



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, 24 July 2012 commencing at 6.04pm.

ATTENDANCE

Councillor Christine Donayre
Councillor Sally Deans
Councillor John Faker (Mayor)
Councillor Lesley Furneaux-Cook
Councillor Henson Liang
Councillor Ernest Wong (Deputy Mayor)

Mr M McMahon, General Manager
Ms V Lee, Deputy General Manager Corporate, Governance & Community
Mr B Macdonnell, Deputy General Manager Land, Infrastructure & Environment
Mr T Briscese, Executive Manager
Mr W Armitage, Chief Finance Officer
Mr B Mortimer, Manager Organisational Development
Mr J Inglese, Senior Manager Assets & Design
Mr H Gavrilis, Manager Environment & Health
Mr R Di Federico, Manager Transport & Transport
Ms D Luo, Manager Strategic Planning
Mr N Creevey, Acting Media & Communications Co-ordinator
Ms P Viney, Governance Co-ordinator
Ms Y Tome, Governance Officer

OPENING OF MEETING

The Mayor opened the meeting with a prayer.

Mayor John Faker made a speech in relation to Judy Eyde's passing:

It was with great sadness that I received the terrible news earlier this month that one of our librarians, Judy Eyde, passed away.

Judy worked with Burwood Council for nearly 20 years, especially focused on children's story time which has developed into a popular event for local families thanks greatly to Judy's hard work.

I'm sure everyone can appreciate the difficult period the Library staff have experienced lately and I would like to acknowledge their professionalism and their loss. Burwood Council staff turned out in good numbers to remember Judy at her funeral on 11 July 2012.

Judy is survived by her husband, Brett, two sons, Seaton and Callum and daughter, Sarah.

She will be missed by many at Council, I would like everybody to take a moment to reflect in silence on Judy's passing and her contribution to our community.

OPEN FORUM

There was no business for this item.

APOLOGIES

That there were no apologies.

DECLARATIONS OF INTEREST

There were no declarations of interests by Councillors.

DECLARATIONS OF POLITICAL INTEREST

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES

100/12 RESOLVED (Carried Unanimously)

That the minutes of the meeting of the Council of Burwood held on Tuesday 26 June 2012, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

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

MAYORAL MINUTE

(ITEM MM18/12) CROYDON PUBLIC SCHOOL – PEDESTRIAN SAFETY FACILITIES

File No: 12/33663

Summary

At the March Ordinary Council Meeting, Council approved a report of the Burwood Local Traffic Committee for the installation of pedestrian safety facilities to assist students of Croydon Public School. These facilities included a raised marked foot crossing in Young Street, south of Macgregor Street, a pedestrian refuge in Irrara Street, at its intersection with Young Street, as well as a traffic island in Macgregor Street, at its intersection with Young Street. Following further feedback from some residents it is now proposed to proceed with the works with a flat marked foot crossing and marked traffic islands.

101/12 RESOLVED (Carried Unanimously)

That Council proceed with the works as proposed with a flat marked foot crossing in Young Street, south of Macgregor Street and marked traffic islands in McGregor and Irrara Streets subject to further consultation with Croydon Public School.

(ITEM MM19/12) NSW GOVERNMENT'S GREEN PAPER ON PLANNING

102/12 RESOLVED (Carried Unanimously)

1. That Council raise objection to the NSW Government's Green Paper – A new planning system for NSW.
2. That Council formally makes a submission objecting to the proposed loss of its planning powers and how it will diminish community consultation as part of this

process.

3. That the Mayor drafts a letter to all the residents in the Local Government Area asking them to sign a petition objecting to the NSW Governments' motives of taking away more planning powers from Councils which I believe favour developers.
4. That Council provide a link on Council's website and create a petition on Facebook.

(ITEM MM20/12) REVIEW OF SERVICE STANDARDS

103/12 RESOLVED (Carried Unanimously)

That Council undertake a review of the service standard for the following:

- a. Pensioner mowing service
- b. Graffiti removal
- c. Street sweeper cleaning service
- d. Dumped rubbish
- e. Disability accessibility

The General Manager is to include in the report back to Council:

1. A comparison of 2012 service standards with 2008?
2. Strategies that Council can implement to improve these services to make them more regular.

(ITEM MM21/12) BELMORE STREET, BURWOOD

104/12 RESOLVED (Carried Unanimously)

Can Council investigate the possibility of having the 185 car spaces in the Belmore Street Car Park once developed, converted to a Commuter Parking Permit Scheme for local residents of Croydon Park and Enfield (who currently do not have access to rail transport) being eligible to apply for the scheme.

(ITEM MM22/12) RESIDENTS SURVEY

105/12 RESOLVED (Carried Unanimously)

Council to undertake a resident's survey for a 4hr resident parking scheme (RPS) in Bold, Belgrave, Minna and Angelo Streets, Burwood.

(ITEM MM23/12) RESTRICTED PARKING AREAS

106/12 RESOLVED (Carried Unanimously)

1. Council to remove the following restricted parking areas to allow unrestricted commuter parking spaces:
 - a. Area of Waimea Street (North side) between Boronia Street and the Sepp5 homes on Waimea Street
 - b. Along Conder Street (East side) between Livingstone Street and Woodside Avenue
 - c. Lucas Road (East side) between Waimea Street and 122 Lucas Road
 - d. Esher Street (East side) between Milton and New Street
 - e. Milton Street (South side) between Shaftesbury Road and Archer Street
 - f. Burwood Road (East side) between Duff Street and Ethel Street
 - g. Areas along Albert Crescent that could accommodate unrestricted parking
 - h. Any similar area that can be identified by the General Manager
2. A review of these measure after six months from the date of implementation.

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

Name	Item
Mr Roderick Chambers 3/22 Collingwood Street Drummoyne	NM2/12 Partnership with Woodstock Players
Ms Kaye Lopez 13/11 Williams Parade Dulwich Hill	NM2/12 Partnership with Woodstock Players
Mr Ed Harvey 60 Cheltenham Road Croydon	RC4/12 Burwood Local Traffic Committee

NOTICES OF MOTION**(ITEM NM1/12) PROTECT BURWOOD FROM COAL SEAM GAS MINING BY COUNCILLOR CHRISTINE DONAYRE**

File No: 12/32004

Background

Coal seam gas (CSG) mining is expanding in NSW in spite of the growing concern about the negative impact on underground water in terms of supply and contamination. It also generates significant waste water and requires a large number of heavy vehicle movements to support drilling and waste removal.

There have been recent reports of fugitive emissions from the coal seam gas operations in the Pilliga forest. In February, Santos admitted to contamination of the forest as a result of CSG mining. Commentary on the Santos report by Stop Pilliga Coal Seam Gas group is attached and makes for chilling reading.

Dart Energy holds a Petroleum Exploration Licence (463) over 2,392 sq km of the Cumberland Plain which includes the entire Burwood Council area (see attached map). They have been granted approval by the Department of Primary Industries to conduct exploratory drilling in St Peters in the City of Sydney LGA and have indicated their intention to seek further drilling sites within the Sydney metropolitan area.

Motions against CSG mining by Leichhardt, Wingecarribee and City of Sydney Councils were passed at last year's LGA Conference.

107/12 RESOLVED (Carried)

1. Oppose coal seam gas exploration and mining until it can be proven to be sustainable and not interfere with aquifers.
2. Call on the Premier of NSW to ban Coal Seam Gas Mining and Exploration in the Sydney basin.
3. Write to the local Members of Parliament (both state and federal) seeking support for Council's position.
4. Support other Councils in NSW in their opposition to Coal Seam Gas Mining.

(Moved Councillor Christine Donayre/Seconded Deputy Mayor Ernest Wong)

(ITEM NM2/12) PARTNERSHIP WITH WOODSTOCK PLAYERS BY COUNCILLOR LESLEY FURNEAUX-COOK

File No: 12/33197

Background

I have received representations from members and supporters of Woodstock Players. Please refer to the email attached to this report in the agenda from their President, Mr. Roderick Chambers.

Woodstock Players has been a Burwood institution for the past 27 years providing high quality theatre to Burwood residents. In fact, it is one of the few theatre groups in the Inner West.

As Mr. Chambers' email highlights, this community group is at a crossroads and is facing many challenges that may threaten Woodstock Players ongoing viability. I believe that this would be a great loss to our community.

I note that in the Resolution of Council on 7 December 2010 Council agreed to partner with the Joan Sutherland Society. One of the benefits to Council was that Burwood Council would take a leadership role as a major promoter of arts and cultural activities in Burwood and in the Inner West.

I also note that as part of Council's 2030 Plan, it advocates Council supporting the arts to bring people together as part of promoting a healthy community.

At this stage, I would ask that staff investigate the issues outlined in Mr. Chambers' correspondence, report on a proposed partnership, including the benefits and financial implications for Council and report back to Council.

108/12 RESOLVED (Carried Unanimously)

1. Council staff investigate a partnership between the Woodstock Players and Burwood Council and report back to Council.
2. That the report specifies the details of the partnership, including benefits and financial implications for Council.
3. Council staff investigate the other issues highlighted in Mr. Chambers' email.
4. That a financial plan be submitted by Woodstock Players to Council staff as part of the investigation.

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

COUNCILLOR HENSON LIANG ARRIVED AT THE MEETING AT 7.05PM

(ITEM NM3/12) INVESTIGATION INTO ALCOHOL FREE ZONE - REED RESERVE, CROYDON BY COUNCILLOR LESLEY FURNEAUX-COOK

File No: 12/33206

Background

I have had a number of complaints from residents near Reed Reserve regarding the noise and consumption of alcohol in Reed Reserve at The Strand.

Reed Reserve is a small pocket park that provides play equipment for young children with two park benches.

It is next to Imar Hall that operates, at times, as a function centre for hire. It would seem that the operators of the Hall have recently tightened their conditions of use and the local residents commend them for this. However, revellers still tend to spill out drinking into the playground late at night.

Residents have found broken glass and bottles in the children's playground posing a significant risk for those children playing and their parents.

Police and Rangers are unable to stop people from consuming alcohol in the children's playground as there are no restrictions.

I believe an "alcohol free zone" may improve the appropriate amenity and safety, not only for residents, but for the children in the playground. I believe it will have no negative financial consequences to any businesses, including Imar Hall.

109/12 RESOLVED (Carried Unanimously)

Council investigates the creation of an "alcohol free zone" in Reed Reserve, Croydon, under Council's *Prohibition of Alcohol in Public Spaces* policy, and to supply garbage bins and report back to Council.

(Moved Councillor Lesley Furneaux-Cook/Seconded Mayor John Faker)

REPORTS OF COMMITTEES

COUNCILLOR HENSON LIANG LEFT THE MEETING AT 7:13PM

COUNCILLOR SALLY DEANS LEFT THE MEETING AT 7:18PM

COUNCILLOR HENSON LIANG RETURNED TO THE MEETING AT 7:22PM

COUNCILLOR SALLY DEANS RETURNED TO THE MEETING AT 7:28PM

(ITEM RC4/12) BURWOOD LOCAL TRAFFIC COMMITTEE - 5 JULY 2012

File No: 12/31963

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of 5 July 2012. The Minutes are hereby submitted to the Ordinary Council Meeting for formal consideration and adoption by Council.

110/12 RESOLVED (Carried Unanimously)

That the minutes of the Burwood Local Traffic Committee of 5 July 2012 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

(ITEM T.18/12) BURWOOD PUBLIC PARKING STRATEGY REVIEW - RESIDENT SURVEYS

1. That Council approve the changes to parking restrictions in Cheltenham Road, between Queen Street and Albert Crescent, to 4P parking on both sides, 8am – 6pm Monday to Friday, 8am – 1pm Saturdays, permit Holders Excepted Area 10 subject to consultation with the residents via a resident survey.
2. That Council approve the changes to the existing parking restrictions in Lucas Road, between Parramatta Road and Albert Crescent, from the existing 1P parking restrictions to 2P parking restrictions 8am – 6pm Monday to Friday, 8am – 1pm Saturdays, permit Holders Excepted Area 10 with Council to monitor these changes in six months.
3. That Council approve the changes to parking restrictions in Wallace Street, between Paisley Road and Fitzroy Street, from the existing 1P parking restrictions to 2P parking restrictions 8am – 6pm Monday to Friday, 8am – 1pm Saturdays, permit Holders Excepted Area 5.
4. That no changes to parking restrictions in Nicolson Street, between Coronation Parade and Wentworth Road, be implemented at this time, with Council to monitor any changes to parking levels in this street.

(ITEM T.19/12) ROWLEY STREET, BURWOOD - PROPOSED CHANGE OF TRAFFIC MANAGEMENT NEAR MLC SCHOOL

1. That Council defer the installation of a raised marked pedestrian crossing in Gordon Street at the location of the existing unsupervised children's crossing for further consultation and investigation with residents and MLC School with a view to relocate the existing pedestrian crossing in Rowley Street further west.
2. That Council defer the relocation of the 19.0m long bus zone from the northern side of Rowley Street, west of Park Road, to the southern side of Rowley Street, west of Gordon Street for further investigation and consultation with residents and MLC School.
3. That Council approve the reduction of the Bus Zone in Grantham Street from 20.0m to 10.0m (2 buses to 1), with the existing Bus Zone on western side of Gordon Street to be used.
4. That Council approve the extension of No Parking (Kiss and Ride) restrictions in Rowley Street and Grantham Street where Bus Zones have been relocated or removed.
5. That Council approve the installation of a blister island on the northern side of Rowley Street, east of Grantham Street within the statutory 10.0m No Stopping to prevent illegal parking and queuing.
6. That Council defer the installation of a blister island on the northern side of Rowley Street, east of Grantham Street within the statutory 10.0m, No Stopping to prevent illegal parking and queuing for further investigation and consultation with residents and MLC School.
7. That Council approve the installation of a 10.0m long pedestrian safety fence in Park Road opposite No. 23 Park Road, in front of the school to help prevent students from spilling into the road carriageway, to be funded by MLC School.

(ITEM T.20/12) CROSS STREET, CROYDON - NO PARKING RESTRICTIONS

That Council approve the installation of No Parking restrictions on the southern side of Cross Street, between Cheltenham Road and Webb Street.

(Moved Deputy Mayor Ernest Wong/Seconded Councillor Henson Liang)

GENERAL BUSINESS**(ITEM 62/12) AMENDMENT OF SECTION 94A CONTRIBUTIONS PLAN FOR THE BURWOOD TOWN CENTRE**

File No: 12/31123

Summary

A draft amendment of the Section 94A Contributions Plan (S94A Plan) for the Burwood Town Centre (BTC) has been publicly exhibited in accordance with the relevant legislation. One submission was received in respect to the exhibition. It is recommended that the Plan be adopted with minor changes.

111/12 RESOLVED (Carried Unanimously)

1. That Council adopt the amendment of the Section 94A Contributions Plan for the Burwood Town Centre as exhibited, subject to:
 - (a) inclusion of an additional map showing properties for land acquisition as identified in the Schedule of Works;
 - (b) references to the Land Reservation Acquisition Map in the Schedule of Works be replaced with references to the abovementioned map;
 - (c) revision of Section 2 to include a reference to the upcoming *BLEP 2012*; and
 - (d) revision of Section 9 and Schedule 5 to require payment of contributions under a Complying Development Certificate (CDC) to be made within two days of the date of issue of the CDC.
2. That the amended Section 94A Contributions Plan for the Burwood Town Centre be brought into effect in accordance with the *Environmental Planning and Assessment Regulation 2000*.

(Moved Deputy Mayor Ernest Wong/Seconded Councillor Henson Liang)

(ITEM 63/12) DRAFT SECTION 94A CONTRIBUTIONS PLAN FOR OUTSIDE THE BURWOOD TOWN CENTRE

File No: 12/31374

Summary

Council at its Extraordinary Meeting of 15 May 2012 considered a report on the exhibition of the draft *Burwood Local Environmental Plan (BLEP) 2012* and the draft Section 94A Contributions Plan (S94A Plan) for Outside the Burwood Town Centre (BTC). It was proposed in that report that the draft S94A Plan proceed to finalisation without change to the proposed levy application, thresholds and rates and that the S94A Plan become effective concurrently with the draft *BLEP*.

It is recommended in this report that Council adopt the draft S94A Plan and bring it into operation prior to the *BLEP* becoming effective and that unused funds in the superseded Section 94 Plans be rolled over to the S94A Plans (for the BTC and for Outside the BTC).

112/12 RESOLVED (Carried Unanimously)

1. That Council adopt the Section 94A Contributions Plan for Outside the Burwood Town Centre as exhibited, subject to:
 - (a) updates to the Works Schedule (as highlighted in yellow) to account for current information on specific projects which have now been completed or been amended in respect of timing and cost estimates of specific projects, as mentioned in the report considered by Council on 15 May 2012; and
 - (b) revision of the section and schedule on CDCs to require payment of contributions under a CDC to be made within two days of the date of issue of the CDC.
2. That the Section 94A Contributions Plan for Outside the Burwood Town Centre be brought into effect in accordance with the *Environment Planning and Assessment Regulation 2000*, ahead of the *BLEP 2012* becoming effective.
3. That all unused funds in the Section 94 Plans, which will be repealed upon the Section 94A Plan for Outside the BTC becoming effective, be rolled over for use in the implementation of the Section 94A Plans (for the Burwood Town Centre and for Outside the Burwood Town Centre).

(Moved Deputy Mayor Ernest Wong/Seconded Councillor Henson Liang)

(ITEM 64/12) CODE OF CONDUCT - ANNUAL REPORT OF COMPLAINTS 2011-2012

File No: 12/30925

Summary

In accordance with the *Local Government Act 1993* and the Code of Conduct, the General Manager is required to annually report to Council on Code of Conduct complaints.

113/12 RESOLVED (Carried Unanimously)

That Council note that there have been no Code of Conduct complaints made against any Councillor for the year ended 2011-2012.

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

(ITEM 65/12) END OF TERM REPORT

File No: 12/31676

Summary

The outgoing Council is required under Section 428(2) of the *Local Government Act 1993* to report on Council's progress in implementing the Community Strategic Plan during its term.

The report outlines how the Council is progressing towards achieving the social, environmental, economic and civic leadership objectives of the Burwood2030 Community

Strategic Plan.

114/12 RESOLVED (Carried Unanimously)

That Council approve the End of Term Report and instruct the General Manager to advertise the Report to the community via Council's website, Mayoral Column and by making hard copies of the Report available at the Council Chambers and at the Council Library.

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

(ITEM 66/12) DELIVERY PROGRAM 2011/12 - QUARTERLY REPORT FOR THE PERIOD ENDING 30 JUNE 2012

File No: 12/32156

Summary

Following introduction of the Integrated Planning and Reporting framework in 2009, Section 404(5) of the *Local Government Act 1993* requires that the General Manager provide regular progress reports to the Council, at least every six months, as to its progress with respect to the principal activities detailed in its Delivery Program.

As per Burwood Council's Delivery Program 2011-15 (Strategic Goal 2.1.3), a review of the Program is to be presented to Council on a quarterly basis.

This report represents the fourth quarterly review of the Delivery Program 2011-15, adopted by Council on 28 June 2011.

115/12 RESOLVED (Carried Unanimously)

That Council endorse the Delivery Program 2011-15 Quarterly Report for the period ending 30 June 2012.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Sally Deans)

(ITEM 67/12) INVESTMENT REPORT AS AT 30 JUNE 2012

File No: 12/31397

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*.

116/12 RESOLVED (Carried Unanimously)

1. That the investment report for 30 June 2012 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved Councillor Christine Donayre/Seconded Councillor Sally Deans)

(ITEM 68/12) ADOPTION - DRAFT BURWOOD LIBRARY MEETING ROOM USE POLICY

File No: 12/31017

Summary

To seek the Council's adoption of the Draft – Burwood Library Meeting Room Use Policy. The Policy outlines the conditions of use relating to the meeting rooms at Burwood Library.

- 117/12 RESOLVED** (Carried Unanimously)
That Council adopts the Draft – Burwood Library Meeting Room Use Policy.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Sally Deans)

COUNCILLOR HENSON LIANG LEFT THE MEETING AT 7:49PM

(ITEM 69/12) ADOPTION - DRAFT REIMBURSEMENT OF LEGAL EXPENSES - DESIGNATED PERSONS

File No: 12/30929

Summary

To seek the Council's adoption of the Draft – Reimbursement of Legal Expenses – Designated Persons Policy. The Policy ensures that Designated Persons (in their role as a public official) who have not had an adverse finding or recommendation against them as part of an investigation or legal proceeding have the ability to seek reimbursement of their legal expenses.

- 118/12 RESOLVED** (Carried Unanimously)
That Council adopts the Draft – Reimbursement of Legal Expenses – Designated Persons Policy.

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

(ITEM 70/12) POLICIES TO BE RESCINDED BY COUNCIL

File No: 12/30980

Summary

To seek Council's rescission of the Maternity Leave, Staff Resignations, One & Two Cents Coins Polices and Letters from the Ombudsman Guidelines as these documents are no longer relevant or have been superseded.

- 119/12 RESOLVED** (Carried Unanimously)
That Council rescinds the:
1. Maternity Leave Policy
 2. Staff Resignations Policy
 3. One & Two Cents Coin Policy
 4. Letters from the Ombudsman Guidelines

as they are no longer relevant or have been superseded.

(Moved Councillor Sally Deans/Seconded Councillor Christine Donayre)

(ITEM 71/12) GREEN ACTION PLAN - REVIEW

File No: 12/32547

Summary

This report is to advise Council of the review and update of the Green Action Plan (the Plan) and recommends the adoption of the revised Plan by Council.

120/12 RESOLVED (Carried Unanimously)

That the revised Green Action Plan 2012 be endorsed and noted by Council subject to minor amendments to the Plan.

(Moved Councillor John Faker/Seconded Councillor Christine Donayre)

COUNCILLOR SALLY DEANS LEFT THE MEETING AT 8:01PM

(ITEM 72/12) NSW LOCAL INFRASTRUCTURE RENEWAL SCHEME APPLICATION

File No: 12/33162

Summary

The Minister for Local Government has advised Council that an application for a 4% loan interest subsidy under the NSW Government's Local Infrastructure Renewal Scheme (LIRS) has been successful.

121/12 RESOLVED (Carried Unanimously)

1. That Council approve the proposal to seek offers of interest from various financial institutions to service Council's requirement to fund the \$1 million loan.
2. That Council request a further report on the successful Financial Institution and interest rate offered to Council.
3. That Council authorise the General Manager to complete and sign the necessary Division of Local Government documentation accepting the offer of 4% interest subsidy on the \$1 million Loan Borrowing Program.

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

INFORMATION ITEMS**(ITEM IN25/12) PETITIONS**

File No: 12/31014

Summary

Two Petitions have been received by Council.

Background

Date Received	Petition Subject	No. of Business/Household Signatures	Action
27 June 2012	Development Application 2011.127 – 1 Greenhills	13	Land, Infrastructure & Environment

	Street, Croydon – Residents objecting to the development of a 3 storey residential flat building with basement car parking.		
6 July 2012	Petition by Mayor – To lobby the NSW State Government to install lifts and ramps at Croydon Station	93	Land, Infrastructure & Environment

No Decision – Information Item Only**(ITEM IN26/12) ANSWERS TO QUESTIONS WITHOUT NOTICE FOR THE COUNCIL MEETING OF 26 JUNE 2012**

File No: 12/31488

Summary

At the Council Meeting of 26 June 2012 Questions without Notice (QWN) were submitted by Councillors. Staff responded to the QWN and Councillors were notified on 4 July 2012 of the outcome of the QWN.

No Decision – Information Item Only**(ITEM IN27/12) AUDIT COMMITTEE - SUMMARY REPORT**

File No: 12/32417

Summary

This summary report is presented to Council to brief councillors and the public on activities of the Audit Committee.

No Decision – Information Item Only**(ITEM IN28/12) STRATEGIC WASTE ISSUES - SSROC SUBMISSION TO NSW GOVERNMENT**

File No: 12/32690

Summary

This report is to advise Council of a letter of 12 June 2012 forwarded to the NSW Ministers for Environment, Planning and Infrastructure and Local Government highlighting a range of concerns in relation to waste management in the southern Sydney region and making recommendations to address those concerns.

No Decision – Information Item Only**(ITEM IN29/12) POWER OF ATTORNEY FOR THE GENERAL MANAGER**

File No: 12/32719

Summary

At the Council Meeting of 28 June 2011, Council resolved to delegate to Michael Gerard McMahon, General Manager, a prescribed power of attorney and that the General Manager report to Council every three months on all documents signed under the prescribed power of attorney.

Council notes that no documents were signed by the General Manager in the last three

months since 24 April 2012.

No Decision – Information Item Only

CONFIDENTIAL ITEMS - CLOSED SESSION

122/12 RESOLVED (Carried Unanimously)

That the meeting move into closed session in order to consider Items 73/12 Relocation of Burwood Community Welfare Services to 2 Wyatt Avenue, Burwood, TE1/12 Tender for Waste Disposal Services and TE2/12 Internet and Wide Area Network Services Provision Tender 04-12 to be considered Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (e) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND information that would, if disclosed, prejudice the maintenance of law.

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

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 8.11PM THE PUBLIC AND PRESS EXCLUDED FROM THE MEETING.

THE MEETING RESUMED IN OPEN SESSION AT 8.29PM

(ITEM 73/12) RELOCATION OF BURWOOD COMMUNITY WELFARE SERVICES TO 2 WYATT AVENUE, BURWOOD

File No: 12/31957

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (e) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND information that would, if disclosed, prejudice the maintenance of law.

123/12 RESOLVED (Carried Unanimously)

1. That Council approves the Heads of Terms as outlined in this report.
2. That the General Manager be authorised to sign the Lease Agreement and any other associated documentation under the Power of Attorney pursuant to Council this resolution of 28 June 2011 relating to the relocation of Burwood Community Welfare Services from No 45 Belmore Street, Burwood to No 2 Wyatt Avenue, Burwood.

(Moved Deputy Mayor Ernest Wong/Seconded Mayor John Faker)

(ITEM TE1/12) TENDER FOR WASTE DISPOSAL SERVICES

File No: 12/29457

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

124/12 RESOLVED (Carried Unanimously)

1. The Evaluation of Findings report attached to Council's file be treated as confidential

in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2) of the *Local Government Act 1993*.

2. That in relation to the joint SSROC tender for waste disposal services, Burwood Council accepts the tender from Veolia Environmental Services.
3. The contract term is to be for a period of three years with an option to extend the contract for a further two years.
4. That authority be granted to the General Manager to sign the Tender contract and any related documentation.
5. The unsuccessful tenderer be notified of the tender result.

(Moved Councillor Lesley Furneaux-Cook/Seconded Councillor Christine Donayre)

**(ITEM TE2/12) INTERNET AND WIDE AREA NETWORK SERVICES PROVISION
TENDER 04-12**

File No: 12/29952

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

125/12 RESOLVED (Carried Unanimously)

1. That Council accept the tender from Optus for Internet and Wide Area Network Services for a period of three years.
2. That authority be granted to the General Manager to execute the contract with Optus and any related documentation.

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

QUESTIONS WITHOUT NOTICE

The following Questions Without Notice were submitted at the Meeting:

Councillor Lesley Furneaux-Cook

In relation to the structural integrity of structures e.g carparks is there a regime of checks by Council in light of the Eastgardens beam collapse?

Councillor Lesley Furneaux-Cook

Can Council staff attend to the street lights on Railway Parade corner of Conder Street as they have been out for a number of days?

Councillor Lesley Furneaux-Cook

What are the guidelines for the information in a motion to be read out and recorded in minutes after a closed session? At what point will the motions be made public in some form?

This concluded the business of the meeting and Council rose at 8.45pm.

Confirmed this 25th Day of September 2012.

MAYOR

GENERAL MANAGER

DRAFT