currently working with Sydney Water to identify assets that will require further exemptions should the restrictions be escalated. At this stage, Blair Park is on schedule to be ready for the 2020 Soccer Season during the month of March 2020 as originally planned.
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**No Decision – Information Item Only****QUESTIONS WITHOUT NOTICE**

The following Questions Without Notice were submitted at the Meeting:

**Councillor Lesley Furneaux-Cook****Question 1:**

A number of trees on Burwood Road needed to be removed for various reasons. Will they be replaced?

**Question 2:**

I noticed struts in the basement of 2-4 Elsie Street Burwood. Why are they there?

Councillor Furneaux-Cook thanked staff for their hard work during the recent storm period.

**Councillor Heather Crichton****Question 1:**

Can the General Manager investigate if our current budget would allow us to engage an economic development/public place making manager for a twelve month period?

This concluded the business of the meeting and Council rose at 8.16 pm.

Confirmed this Tuesday 24 March 2020.

  
**MAYOR**